

## CHAPTER 17

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**PROFESSIONS AND OCCUPATIONS**

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**HOUSE BILL 95-1134**

BY REPRESENTATIVES June, Armstrong, Chlouber, Clarke, Gordon, Hernandez, Pankey, and Snyder;  
also SENATORS Wattenberg and Johnson.

**AN ACT****CONCERNING THE EXEMPTION OF CRANE GAMES FROM STATUTES REGULATING GAMBLING  
ACTIVITIES.**

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

**SECTION 1.** 18-10-102 (2) and (3), Colorado Revised Statutes, 1986 Repl. Vol.,  
are amended to read:

**18-10-102. Definitions.** As used in this article, unless the context otherwise  
requires:

(2) "Gambling" means risking any money, credit, deposit, or other thing of value  
for gain contingent in whole or in part upon lot, chance, the operation of a gambling  
device, or the happening or outcome of an event, including a sporting event, over  
which the person taking a risk has no control, but does not include:

(a) Bona fide contests of skill, speed, strength, or endurance in which awards are  
made only to entrants or the owners of entries; ~~or~~

(b) Bona fide business transactions which are valid under the law of contracts; ~~or~~

(c) Other acts or transactions now or hereafter expressly authorized by law; ~~or~~

(d) Any game, wager, or transaction which is incidental to a bona fide social  
relationship, is participated in by natural persons only, and in which no person is  
participating, directly or indirectly, in professional gambling; OR

(e) Repealed.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from  
existing statutes and such material not part of act.*

(f) ANY USE OF OR TRANSACTION INVOLVING A CRANE GAME, AS DEFINED IN SECTION 12-47.1-103 (5.5), C.R.S.

(3) "Gambling device" means any device, machine, paraphernalia, or equipment that is used or usable in the playing phases of any professional gambling activity, whether that activity consists of gambling between persons or gambling by a person involving the playing of a machine; EXCEPT THAT THE TERM DOES NOT INCLUDE A CRANE GAME, AS DEFINED IN SECTION 12-47.1-103 (5.5), C.R.S.

**SECTION 2.** 12-47.1-103 (26), Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended, and the said 12-47.1-103 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**12-47.1-103. Definitions.** As used in this article, unless the context otherwise requires:

(5.5) "CRANE GAME" MEANS AN AMUSEMENT MACHINE THAT, UPON INSERTION OF A COIN, BILL, TOKEN, OR SIMILAR OBJECT, ALLOWS THE PLAYER TO USE ONE OR MORE BUTTONS, JOYSTICKS, OR OTHER CONTROLS TO MANEUVER A CRANE OR CLAW OVER A NONMONETARY PRIZE, TOY, OR NOVELTY, NONE OF WHICH SHALL HAVE A COST OF MORE THAN TWENTY-FIVE DOLLARS, AND THEN, USING THE CRANE OR CLAW, TO ATTEMPT TO RETRIEVE THE PRIZE, TOY, OR NOVELTY FOR THE PLAYER.

(26) (a) "Slot machine" means any mechanical, electrical, video, electronic, or other device, contrivance, or machine which, after insertion of a coin, token, or similar object, or upon payment of any required consideration whatsoever by a player, is available to be played or operated, and which, whether by reason of the skill of the player or application of the element of chance, or both, may deliver or entitle the player operating the machine to receive cash premiums, merchandise, tokens, or redeemable game credits, or any other thing of value other than unredeemable free games, whether the payoff is made automatically from the machines or in any other manner.

(b) ~~As used in this article,~~ "Slot machine" does not include:

(I) Vintage slot machine models which were introduced on the market prior to 1984 and are not used for gambling purposes or in connection with limited gaming;  
OR

(II) CRANE GAMES.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 17, 1995