

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0277.01 Richard Sweetman x4333

SENATE BILL 26-163

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SENATE SPONSORSHIP

Roberts,

HOUSE SPONSORSHIP

Smith,

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Senate Committees  
Finance

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE REGULATION OF GAMBLING ACTIVITIES IN THE  
102 STATE, AND, IN CONNECTION THEREWITH, EXPANDING THE  
103 MEMBERSHIP OF THE COLORADO LIMITED GAMING CONTROL  
104 COMMISSION, REPEALING THE COLORADO RACING COMMISSION  
105 AND TRANSFERRING ITS AUTHORITIES TO THE COLORADO  
106 LIMITED GAMING CONTROL COMMISSION, REPEALING THE  
107 DIVISION OF RACING EVENTS AND TRANSFERRING ITS  
108 REGULATORY ACTIVITIES TO THE DIVISION OF GAMING,  
109 EXPANDING THE SCOPE OF THE LICENSING DUTIES THAT THE  
110 COLORADO LIMITED GAMING CONTROL COMMISSION MAY  
111 DELEGATE TO THE DIVISION OF GAMING, ALLOWING  
112 INDIVIDUALS TO VOLUNTARILY EXCLUDE THEMSELVES FROM  
113 SPORTS BETTING IN THE STATE, AND ALLOWING THE DIRECTOR

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.*

### 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 repeals the Colorado racing commission and the division of racing events within the department of revenue (department). The bill transfers the authorities of the Colorado racing commission to the Colorado limited gaming control commission (commission), and the bill transfers the regulatory activities of the division of racing events to the division of gaming (division).

The bill adds 2 members to the commission: One member who represents the public and one member who:

- Has been engaged in the racing industry for at least 5 years;
- Has been a licensed veterinarian in Colorado for at least 5 years and is currently practicing in Colorado; or
- Has been engaged in business in a management-level capacity for at least 5 years.

Under current law, the commission, at its discretion, may delegate only certain licensing duties described under the "Limited Gaming Act of 1991" (gaming act) to the division. The bill allows the commission to delegate to the division licensing duties that appear elsewhere in the gaming act.

The bill authorizes investigators of the division and their supervisors to inspect, examine, investigate, hold, or impound any premises in the state where an investigator or supervisor suspects that unlicensed gaming or unlicensed sports betting is conducted.

Under current law, the division is required to operate a program that allows individuals to voluntarily exclude themselves from gaming activities in the state. The bill expands the program to allow individuals to voluntarily exclude themselves from sports betting in the state.

The bill allows the director of the division to approve optional wagers and minor modifications for commission-approved poker, blackjack, craps, and roulette games.

The bill clarifies the definition of "race meet" for purposes of the regulation of racing events.

The bill allows the executive director of the department to delegate certain non-rule-making and nonlicensing functions to a designee.

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

2           **SECTION 1.** In Colorado Revised Statutes, **amend** 44-30-301 as  
3 follows:

4           **44-30-301. Colorado limited gaming control commission -**  
5 **creation - repeal.**

6           (1) **Commission created.** ~~There is created, within the division of~~  
7 ~~gaming, the Colorado limited gaming control commission. The~~  
8 ~~commission consists of five members, all of whom must be citizens of the~~  
9 ~~United States and residents of this state who have been residents of the~~  
10 ~~state for the past five years. The members shall be appointed by the~~  
11 ~~governor, with the consent and approval of the senate. No member shall~~  
12 ~~have been convicted of a felony or gambling-related offense,~~  
13 ~~notwithstanding the provisions of section 24-5-101. No more than three~~  
14 ~~of the five members may be affiliated with the same political party and no~~  
15 ~~more than one member may be from any one congressional district;~~  
16 ~~except that a member who is serving pursuant to subsection (1)(a) of this~~  
17 ~~section as a registered elector of Teller or Gilpin county may reside in the~~  
18 ~~same congressional district as one of the other members. At the first~~  
19 ~~meeting of each fiscal year, a chair and vice-chair of the commission shall~~  
20 ~~be chosen from the membership by a majority of the members.~~  
21 ~~Membership and operation of the commission shall additionally meet the~~  
22 ~~following requirements:~~ THE COLORADO LIMITED GAMING CONTROL  
23 COMMISSION IS CREATED WITHIN THE DIVISION OF GAMING.

24           (2) **Membership.**

25           (a) THE COMMISSION CONSISTS OF SEVEN MEMBERS WHO ARE  
26 RESIDENTS OF COLORADO AND CITIZENS OF THE UNITED STATES AND WHO

1 HAVE BEEN RESIDENTS OF COLORADO FOR THE FIVE YEARS PRECEDING  
2 THEIR APPOINTMENT, AS FOLLOWS:

3 (a) (I) One member of the commission shall have had at least five  
4 years' law enforcement experience as a peace officer certified pursuant to  
5 section 24-31-305;

6 (II) One member shall be an attorney admitted WHO HAS BEEN  
7 LICENSED to the practice of law in Colorado for not less than five years  
8 and who has experience in regulatory law;

9 (III) One member shall be a certified public accountant or public  
10 accountant who has been practicing in Colorado for at least five years and  
11 who has a comprehensive knowledge of the principles and practices of  
12 corporate finance;

13 (IV) One member shall have been engaged in business in a  
14 management-level capacity for at least five years; and

15 (V) One member shall be a registered elector of any county in the  
16 state who is not employed in a profession or industry otherwise described  
17 in this subsection (1)(a). To the extent that applications have been  
18 submitted for consideration for membership on the commission, the  
19 governor shall prioritize appointing members who are registered electors  
20 of Gilpin county or Teller county. The registered elector members of the  
21 commission from Gilpin and Teller counties may be employed in a  
22 profession or industry otherwise described in this subsection (1)(a).  
23 SUBSECTION (2)(a);

24 (VI) ONE MEMBER SHALL BE AN INDIVIDUAL WHO:

25 (A) HAS BEEN ENGAGED IN THE RACING INDUSTRY FOR AT LEAST  
26 FIVE YEARS;

27 (B) HAS BEEN A LICENSED VETERINARIAN IN COLORADO FOR AT

1 LEAST FIVE YEARS AND IS CURRENTLY PRACTICING IN COLORADO; OR

2 (C) HAS BEEN ENGAGED IN BUSINESS IN A MANAGEMENT-LEVEL  
3 CAPACITY FOR AT LEAST FIVE YEARS; AND

4 (VII) ONE MEMBER SHALL REPRESENT THE PUBLIC.

5 (b) The term of office for each member is four years; except that  
6 the terms ~~shall~~ MUST be staggered so that no more than ~~two~~ THREE  
7 members' terms expire in the same year. No member of the commission  
8 ~~is eligible to~~ MAY serve more than two consecutive terms.

9 (c) NO MORE THAN FOUR OF THE SEVEN MEMBERS MAY BE  
10 AFFILIATED WITH THE SAME POLITICAL PARTY, AND NO MORE THAN ONE  
11 MEMBER MAY BE FROM ANY ONE CONGRESSIONAL DISTRICT; EXCEPT THAT  
12 A MEMBER WHO IS SERVING PURSUANT TO SUBSECTION (2)(a) OF THIS  
13 SECTION AS A REGISTERED ELECTOR OF GILPIN OR TELLER COUNTY MAY  
14 RESIDE IN THE SAME CONGRESSIONAL DISTRICT AS ONE OF THE OTHER  
15 MEMBERS.

16 (3) **Appointments.**

17 (a) THE GOVERNOR SHALL APPOINT THE MEMBERS OF THE  
18 COMMISSION WITH THE CONSENT AND APPROVAL OF THE SENATE.

19 (b) TO THE EXTENT THAT THE GOVERNOR RECEIVES APPLICATIONS  
20 FOR MEMBERSHIP ON THE COMMISSION, THE GOVERNOR SHALL PRIORITIZE  
21 APPOINTING MEMBERS WHO ARE REGISTERED ELECTORS OF GILPIN COUNTY  
22 OR TELLER COUNTY. THE REGISTERED ELECTOR MEMBERS OF THE  
23 COMMISSION FROM GILPIN AND TELLER COUNTIES MAY BE EMPLOYED IN  
24 A PROFESSION OR INDUSTRY OTHERWISE DESCRIBED IN SUBSECTION (2)(a)  
25 OF THIS SECTION.

26 (c) THE GOVERNOR SHALL NOT APPOINT AS A MEMBER ANY  
27 INDIVIDUAL WHO HAS BEEN CONVICTED OF A FELONY OR

1 GAMBLING-RELATED OFFENSE, NOTWITHSTANDING THE PROVISIONS OF  
2 SECTION 24-5-101.

3 ~~(c)~~ (d) THE GOVERNOR SHALL FILL any vacancy on the commission  
4 ~~shall be filled~~ for the unexpired term in the same manner as the original  
5 appointment. The member appointed to fill the vacancy shall be from the  
6 same category described in ~~subsection (1)(a)~~ SUBSECTION(2)(a) of this  
7 section as the member vacating the position.

8 ~~(d)~~ (e) THE GOVERNOR MAY REMOVE any member of the  
9 commission ~~may be removed by the governor~~ at any time.

10 ~~(e)~~ (f) THE GOVERNOR SHALL TERMINATE the term of any member  
11 ~~of the commission~~ who misses more than two consecutive regular  
12 commission meetings without good cause, ~~shall be terminated~~ and THE  
13 GOVERNOR SHALL APPOINT the member's successor ~~shall be appointed in~~  
14 ~~the manner~~ AS provided for appointments under IN this section.

15 (g) (I) THE GOVERNOR SHALL APPOINT THE MEMBERS DESCRIBED  
16 IN SUBSECTIONS (2)(a)(VI) AND (2)(a)(VII) OF THIS SECTION ON OR  
17 BEFORE DECEMBER 1, 2026.

18 (II) THIS SUBSECTION (3)(g) IS REPEALED, EFFECTIVE MAY 1, 2027.

19 ~~(f)~~ (4) **Compensation.** Commission members shall receive as  
20 compensation for their services one hundred dollars for each day spent in  
21 the conduct of commission business. ~~and shall be reimbursed~~ IN  
22 ADDITION, THE DEPARTMENT SHALL REIMBURSE MEMBERS for necessary  
23 travel and other reasonable expenses incurred in the performance of ~~their~~  
24 THE MEMBERS' official duties. The maximum annual compensation for  
25 each member, ~~of the commission~~, including reimbursement for necessary  
26 travel and other reasonable expenses incurred in the performance of ~~their~~  
27 THE MEMBERS' official duties, ~~shall not exceed~~ IS ten thousand dollars. per

1 year.

2            ~~(g)~~ (5) **Financial disclosure statements required.** Prior to  
3 confirmation by the senate, ~~each member~~ AN INDIVIDUAL APPOINTED TO  
4 THE COMMISSION BY THE GOVERNOR shall file with the secretary of state  
5 a financial disclosure statement in the form required and prescribed by the  
6 executive director. IF THE INDIVIDUAL IS CONFIRMED BY THE SENATE TO  
7 SERVE ON THE COMMISSION, the INDIVIDUAL SHALL FILE WITH THE  
8 SECRETARY OF STATE AN UPDATED statement ~~shall be renewed as of~~ ON  
9 OR BEFORE each January 1 during the ~~member's~~ INDIVIDUAL'S term of  
10 office.

11            ~~(h)~~ (6) **Meetings - selection of chair and vice chair.**

12            (a) AT THE FIRST MEETING OF EACH FISCAL YEAR, A MAJORITY OF  
13 THE COMMISSION MEMBERS SHALL SELECT A MEMBER TO SERVE AS CHAIR  
14 AND A MEMBER TO SERVE AS VICE-CHAIR.

15            (b) The commission shall hold at least one meeting each month  
16 and any additional meetings as may be prescribed by rules of the  
17 commission. In addition, special meetings may be called by the ~~chairman~~  
18 CHAIR, any two commission members, or the director, if written  
19 notification of the meeting is delivered to each member at least  
20 seventy-two hours prior to the meeting. Notwithstanding the provisions  
21 of section 24-6-402, in emergency situations in which a majority of the  
22 commission certifies that exigencies of time require that the commission  
23 meet without delay, the requirements of public notice and of seventy-two  
24 hours' actual advance written notice to members may be dispensed with,  
25 and commission members as well as the public shall receive the notice as  
26 is reasonable under the circumstances.

27            ~~(i)~~ (c) A majority of the commission ~~shall constitute~~ CONSTITUTES

1 a quorum, ~~but~~ AND the concurrence of a majority of the members  
2 ~~appointed to the commission shall be~~ IS required for any final  
3 determination by the commission.

4 (j) (d) The commission shall keep a complete and accurate record  
5 of all its meetings.

6 **SECTION 2.** In Colorado Revised Statutes, **amend** 44-30-507 as  
7 follows:

8 **44-30-507. Delegation of licensing duties.**

9 The commission, at its discretion, may delegate licensing duties  
10 described in this ~~part 5~~ ARTICLE 30 to the division.

11 **SECTION 3.** In Colorado Revised Statutes, 44-30-204, **amend**  
12 (1)(b) as follows:

13 **44-30-204. Investigator - peace officers.**

14 (1) All investigators of the division and their supervisors,  
15 including the director and the executive director, have all the powers of  
16 any peace officer to:

17 (b) Inspect, examine, investigate, hold, or impound any premises  
18 IN THE STATE where:

19 (I) Limited gaming or sports betting is conducted;

20 (II) AN INVESTIGATOR OR SUPERVISOR SUSPECTS THAT  
21 UNLICENSED GAMING OR UNLICENSED SPORTS BETTING IS CONDUCTED;

22 (III) THERE ARE any devices or equipment designed for or used in  
23 limited gaming or sports betting; ~~and~~ OR

24 (IV) THERE ARE any books ~~and~~ OR records THAT ARE RELATED in  
25 any way ~~connected with any limited~~ TO gaming or sports betting; ~~activity;~~

26 **SECTION 4.** In Colorado Revised Statutes, 44-30-203, **add** (3)  
27 as follows:

1           **44-30-203. Director - qualification - powers and duties.**

2           (3) NOTWITHSTANDING ANY PROVISION OF SECTION 44-30-302 TO  
3 THE CONTRARY, THE DIRECTOR MAY APPROVE OPTIONAL WAGERS AND  
4 MINOR MODIFICATIONS FOR COMMISSION-APPROVED POKER, BLACKJACK,  
5 CRAPS, AND ROULETTE GAMES, BUT THE COMMISSION'S APPROVAL IS  
6 REQUIRED FOR ANY NEW GAME OR GAME TYPES.

7           **SECTION 5.** In Colorado Revised Statutes, 44-30-1703, **amend**  
8 (1)(a) introductory portion, (1)(a)(II), (2)(a), and (2)(b)(I) as follows:

9           **44-30-1703. Exclusion of certain individuals from**  
10 **participation in gaming activities and sports betting - duties of**  
11 **division - mechanism for self-exclusion - confidential records - rules.**

12           (1) (a) ~~On and after January 1, 2023,~~ The division shall operate a  
13 program to:

14           (II) Exclude from certain sports betting individuals who:

15           (A) Are prohibited from placing wagers on certain sporting events  
16 pursuant to section 44-30-1502; OR

17           (B) VOLUNTARILY REQUEST TO BE EXCLUDED FROM SPORTS  
18 BETTING IN THE STATE PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

19           (2) (a) The division shall include in the program described in  
20 subsection (1) of this section mechanisms by which individuals may  
21 request to be excluded from participation in gaming activities in the state,  
22 as described in subsection (1)(a)(I)(A) of this section, OR FROM SPORTS  
23 BETTING IN THE STATE, AS DESCRIBED IN SUBSECTION (1)(a)(II)(B) OF THIS  
24 SECTION. The mechanisms must include the receipt of such requests by  
25 the division in written, electronic, and telephonic form.

26           (b) Notwithstanding any other provision of law, the personal  
27 identifying information of the following individuals is confidential and

1 is not subject to the requirements of the "Colorado Open Records Act",  
2 part 2 of article 72 of title 24:

3 (I) Individuals who request to be excluded from participation in  
4 gaming activities OR SPORTS BETTING in the state pursuant to subsection  
5 (2)(a) of this section; and

6 **SECTION 6.** In Colorado Revised Statutes, 44-32-102, **amend**  
7 (4), (6), (7), (11)(c), and (20) as follows:

8 **44-32-102. Definitions - rules.**

9 As used in this article 32, unless the context otherwise requires:

10 (4) "Commission" means the Colorado ~~racing~~ LIMITED GAMING  
11 CONTROL commission created in ~~part 3 of this article 32~~ SECTION  
12 44-30-301.

13 (6) "Director" means the director of the division of ~~racing events~~  
14 GAMING.

15 (7) "Division" means the division of ~~racing events~~ GAMING  
16 created in ~~part 2 of this article 32~~ SECTION 44-30-201.

17 (11) (c) The commission, for good cause, may grant a licensed  
18 class A ~~horse~~ track permission to receive simulcast races at an alternate  
19 location within five miles of its track during the times when the track is  
20 not in operation.

21 (20) (a) "Race meet" OR "MEET" means ~~any~~ A live exhibition of  
22 racing involving horses registered within their breed, conducted at a track  
23 located within the state of Colorado and operated by a licensee under a  
24 license granted pursuant to section 44-32-505, where the pari-mutuel  
25 system of wagering is used.

26 (b) "RACE MEET" OR "MEET" INCLUDES THE TOTAL, CONTINUOUS  
27 PERIOD DURING WHICH A RACING ASSOCIATION OR TRACK PREMISES IS

1 UNDER THE FULL REGULATORY JURISDICTION OF THE DIVISION, WHICH  
2 PERIOD ENCOMPASSES:

3 (I) THE LIVE RACING PERIOD, WHICH IS ALL LICENSED DAYS  
4 APPROVED BY THE COMMISSION FOR THE CONDUCT OF LIVE, COMPETITIVE  
5 HORSE RACING;

6 (II) THE PREMEET REGULATORY PERIOD, WHICH IS THE ENTIRE  
7 PERIOD COMMENCING ON THE FIRST DAY THE LICENSED TRACK PREMISES  
8 ARE MADE AVAILABLE FOR OR UTILIZED FOR RECEIVING HORSES,  
9 CONDUCTING OFFICIAL REGULATED TRAINING, OR PERFORMING OFFICIAL  
10 PREMEET REGULATORY INSPECTIONS, WHICHEVER OCCURS EARLIEST; AND

11 (III) THE POST-MEET REGULATORY PERIOD, WHICH IS SEVEN  
12 CALENDAR DAYS IMMEDIATELY FOLLOWING AND INCLUDING THE FINAL  
13 LICENSED DAY OF LIVE RACING CONDUCTED BY A RACING ASSOCIATION  
14 FOR THE CALENDAR YEAR.

15 **SECTION 7.** In Colorado Revised Statutes, **repeal** 44-32-103 as  
16 follows:

17 **44-32-103. Division and commission subject to termination.**

18 ~~The provisions of section 24-34-104 concerning the termination~~  
19 ~~schedule for regulatory bodies of the state, unless extended as provided~~  
20 ~~in that section, are applicable to the division of racing events created by~~  
21 ~~section 44-32-201 and the Colorado racing commission created by section~~  
22 ~~44-32-301.~~

23 **SECTION 8.** In Colorado Revised Statutes, **amend** 44-32-201 as  
24 follows:

25 **44-32-201. Commission to regulate racing events - rules.**

26 ~~(1) The division of racing events is created in the department, the~~  
27 ~~head of which is the director of the division of racing events. The director~~

1 ~~is appointed by, and may be removed by, the executive director. The~~  
2 ~~division of racing events, the Colorado racing commission created in~~  
3 ~~section 44-32-301, and the director of the division of racing events are~~  
4 ~~type 2 entities, as defined in section 24-1-105, and exercise their~~  
5 ~~respective powers and perform their respective duties and functions as~~  
6 ~~specified in this article 32 under the department; except that The~~  
7 ~~commission has full and exclusive authority to promulgate ADOPT rules~~  
8 ~~related to racing. without any approval by, or delegation of authority~~  
9 ~~from, the department.~~

10 (2) ~~The division shall make investigations and shall request the~~  
11 ~~commission, or the district attorney of any district, as appropriate, to~~  
12 ~~prosecute, on behalf of and in the name of the division, suits and~~  
13 ~~proceedings for any of the purposes necessary and proper for carrying out~~  
14 ~~the functions of the division.~~

15 **SECTION 9.** In Colorado Revised Statutes, 44-32-202, **amend**  
16 (1), (2), and (3) introductory portion as follows:

17 **44-32-202. Director - qualifications - powers and duties - rules.**

18 (1) The director shall be qualified by training and experience to  
19 direct the work of the division CONCERNING THE REGULATION OF RACING  
20 ACTIVITIES; and, notwithstanding the provisions of section 24-5-101, shall  
21 be of good character and shall not have been convicted of any felony or  
22 gambling-related offense.

23 (2) The director shall not engage in any other profession or  
24 occupation that could present a conflict of interest with the director's  
25 duties ~~as director of the division~~ CONCERNING THE REGULATION OF  
26 RACING ACTIVITIES.

27 (3) The director, as administrative head of the division, shall

1 direct and supervise all administrative and technical activities of the  
2 division CONCERNING THE REGULATION OF RACING ACTIVITIES. In addition  
3 to the duties imposed upon the director elsewhere in this article 32, it  
4 ~~shall be~~ IS the director's duty:

5 **SECTION 10.** In Colorado Revised Statutes, **amend** 44-32-203  
6 as follows:

7 **44-32-203. Investigators - peace officers.**

8 (1) ~~All investigators of the division of racing events, including the~~  
9 ~~director and the executive director, shall~~ For purposes of enforcement of  
10 this article 32, ~~be~~ ALL INVESTIGATORS OF THE DIVISION, INCLUDING THE  
11 DIRECTOR AND THE EXECUTIVE DIRECTOR, ARE considered peace officers  
12 as described in ~~sections~~ SECTION 16-2.5-101. ~~and 16-2.5-126.~~

13 (2) Nothing in this section shall be construed to prohibit local  
14 sheriffs, police departments, and other local law enforcement agencies or  
15 the Colorado bureau of investigation from enforcing ~~the provisions of this~~  
16 article 32 or rules ~~promulgated~~ ADOPTED pursuant to this article 32 or  
17 from performing their other duties to the full extent permitted by law. All  
18 ~~such~~ sheriffs, police officers, district attorneys, AND other local law  
19 enforcement agencies ~~or~~ AND the Colorado bureau of investigation ~~shall~~  
20 have ~~all~~ the powers set forth in subsection (1) of this section.

21 **SECTION 11.** In Colorado Revised Statutes, **add** 44-32-303 as  
22 follows:

23 **44-32-303. Repeal of part - transfer of functions.**

24 (1) (a) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, THE  
25 RIGHTS, POWERS, DUTIES, AND FUNCTIONS VESTED IN THE COLORADO  
26 RACING COMMISSION PRIOR TO THAT DATE ARE TRANSFERRED FROM THE  
27 COLORADO RACING COMMISSION TO THE COLORADO LIMITED GAMING

1 CONTROL COMMISSION.

2 (b) (I) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION,  
3 WHENEVER ANY PROVISION OF LAW REFERS TO THE COLORADO RACING  
4 COMMISSION IN CONNECTION WITH THE FUNCTIONS TRANSFERRED TO THE  
5 COLORADO LIMITED GAMING CONTROL COMMISSION PURSUANT TO THIS  
6 SUBSECTION (1), THE LAW SHALL BE CONSTRUED AS REFERRING TO THE  
7 COLORADO LIMITED GAMING CONTROL COMMISSION.

8 (II) ANY CONTRACT ENTERED INTO BY THE COLORADO RACING  
9 COMMISSION PRIOR TO THE EFFECTIVE DATE OF THIS SECTION IN  
10 CONNECTION WITH THE FUNCTIONS TRANSFERRED TO THE COLORADO  
11 LIMITED GAMING CONTROL COMMISSION PURSUANT TO THIS SUBSECTION  
12 (1) IS VALIDATED, WITH THE COLORADO LIMITED GAMING CONTROL  
13 COMMISSION SUCCEEDING TO ALL RIGHTS AND OBLIGATIONS UNDER THE  
14 CONTRACT.

15 (III) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, THE  
16 COLORADO LIMITED GAMING CONTROL COMMISSION SHALL SATISFY ANY  
17 OBLIGATIONS INCURRED BY THE COLORADO RACING COMMISSION, BUT  
18 NOT YET PAID, IN CONNECTION WITH THE FUNCTIONS TRANSFERRED TO THE  
19 COLORADO LIMITED GAMING CONTROL COMMISSION PURSUANT TO THIS  
20 SUBSECTION (1).

21 (c) (I) AS OF THE EFFECTIVE DATE OF THIS SECTION, EMPLOYEES OF  
22 THE COLORADO RACING COMMISSION PRIOR TO SUCH DATE WHOSE  
23 POWERS, DUTIES, AND FUNCTIONS CONCERNED THE POWERS, DUTIES, AND  
24 FUNCTIONS REGARDING RACING EVENTS THAT ARE ASSUMED BY THE  
25 COLORADO LIMITED GAMING CONTROL COMMISSION PURSUANT TO  
26 SUBSECTION (1)(a) OF THIS SECTION AND WHOSE EMPLOYMENT IN THE  
27 DIVISION OF GAMING IS DEEMED NECESSARY BY THE EXECUTIVE DIRECTOR

1 TO CARRY OUT THE PURPOSES OF THIS ARTICLE 32 ARE TRANSFERRED TO  
2 THE DIVISION OF GAMING AND BECOME EMPLOYEES OF THE DIVISION OF  
3 GAMING.

4 (II) ANY EMPLOYEES TRANSFERRED TO THE DIVISION OF GAMING  
5 PURSUANT TO THIS SUBSECTION (1)(c) WHO ARE CLASSIFIED EMPLOYEES  
6 IN THE STATE PERSONNEL SYSTEM RETAIN ALL RIGHTS TO THE PERSONNEL  
7 SYSTEM AND RETIREMENT BENEFITS PURSUANT TO THE LAWS OF THIS  
8 STATE, AND THEIR SERVICE IS DEEMED TO HAVE BEEN CONTINUOUS. ANY  
9 TRANSFERS AND ANY ABOLISHMENT OF POSITIONS IN THE STATE  
10 PERSONNEL SYSTEM SHALL BE MADE AND PROCESSED IN ACCORDANCE  
11 WITH STATE PERSONNEL SYSTEM LAWS AND RULES.

12 (d) AS OF THE EFFECTIVE DATE OF THIS SECTION, ALL RULES  
13 ADOPTED BY THE COLORADO RACING COMMISSION PURSUANT TO SECTION  
14 44-32-201 (1), AS THAT SECTION EXISTED UNTIL THE EFFECTIVE DATE OF  
15 THIS SECTION, CONTINUE TO BE EFFECTIVE UNTIL REVISED, AMENDED,  
16 REPEALED, OR NULLIFIED PURSUANT TO LAW.

17 (2) THIS PART 3 IS REPEALED, EFFECTIVE JULY 1, 2027.

18 **SECTION 12.** In Colorado Revised Statutes, 44-32-401, **amend**  
19 (1) introductory portion and (1)(a) as follows:

20 **44-32-401. Director and commission members - position of**  
21 **trust - conflicts of interest - definition.**

22 (1) Appointment to the commission or to the position of director  
23 or employment in the division of ~~racing events~~ GAMING is a position of  
24 public trust, and therefore, in order to ensure the confidence of the people  
25 of the state in the integrity of the division, and the commission, the  
26 director and members of the commission and the employees of the  
27 division are subject to this section. While serving as director or as a

1 member of the commission or while employed by the division, ~~no person~~  
2 ~~nor~~ AN INDIVIDUAL AND any member of the ~~person's~~ INDIVIDUAL'S  
3 immediate family shall NOT:

4 (a) Hold any pecuniary interest in any racetrack operating within  
5 the state of ~~Colorado nor~~ OR in any stable, compound, or farm that houses  
6 animals licensed or registered to race within the state; ~~of Colorado;~~

7 **SECTION 13.** In Colorado Revised Statutes, 44-32-501, **amend**  
8 (1)(b) and (3.5) as follows:

9 **44-32-501. Regulation of race meets and racing-related**  
10 **businesses - additional facilities - rules.**

11 (1) (b) The ~~commission~~ EXECUTIVE DIRECTOR shall license and  
12 regulate all ~~kennels and~~ stables housing racing animals both in connection  
13 with a race meet and to protect the general health and welfare of horses.  
14 The ~~commission~~ EXECUTIVE DIRECTOR shall cause the stables to be visited  
15 and inspected at least once a year by ~~its members or~~ employees OF THE  
16 DIVISION and shall require all such places to be constructed, maintained,  
17 and operated in accordance with the laws of this state and the rules of the  
18 ~~commission~~ EXECUTIVE DIRECTOR.

19 (3.5) An additional facility, as described in section 44-32-102  
20 (11)(a)(II), must not be located within fifty miles of any class B ~~horse~~  
21 track operated by another licensee without the written consent of the other  
22 licensee. The commission shall establish by rule the means of obtaining  
23 the consent.

24 **SECTION 14.** In Colorado Revised Statutes, 13-4-102, **amend**  
25 (2)(ee) as follows:

26 **13-4-102. Jurisdiction.**

27 (2) The court of appeals has initial jurisdiction to:

1 (ee) Review final actions and orders ~~appropriate for judicial~~  
2 ~~review~~ of the Colorado ~~racing~~ LIMITED GAMING CONTROL commission,  
3 WHICH FINAL ACTIONS AND ORDERS ARE APPROPRIATE FOR JUDICIAL  
4 REVIEW, as provided in section 44-32-507 (4);

5 **SECTION 15.** In Colorado Revised Statutes, **amend** 16-2.5-123  
6 as follows:

7 **16-2.5-123. Director of the division of gaming - gaming**  
8 **investigator.**

9 The director of the division of gaming in the department of  
10 revenue, THE DIRECTOR'S DESIGNEE, or a gaming investigator in the  
11 department of revenue is a peace officer while engaged in the  
12 performance of ~~his or her~~ THEIR duties whose primary authority ~~shall be~~  
13 IS as stated in section 44-30-204 OR 44-32-203 (1) and ~~shall also include~~  
14 INCLUDES the enforcement of all laws of the state of Colorado and who  
15 may be certified by the P.O.S.T. board.

16 **SECTION 16.** In Colorado Revised Statutes, **repeal** 16-2.5-126  
17 as follows:

18 **16-2.5-126. Director of racing events - racing events**  
19 **supervisor - racing events investigator.**

20 ~~The director of racing events, a racing events supervisor, and a~~  
21 ~~racing events investigator are peace officers while engaged in the~~  
22 ~~performance of their duties. whose primary authority shall be as stated in~~  
23 ~~section 44-32-203 (1) and shall also include the enforcement of all laws~~  
24 ~~of the state. of Colorado and who may be certified by the P.O.S.T. board.~~

25 **SECTION 17.** In Colorado Revised Statutes, 18-10.5-102,  
26 **amend** (6)(b) as follows:

27 **18-10.5-102. Definitions.**

1 As used in this article 10.5, unless the context otherwise requires:

2 (6) (b) "Simulated gambling device" does not include any  
3 pari-mutuel totalisator equipment that is used for pari-mutuel wagering  
4 on live or simulcast racing events and that has been approved by the  
5 director of the division of ~~racing events~~ GAMING for entities authorized  
6 and licensed under article 32 of title 44.

7 **SECTION 18.** In Colorado Revised Statutes, 24-1-117, **repeal**  
8 (4)(a)(VI) as follows:

9 **24-1-117. Department of revenue - creation.**

10 (4) (a) The department of revenue consists of the following  
11 divisions:

12 ~~(VI) The division of racing events created in section 44-32-201~~  
13 ~~(1), the director of the division of racing events, and the Colorado racing~~  
14 ~~commission, created in section 44-32-301 (1), which are **type 2** entities,~~  
15 ~~as defined in section 24-1-105;~~

16 **SECTION 19.** In Colorado Revised Statutes, 24-34-104, **repeal**  
17 (33)(a)(V) as follows:

18 **24-34-104. General assembly review of regulatory agencies**  
19 **and functions for repeal, continuation, or reestablishment - legislative**  
20 **declaration - repeal.**

21 (33) (a) The following agencies, functions, or both, are scheduled  
22 for repeal on September 1, 2032:

23 ~~(V) The division of racing events, including the Colorado racing~~  
24 ~~commission, created in article 32 of title 44;~~

25 **SECTION 20.** In Colorado Revised Statutes, **amend** 35-65-116  
26 as follows:

27 **35-65-116. Race meets - dates - licenses - fees.**

1 (1) The board is authorized to obtain a license to conduct horse  
2 race meets at the Colorado state fair and industrial exposition pursuant to  
3 article 32 of title 44. For the purposes of this section, the limitations in  
4 section 44-32-512 ~~shall~~ DO not apply, and the horse race meets shall be  
5 conducted as approved by the Colorado ~~racing~~ LIMITED GAMING CONTROL  
6 commission at the Colorado state fair and industrial exposition during its  
7 duration.

8 (2) In lieu of obtaining a license to conduct a horse race meet, the  
9 board is authorized to contract for the conduct of horse race meets at the  
10 Colorado state fair and industrial exposition with a private, nonprofit  
11 person licensed to conduct horse race meets within forty miles of the state  
12 fair grounds, subject to authorization by the Colorado ~~racing~~ LIMITED  
13 GAMING CONTROL commission pursuant to section 44-32-512. The meet  
14 and the race days of the meet conducted at the Colorado state fair and  
15 industrial exposition ~~shall be~~ ARE in addition to the number of meets and  
16 race days permitted the licensee pursuant to section 44-32-603.

17 **SECTION 21.** In Colorado Revised Statutes, 44-30-203, **amend**  
18 (2) introductory portion as follows:

19 **44-30-203. Director - qualification - powers and duties.**

20 (2) In addition to the duties imposed upon the director elsewhere  
21 in this part 2, ~~and~~ in parts 15 and 16 of this article 30, AND IN ARTICLE 32  
22 OF THIS TITLE 44, the director shall:

23 **SECTION 22.** In Colorado Revised Statutes, 44-40-109, **amend**  
24 (2) introductory portion and (2)(a) as follows:

25 **44-40-109. Commission - powers and duties - rules.**

26 (2) Except as provided in subsection (3) of this section, rules  
27 ~~promulgated~~ ADOPTED pursuant to subsection (1) of this section must

1 include:

2 (a) The types of lotteries to be conducted, but ~~no~~ A lottery  
3 conducted under this article 40 other than instant scratch games shall NOT  
4 be based upon the game of chance commonly known as bingo, nor shall  
5 any lottery be conducted that depends upon the outcome of ~~any~~ AN  
6 athletic contest except races at state-licensed ~~dog~~ or horse tracks if  
7 approved by the Colorado ~~racing~~ LIMITED GAMING CONTROL commission;

8 **SECTION 23. Act subject to petition - effective date.** This act  
9 takes effect at 12:01 a.m. on the day following the expiration of the  
10 ninety-day period after final adjournment of the general assembly (August  
11 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
12 referendum petition is filed pursuant to section 1 (3) of article V of the  
13 state constitution against this act or an item, section, or part of this act  
14 within such period, then the act, item, section, or part will not take effect  
15 unless approved by the people at the general election to be held in  
16 November 2026 and, in such case, will take effect on the date of the  
17 official declaration of the vote thereon by the governor.