

## CHAPTER 372

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**PROFESSIONS AND OCCUPATIONS**


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**HOUSE BILL 08-1314**

BY REPRESENTATIVE(S) Primavera, McGihon, Buescher, Casso, Fischer, Frangas, Hodge, Kefalas, Madden, McFadyen, Stafford, Stephens, Borodkin, Levy, Marshall, and Soper;  
also SENATOR(S) Spence, Boyd, Tochtrop, and Windels.

**AN ACT**

**CONCERNING THE USE OF MONEYS IN THE LOCAL GOVERNMENT LIMITED GAMING IMPACT FUND TO PROVIDE GAMBLING ADDICTION COUNSELING TO COLORADO RESIDENTS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

**SECTION 1.** 12-47.1-1601 (1) (a) and (4) (a), Colorado Revised Statutes, are amended, and the said 12-47.1-1601 (4) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**12-47.1-1601. Local government limited gaming impact fund - repeal.**  
(1) (a) There is hereby created in the office of the state treasurer the local government limited gaming impact fund, referred to in this part 16 as the "fund", ~~for the purpose of providing~~ AND WITHIN THE FUND, THERE IS CREATED THE LIMITED GAMING IMPACT ACCOUNT AND THE GAMBLING ADDICTION ACCOUNT. OF THE MONEYS TRANSFERRED TO THE FUND PURSUANT TO SUBSECTION (2) OF THIS SECTION, NINETY-EIGHT PERCENT SHALL BE ALLOCATED TO THE LIMITED GAMING IMPACT ACCOUNT AND TWO PERCENT SHALL BE ALLOCATED TO THE GAMBLING ADDICTION ACCOUNT. MONEYS IN THE LIMITED GAMING IMPACT ACCOUNT SHALL BE USED TO PROVIDE financial assistance to designated local governments for documented gaming impacts, AND MONEYS IN THE GAMBLING ADDICTION ACCOUNT SHALL BE USED TO AWARD GRANTS FOR THE PROVISION OF GAMBLING ADDICTION COUNSELING, INCLUDING PREVENTION AND EDUCATION, TO COLORADO RESIDENTS. For the purposes of this part 16, "documented gaming impacts" means the documented expenses, costs, and other impacts incurred directly as a result of limited gaming permitted in the counties of Gilpin and Teller and on Indian lands.

(4) (a) After considering the recommendations of the local government limited

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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.*

gaming impact advisory committee created in section 12-47.1-1602, the moneys from the ~~local government~~ limited gaming impact ~~fund~~ ACCOUNT shall be distributed at the authority of the executive director of the department of local affairs to eligible local governmental entities upon their application for grants to finance planning, construction, and maintenance of public facilities and the provision of public services related to the documented gaming impacts. At the end of any fiscal year, all unexpended and unencumbered moneys in the ~~fund~~ LIMITED GAMING IMPACT ACCOUNT shall remain available for expenditure in any subsequent fiscal year without further appropriation by the general assembly.

(a.5) (I) FOR THE 2008-09 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES SHALL USE THE MONEYS IN THE GAMBLING ADDICTION ACCOUNT TO AWARD GRANTS FOR THE PURPOSE OF PROVIDING GAMBLING ADDICTION COUNSELING SERVICES TO COLORADO RESIDENTS. THE DEPARTMENT OF HUMAN SERVICES MAY USE A PORTION OF THE MONEYS IN THE GAMBLING ADDICTION ACCOUNT, NOT TO EXCEED TEN PERCENT IN THE 2008-09 FISCAL YEAR AND FIVE PERCENT IN EACH FISCAL YEAR THEREAFTER, TO COVER THE DEPARTMENT'S DIRECT AND INDIRECT COSTS ASSOCIATED WITH ADMINISTERING THE GRANT PROGRAM AUTHORIZED IN THIS PARAGRAPH (a.5). GRANTS SHALL BE AWARDED TO STATE OR LOCAL PUBLIC OR PRIVATE ENTITIES OR PROGRAMS THAT PROVIDE GAMBLING ADDICTION COUNSELING SERVICES AND THAT HAVE OR ARE SEEKING NATIONALLY ACCREDITED GAMBLING ADDICTION COUNSELORS. FOR THE 2008-09 THROUGH 2011-12 FISCAL YEARS, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES SHALL AWARD TEN PERCENT OF THE MONEYS IN THE GAMBLING ADDICTION ACCOUNT IN GRANTS TO ADDICTION COUNSELORS WHO ARE ACTIVELY PURSUING NATIONAL ACCREDITATION AS GAMBLING ADDICTION COUNSELORS. IN ORDER TO QUALIFY FOR AN ACCREDITATION GRANT, AN ADDICTION COUNSELOR APPLICANT SHALL PROVIDE SUFFICIENT PROOF THAT HE OR SHE HAS COMPLETED AT LEAST HALF OF THE COUNSELING HOURS REQUIRED FOR NATIONAL ACCREDITATION. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES SHALL ADOPT RULES ESTABLISHING THE PROCEDURE FOR APPLYING FOR A GRANT FROM THE GAMBLING ADDICTION ACCOUNT, THE CRITERIA FOR AWARDING GRANTS AND PRIORITIZING APPLICATIONS, AND ANY OTHER PROVISION NECESSARY FOR THE ADMINISTRATION OF THE GRANT APPLICATIONS AND AWARDS. NEITHER THE ENTITY, PROGRAM, OR GAMBLING ADDICTION COUNSELOR PROVIDING THE GAMBLING ADDICTION COUNSELING SERVICES NOR THE RECIPIENTS OF THE COUNSELING SERVICES NEED TO BE LOCATED WITHIN THE JURISDICTION OF AN ELIGIBLE LOCAL GOVERNMENTAL ENTITY IN ORDER TO RECEIVE A GRANT OR COUNSELING SERVICES. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE GAMBLING ADDICTION ACCOUNT SHALL REMAIN IN THE ACCOUNT AND SHALL NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND OR ACCOUNT.

(II) BY JANUARY 1, 2009, AND BY EACH JANUARY 1 THEREAFTER, THE DEPARTMENT OF HUMAN SERVICES SHALL SUBMIT A REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, REGARDING THE GRANT PROGRAM. THE REPORT SHALL DETAIL THE FOLLOWING INFORMATION FOR THE FISCAL YEAR IN WHICH THE REPORT IS SUBMITTED:

(A) THE AMOUNT OF MONEYS ALLOCATED TO THE GAMBLING ADDICTION

ACCOUNT PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION;

(B) THE NUMBER OF GRANT APPLICATIONS RECEIVED AND THE TOTAL AMOUNT OF GRANT MONEYS REQUESTED BY GRANT APPLICANTS;

(C) THE TOTAL AMOUNT OF MONEYS IN THE GAMBLING ADDICTION ACCOUNT THAT WAS AWARDED AS GRANTS TO APPLICANTS; AND

(D) THE ENTITIES OR PROGRAMS THAT RECEIVED GRANTS AND THE AMOUNT OF GRANT MONEYS EACH GRANT RECIPIENT RECEIVED.

(III) THIS PARAGRAPH (a.5) IS REPEALED, EFFECTIVE JULY 1, 2013. ANY MONEYS REMAINING IN THE GAMBLING ADDICTION ACCOUNT ON JUNE 30, 2013, SHALL BE TRANSFERRED TO THE LIMITED GAMING IMPACT ACCOUNT.

**SECTION 2. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, to the department of human services, executive director's office, for the purchase of legal services, for the fiscal year beginning July 1, 2008, the sum of two thousand eight hundred sixty-six dollars (\$2,866), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from reappropriated funds transferred from the department of local affairs.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of human services, for allocation to the alcohol and drug abuse division, for the fiscal year beginning July 1, 2008, the sum of one hundred forty-three thousand eight hundred eighteen dollars (\$143,818) and 0.1 FTE, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from reappropriated funds transferred from the department of local affairs.

(3) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2008, the sum of two thousand eight hundred sixty-six dollars (\$2,866), or so much thereof as may be necessary, for the provision of legal services to the department of human services related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of human services out of the appropriation made in subsection (1) of this section.

**SECTION 3. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 2, 2008