

CHAPTER 169

GOVERNMENT - STATE

SENATE BILL 21-155

BY SENATOR(S) Hisey and Story, Cooke, Gardner, Ginal, Gonzales, Liston, Lundeen, Moreno, Priola, Rankin;
also REPRESENTATIVE(S) Amabile and Baisley, Bird, Hooton, McLachlan, Ricks, Sandridge.

AN ACT

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

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

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

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

(a) One member of the commission shall have had at least five years' law enforcement experience as a peace officer certified pursuant to section 24-31-305; one member shall be an attorney admitted to the practice of law in Colorado for not less than five years and who has experience in regulatory law; one member shall be

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a certified public accountant or public accountant who has been practicing in Colorado for at least five years and who has a comprehensive knowledge of the principles and practices of corporate finance; one member shall have been engaged in business in a management-level capacity for at least five years; and one member shall be a registered elector of ANY COUNTY IN the state who is not employed in ~~any~~ A profession or industry otherwise described in this subsection (1)(a). TO THE EXTENT THAT APPLICATIONS HAVE BEEN SUBMITTED FOR CONSIDERATION FOR MEMBERSHIP ON THE COMMISSION, THE GOVERNOR SHALL PRIORITIZE APPOINTING MEMBERS WHO ARE REGISTERED ELECTORS OF GILPIN COUNTY OR TELLER COUNTY. THE REGISTERED ELECTOR MEMBERS OF THE COMMISSION FROM GILPIN AND TELLER COUNTIES MAY BE EMPLOYED IN A PROFESSION OR INDUSTRY OTHERWISE DESCRIBED IN THIS SUBSECTION (1)(a).

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

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

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

(b) No member of the commission or employee of the division, including the director, and no member of the immediate family of a member or employee of the division, shall have any interest, direct or indirect, in any licensee, licensed premises, establishment, or business involved in or with limited gaming. Further, the person shall not own, in whole or in part, property in the cities of Central, Black Hawk, or Cripple Creek; except that:

(I) A MEMBER OF THE COMMISSION SERVING PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION AS A REGISTERED ELECTOR OF GILPIN OR TELLER COUNTY MAY LIVE WITH HIS OR HER FAMILY IN THE CITY OF CENTRAL, BLACK HAWK, OR CRIPPLE CREEK OR IN GILPIN OR TELLER COUNTY, AND MAY OWN PRIVATE PROPERTY IN THOSE AREAS FOR RESIDENTIAL PURPOSES; AND

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

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an

item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 21, 2021