

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 16-1132.01 Thomas Morris x4218

HOUSE BILL 16-1402

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A BILL FOR AN ACT

101 **CONCERNING A PROHIBITION ON THE USE OF A DEVICE TO ALLOW A**
102 **PERSON TO PLACE A WAGER ON A PREVIOUSLY RUN SPORTING**
103 **EVENT.**

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://www.leg.state.co.us/billsummaries>.)

The bill:

- ! Defines a "racing replay and wagering device" as a mechanical, electronic, or computerized piece of equipment that can display a previously run sporting event and gives a player who places a wager on the outcome of the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
May 2, 2016

SENATE
2nd Reading Unamended
April 29, 2016

HOUSE
3rd Reading Unamended
April 19, 2016

HOUSE
2nd Reading Unamended
April 18, 2016

previously run sporting event an opportunity to win a thing of value, whether due to the skill of the player, chance, or both;

! Prohibits state and local governments from permitting the use of racing replay and wagering devices and prohibits racing licensees from using racing replay and wagering devices or allowing any person to use a racing replay and wagering device to place a wager on a previously run sporting event; and

! Excludes simulcast races from the prohibition.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 12-60-605 as
3 follows:

4 **12-60-605. Wagering on historic races - definitions.** (1) THE
5 STATE, A MUNICIPALITY, CITY AND COUNTY, COUNTY, OR ANY STATE OR
6 LOCAL AGENCY, BOARD, COMMISSION, OR OFFICIAL THEREOF, SHALL NOT
7 APPROVE OR PERMIT THE USE OF A RACING REPLAY AND WAGERING
8 DEVICE.

9 (2) A LICENSEE SHALL NOT OPERATE, OFFER TO OPERATE, OR USE
10 A RACING REPLAY AND WAGERING DEVICE OR ALLOW ANY PERSON TO USE
11 A RACING REPLAY AND WAGERING DEVICE TO PLACE A WAGER ON ANY
12 PREVIOUSLY RUN SPORTING EVENT.

13 (3) THIS SECTION DOES NOT APPLY TO A SIMULCAST RACE.

14 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
15 REQUIRES:

16 (a) "RACING REPLAY AND WAGERING DEVICE" MEANS A
17 MECHANICAL, ELECTRONIC, OR COMPUTERIZED PIECE OF EQUIPMENT THAT:

18 (I) CAN DISPLAY A PREVIOUSLY RUN SPORTING EVENT,
19 REGARDLESS OF HOW THE SPORTING EVENT IS DISPLAYED, REBROADCAST,
20 OR REPLAYED; AND

1 (II) GIVES A PLAYER WHO PLACES A WAGER ON THE OUTCOME OF
2 THE PREVIOUSLY RUN SPORTING EVENT AN OPPORTUNITY TO WIN A THING
3 OF VALUE, WHETHER DUE TO THE SKILL OF THE PLAYER, CHANCE, OR BOTH.

4 (b) "SPORTING EVENT" MEANS A CONTEST IN WHICH ANIMALS,
5 PEOPLE, OR MACHINES COMPETE INDIVIDUALLY OR AS TEAMS FOR THE
6 PURPOSE OF WINNING A RACE, GAME, CONTEST, OR OTHER COMPETITION.

7 (c) "WAGER" MEANS TO PLACE AT RISK OF LOSS ANY VALUABLE
8 CONSIDERATION, INCLUDING COIN, CURRENCY, OR THE ELECTRONIC
9 EQUIVALENT OF ANY COIN OR CURRENCY.

10 **SECTION 2. Act subject to petition - effective date -**
11 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
12 the expiration of the ninety-day period after final adjournment of the
13 general assembly (August 10, 2016, if adjournment sine die is on May 11,
14 2016); except that, if a referendum petition is filed pursuant to section 1
15 (3) of article V of the state constitution against this act or an item, section,
16 or part of this act within such period, then the act, item, section, or part
17 will not take effect unless approved by the people at the general election
18 to be held in November 2016 and, in such case, will take effect on the
19 date of the official declaration of the vote thereon by the governor.

20 (2) This act applies to conduct occurring on or after the applicable
21 effective date of this act.