

**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 - definitions.**

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 CREDIT.

8 (13) (a) LOTTERY TICKETS OR E-INSTANT TICKETS THAT ARE  
9 PRODUCED BY THE LOTTERY FOR SALE TO THE PUBLIC, EITHER DIRECTLY  
10 OR THROUGH A LICENSEE, AND THAT ARE SOLD ONLINE MUST NOT  
11 VISUALLY RESEMBLE CASINO GAMES OR MECHANICALLY SIMULATE A  
12 CASINO GAME THROUGH DIGITAL MEANS, AND THE ONLINE PLATFORM  
13 THAT SUPPORTS SUCH SALE MUST NOT EMPLOY ANY OF THE FOLLOWING  
14 MARKETING TOOLS OR CONCEPTS:

15 (I) LOSSES DISGUISED AS WINS; OR

16 (II) FRICTIONLESS REBETTING.

17 (b) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
18 REQUIRES:

19 (I) "CASINO GAME" MEANS ROULETTE, SLOT MACHINES, OR CRAPS.

20 (II) "E-INSTANT TICKET" MEANS A LOTTERY TICKET THAT IS  
21 PRODUCED FOR ELECTRONIC PLAY THAT RESULTS IN THE REVEAL ON A  
22 DEVICE OF NUMBERS, LETTERS, OR SYMBOLS. AN E-INSTANT TICKET  
23 ALLOWS AN INDIVIDUAL TO PLAY A GAME OF CHANCE IN WHICH PRIZES ARE

1 AWARDED ON THE BASIS OF DESIGNATED NUMBERS OR SYMBOLS ON THE  
2 E-INSTANT TICKET CONFORMING TO NUMBERS OR SYMBOLS SELECTED AT  
3 RANDOM AND DO NOT INCLUDE PLAYER ACTIONS THAT IMPACT THE ODDS  
4 OR OUTCOME OF THE GAME.

5 (III) "FRICTIONLESS REBETTING" MEANS AUTO-PLAY FEATURES.

6 (IV) "LOSSES DISGUISED AS WINS" MEANS EMPHASIZING A NET  
7 LOSS OF MONEY AS A WIN BECAUSE SOME MONEY WAS WON BUT NOT  
8 ENOUGH TO RECOUP THE COST OF THE LOTTERY TICKET, E-INSTANT  
9 TICKET, OR INSTANT SCRATCH GAME TICKET.

10 (c) THE COMMISSION SHALL PRIORITIZE THE DEVELOPMENT,  
11 PROMOTION, AND SALE OF LOTTERY TICKETS OR E-INSTANT TICKETS THAT  
12 SIMULATE TRADITIONAL LOTTO OR SCRATCH TICKET GAME PLAY.

13 **SECTION 2.** In Colorado Revised Statutes, 44-40-109, **amend**  
14 (2)(i) and (3)(a)(II); and **add** (2)(j), (2)(k), (3)(a)(IV), and (3)(a)(V) as  
15 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 (i) The manner in which lottery sales revenues are to be collected;

20 AND

21 (j) A PROHIBITION ON THE LOTTERY OR A LICENSEE'S SALE OF ANY  
22 LOTTERY TICKETS PRODUCED BY THE LOTTERY FOR SALE TO THE PUBLIC,  
23 EITHER DIRECTLY OR THROUGH THE LICENSEE, ON CREDIT. \_\_\_\_\_

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

27 (II) The method of paying prizes on winning instant scratch game

1 tickets; and

2 (IV) A PROHIBITION ON THE SALE OF INSTANT SCRATCH GAME  
3 TICKETS PRODUCED BY THE LOTTERY FOR SALE TO THE PUBLIC, EITHER  
4 DIRECTLY OR THROUGH THE LICENSEE, ON CREDIT; AND

5 (V) IMPLEMENTATION OF RESPONSIBLE GAMBLING DESIGN  
6 FEATURES TO MITIGATE PROBLEM GAMBLING BEHAVIOR, INCLUDING:

7 (A) DEPOSIT LIMITS BASED ON FREQUENCY OF DEPOSITS OR  
8 DEPOSIT AMOUNTS;

9 (B) SELF-EXCLUSION TOOLS ALLOWING INDIVIDUALS TO LIMIT  
10 FUTURE E-INSTANT TICKET PURCHASES;

11 (C) RESPONSIBLE GAMBLING NOTIFICATIONS SENT TO THE PLAYER  
12 BASED ON TIME OR AMOUNT OF MONEY SPENT IN A SESSION; OR

13 (D) APPROPRIATE PAUSE MEASURES BETWEEN GAME PLAYS.

14 **SECTION 3. Safety clause.** The general assembly finds,  
15 determines, and declares that this act is necessary for the immediate  
16 preservation of the public peace, health, or safety or for appropriations for  
17 the support and maintenance of the departments of the state and state  
18 institutions.