

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 21-0258.01 Gregg Fraser x4325

SENATE BILL 21-155

SENATE SPONSORSHIP

Hisey,

HOUSE SPONSORSHIP

Amabile and Baisley,

Senate Committees
Local Government

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE APPOINTMENT OF A RESIDENT OF A LOCALITY IN**
102 **WHICH LIMITED GAMING TAKES PLACE TO THE LIMITED GAMING**
103 **CONTROL COMMISSION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires that at least one member of the 5-member limited gaming control commission be a registered elector of Gilpin or Teller county.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 44-30-301, **amend**
3 (1) introductory portion and (1)(a) as follows:

4 **44-30-301. Colorado limited gaming control commission -**
5 **creation.** (1) There is hereby created, within the division of gaming, the
6 Colorado limited gaming control commission. The commission shall
7 consist of five members, all of whom shall be citizens of the United
8 States and residents of this state who have been residents of the state for
9 the past five years. The members shall be appointed by the governor, with
10 the consent and approval of the senate. No member shall have been
11 convicted of a felony or gambling-related offense, notwithstanding the
12 provisions of section 24-5-101. No more than three of the five members
13 shall be members of the same political party and no more than one
14 member shall be from any one congressional district; EXCEPT THAT THE
15 MEMBER WHO IS A REGISTERED ELECTOR OF TELLER OR GILPIN COUNTY
16 MAY RESIDE IN THE SAME CONGRESSIONAL DISTRICT AS ONE OF THE OTHER
17 MEMBERS. At the first meeting of each fiscal year, a ~~chairman~~ CHAIR and
18 ~~vice-chairman~~ VICE-CHAIR of the commission shall be chosen from the
19 membership by a majority of the members. Membership and operation of
20 the commission shall additionally meet the following requirements:

21 (a) One member of the commission shall have had at least five
22 years' law enforcement experience as a peace officer certified pursuant to
23 section 24-31-305; one member shall be an attorney admitted to the
24 practice of law in Colorado for not less than five years and who has
25 experience in regulatory law; one member shall be a certified public
26 accountant or public accountant who has been practicing in Colorado for
27 at least five years and who has a comprehensive knowledge of the

1 principles and practices of corporate finance; one member shall have been
2 engaged in business in a management-level capacity for at least five
3 years; and, EFFECTIVE JULY 1, 2023, one member shall be a registered
4 elector of ~~the state who is not~~ GILPIN OR TELLER COUNTY. THE
5 REGISTERED ELECTOR MEMBER OF THE COMMISSION MAY BE employed in
6 ~~any~~ A profession or industry otherwise described in this subsection (1)(a),
7 BUT SHALL NOT OCCUPY THE PLACE ON THE COMMISSION THAT IS
8 RESERVED FOR A PERSON EMPLOYED IN THAT PROFESSION OR INDUSTRY.

9 **SECTION 2.** In Colorado Revised Statutes, 44-30-401, **amend**
10 (1)(a) and (1)(b) as follows:

11 **44-30-401. Conflict of interest.** (1) Members of the commission
12 and employees of the division are declared to be in positions of public
13 trust. In order to ensure the confidence of the people of the state in the
14 integrity of the division, its employees, and the commission, the following
15 restrictions shall apply:

16 (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b) OF
17 THIS SECTION, no member of the commission, an ancestor or descendant
18 of a member, including a natural child, child by adoption, or stepchild, or
19 a brother or sister of the whole or half blood of a member, or an uncle,
20 aunt, nephew, or niece of the whole blood of a member, shall have any
21 interest of any kind in a license issued pursuant to this article 30 or own
22 or have any interest in property in any county where limited gaming is
23 permitted. The provisions of this subsection (1)(a) shall apply to spouses
24 of commission members in like fashion as to members.

25 (b) No member of the commission or employee of the division,
26 including the director, and no member of the immediate family of a
27 member or employee of the division, shall have any interest, direct or

1 indirect, in any licensee, licensed premises, establishment, or business
2 involved in or with limited gaming. Further, the person shall not own, in
3 whole or in part, property in the cities of Central, Black Hawk, or Cripple
4 Creek; except that:

5 (I) THE MEMBER OF THE COMMISSION WHO IS A REGISTERED
6 ELECTOR OF GILPIN OR TELLER COUNTY MAY LIVE WITH HIS OR HER
7 FAMILY IN THE CITY OF CENTRAL, BLACK HAWK, OR CRIPPLE CREEK OR
8 IN GILPIN OR TELLER COUNTY, AND MAY OWN PRIVATE PROPERTY IN
9 THOSE AREAS FOR RESIDENTIAL PURPOSES; AND

10 (II) Employees of the division assigned to work regularly in
11 Gilpin or Teller county may live with their families in those counties, and
12 may own private property ~~therein~~ IN THOSE COUNTIES for residential
13 purposes, with commission approval.

14 **SECTION 3. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly; except
17 that, if a referendum petition is filed pursuant to section 1 (3) of article V
18 of the state constitution against this act or an item, section, or part of this
19 act within such period, then the act, item, section, or part will not take
20 effect unless approved by the people at the general election to be held in
21 November 2022 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.