

**Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0566.01 Jed Franklin x5484

**SENATE BILL 26-117**

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**SENATE SPONSORSHIP**

**Bridges and Amabile**, Ball, Cutter, Exum, Gonzales J., Jodeh, Kipp, Kolker, Lindstedt, Marchman, Weissman

**HOUSE SPONSORSHIP**

**Mabrey and Soper**, Bacon, Bradfield, Brown, Froelich, Garcia, Goldstein, Martinez, Nguyen, Velasco, Willford, Zokaie

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**Senate Committees**

Finance  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING PERMISSIBLE METHODS FOR THE SALE OF LOTTERY**  
102      **TICKETS.**

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**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 Colorado lottery (lottery) commission adopted rules that removed a prohibition on the use of credit or other noncash bases to buy lottery tickets and instant scratch game tickets. The bill reinstates the prohibition on the lottery or any licensed lottery retailer from selling lottery tickets or instant scratch game tickets on a credit or other noncash basis and requires the lottery to sell such tickets for cash only, including

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

checks, money orders, and debit cards. The bill also prohibits the online sale of any lottery ticket or instant scratch game ticket, regardless of payment method. The bill requires the lottery commission to adopt rules implementing the bill.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-40-107, **add** (12)  
3 and (13) as follows:

4 **44-40-107. Licenses.**

5 (12) LOTTERY TICKETS OR INSTANT SCRATCH GAME TICKETS THAT  
6 ARE PRODUCED BY THE LOTTERY FOR SALE TO THE PUBLIC, EITHER  
7 DIRECTLY OR THROUGH THE LICENSEE, MUST NOT BE SOLD ON A CREDIT OR  
8 ANY OTHER NONCASH BASIS. SUCH TICKETS MUST BE SOLD ONLY FOR  
9 CASH, INCLUDING CHECKS, MONEY ORDERS, AND DEBIT CARDS.

10 (13) LOTTERY TICKETS OR INSTANT SCRATCH GAME TICKETS THAT  
11 ARE PRODUCED BY THE LOTTERY FOR SALE TO THE PUBLIC, EITHER  
12 DIRECTLY OR THROUGH A LICENSEE, MUST NOT BE SOLD ONLINE.

13 **SECTION 2.** In Colorado Revised Statutes, 44-40-109, **amend**  
14 (2)(f), (2)(i), and (3)(a)(II); and **add** (2)(j), (2)(k), (2)(l), (3)(a)(IV), and  
15 (3)(a)(V) as follows:

16 **44-40-109. Commission - powers and duties - rules.**

17 (2) Except as provided in subsection (3) of this section, rules  
18 promulgated pursuant to subsection (1) of this section must include:

19 (f) Without limit to number, the types of locations where tickets  
20 or shares may be sold; except that the commission shall not promulgate  
21 any rule, issue any order, or adopt any policy or interpretation before July  
22 1, 2017; that authorizes or permits the purchase of tickets, including  
23 instant scratch tickets, or shares by means of the internet, telephone,

1 computer, or any other electronic device or equipment that the purchaser  
2 can access or use to purchase lottery tickets other than by doing so  
3 personally at a licensed lottery sales agent's physical place of business  
4 EXCEPT AS OTHERWISE PROVIDED BY THE COMMISSION PURSUANT TO  
5 SUBSECTION (2)(1) OF THIS SECTION;

6 (i) The manner in which lottery sales revenues are to be collected;

7 (j) A PROHIBITION ON THE LOTTERY OR A LICENSEE'S SALE OF ANY  
8 LOTTERY TICKETS PRODUCED BY THE LOTTERY FOR SALE TO THE PUBLIC,  
9 EITHER DIRECTLY OR THROUGH THE LICENSEE, ON A CREDIT OR ANY OTHER  
10 NONCASH BASIS AND A REQUIREMENT THAT SUCH TICKETS MUST ONLY BE  
11 SOLD FOR CASH, INCLUDING CHECKS, MONEY ORDERS, AND DEBIT CARDS;

12 ==

13 (k) A PROHIBITION ON THE ONLINE SALE OF ANY LOTTERY TICKETS  
14 PRODUCED BY THE LOTTERY FOR SALE TO THE PUBLIC, EITHER DIRECTLY  
15 OR THROUGH A LICENSEE; AND

16 (l) NOTWITHSTANDING SUBSECTION (2)(k) OF THIS SECTION, THE  
17 CONDITIONS UNDER WHICH A COURIER, IN EXCHANGE FOR A FEE, MAY  
18 TRANSMIT LOTTERY TICKETS, INCLUDING INSTANT SCRATCH TICKETS,  
19 THAT HAVE BEEN ORDERED BY AN ADULT PURCHASER, WHETHER THE  
20 TRANSACTION BETWEEN THE COURIER AND THE PURCHASER IS INITIATED  
21 OR COMPLETED IN PERSON OR ONLINE.

22 (3) (a) The commission shall promulgate rules pursuant to  
23 subsection (1) of this section for the general administration of all instant  
24 scratch games. The rules must include:

25 (II) The method of paying prizes on winning instant scratch game  
26 tickets; and

27 (IV) A PROHIBITION ON THE SALE OF INSTANT SCRATCH GAME

1 TICKETS PRODUCED BY THE LOTTERY FOR SALE TO THE PUBLIC, EITHER  
2 DIRECTLY OR THROUGH THE LICENSEE, ON A CREDIT OR ANY OTHER  
3 NONCASH BASIS AND A REQUIREMENT THAT SUCH TICKETS MUST ONLY BE  
4 SOLD FOR CASH, INCLUDING CHECKS, MONEY ORDERS, AND DEBIT CARDS;  
5 AND

6 (V) A PROHIBITION ON THE ONLINE SALE OF ANY INSTANT SCRATCH  
7 GAME TICKETS PRODUCED BY THE LOTTERY FOR SALE TO THE PUBLIC,  
8 EITHER DIRECTLY OR THROUGH A LICENSEE.

9 **SECTION 3. Safety clause.** The general assembly finds,  
10 determines, and declares that this act is necessary for the immediate  
11 preservation of the public peace, health, or safety or for appropriations for  
12 the support and maintenance of the departments of the state and state  
13 institutions.