

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

REVISED

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

LLS NO. 18-0875.01 Esther van Mourik x4215

SENATE BILL 18-191

SENATE SPONSORSHIP

Gardner,

HOUSE SPONSORSHIP

Carver and Hooton,

Senate Committees

Finance
Appropriations

House Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE LOCAL GOVERNMENT LIMITED GAMING IMPACT**
102 **FUND, AND, IN CONNECTION THEREWITH MAKING AN**
103 **APPROPRIATION.**

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 constitution authorizes limited gaming in specific geographic areas of the state. There is a tax imposed on limited gaming, the rate of which is set by the Colorado limited gaming control commission, but the constitution provides that the rate may not exceed 40% of the adjusted gross proceeds. The proceeds of the tax are credited

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

HOUSE
Amended 2nd Reading
May 8, 2018

SENATE
3rd Reading Unamended
April 17, 2018

SENATE
Amended 2nd Reading
April 16, 2018

to the limited gaming fund where the expenses of the commission are first paid and then the money is distributed 50% to the state share, 28% to the state historical fund, 12% to Gilpin and Teller counties, and 10% to the cities of Central City, Black Hawk, and Cripple Creek.

The state share is transferred for various items, with the remainder being credited to the general fund, including \$5 million to the local government limited gaming impact fund. This fund is administered by the department of local affairs and is used for grants to eligible local governmental entities for documented gaming impacts.

The bill annually increases the amount of money credited to the limited gaming impact fund by an amount equal to the growth of the state share from the previous fiscal year.

The bill also makes adjustments to the statutory definition of "documented gaming impacts".

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-47.1-701, **amend**

3 (2)(a) introductory portion and (2)(a)(III) as follows:

4 **12-47.1-701. Limited gaming fund - created.** (2) (a) Except as
5 provided in ~~paragraph (b) of this subsection (2)~~ SUBSECTION (2)(b) OF
6 THIS SECTION, at the end of the 2012-13 state fiscal year and at the end of
7 each state fiscal year thereafter, the state treasurer shall transfer the state
8 share as follows:

9 (III) (A) AT THE END OF THE 2017-18 STATE FISCAL YEAR, AND
10 EACH STATE FISCAL YEAR THEREAFTER, five million dollars AS ANNUALLY
11 INCREASED BY AN AMOUNT EQUAL TO THE PERCENTAGE INCREASE IN THE
12 STATE SHARE AS DESCRIBED IN SUBSECTION (1)(d)(I) OF THIS SECTION
13 FROM THE PREVIOUS FISCAL YEAR to the local government limited gaming
14 impact fund created in section 12-47.1-1601, PLUS AN AMOUNT EQUAL TO
15 THE PROJECTED DIRECT AND INDIRECT COSTS TO ADMINISTER THE LOCAL
16 GOVERNMENT LIMITED GAMING IMPACT GRANT PROGRAM SET FORTH IN
17 SECTION 12-47.1-1601 (4)(a)(I) FOR THE UPCOMING FISCAL YEAR; EXCEPT

1 THAT SUCH TRANSFER SHALL BE MADE AT THE BEGINNING OF THE STATE
2 FISCAL YEAR, AND ANY UNSPENT MONEY FROM SUCH TRANSFER REVERTS
3 TO THE LOCAL GOVERNMENT LIMITED GAMING IMPACT FUND.

4 (B) IF THE STATE SHARE DOES NOT INCREASE FROM THE PREVIOUS
5 FISCAL YEAR, THEN THE STATE TREASURER SHALL TRANSFER AN AMOUNT
6 EQUAL TO THE PREVIOUS FISCAL YEAR'S TRANSFER.

7 **SECTION 2.** In Colorado Revised Statutes, 12-47.1-1601,
8 **amend** (1)(a) as follows:

9 **12-47.1-1601. Local government limited gaming impact fund**
10 **- rules - definition - repeal.** (1) (a) (I) There is hereby created in the
11 office of the state treasurer the local government limited gaming impact
12 fund, referred to in this part 16 as the "fund", and within the fund, there
13 is created the limited gaming impact account and the gambling addiction
14 account. Of the ~~moneys~~ MONEY transferred to the fund pursuant to section
15 12-47.1-701 (2)(a)(III), ninety-eight percent shall be allocated to the
16 limited gaming impact account and two percent shall be allocated to the
17 gambling addiction account. ~~Moneys~~ MONEY in the limited gaming
18 impact account shall be used to provide financial assistance to ~~designated~~
19 ELIGIBLE local ~~governments~~ GOVERNMENT ENTITIES for documented
20 gaming impacts, ~~and moneys~~ AND, EXCEPT AS PROVIDED IN SUBSECTION
21 (1)(a)(II) OF THIS SECTION, MONEY in the gambling addiction account shall
22 be used to award grants for the provision of gambling addiction
23 counseling, including prevention and education, to Colorado residents.
24 For the purposes of this part 16, "documented gaming impacts" means the
25 documented expenses, costs, and other impacts, AND THE PROVISION OF
26 GAMBLING ADDICTION COUNSELING, INCLUDING PREVENTION AND
27 EDUCATION, TO COLORADO RESIDENTS, incurred directly as a result of

1 limited gaming permitted in the counties of Gilpin and Teller and on
2 Indian lands.

3 (II) FOR THE 2018-19 AND 2019-20 STATE FISCAL YEARS, ONE
4 HUNDRED THOUSAND DOLLARS OF THE MONEY ALLOCATED TO THE
5 GAMBLING ADDICTION ACCOUNT SHALL BE APPROPRIATED IN EACH FISCAL
6 YEAR AS FOLLOWS:

7 (A) FIFTY THOUSAND DOLLARS TO THE DEPARTMENT OF LOCAL
8 AFFAIRS TO STUDY AND ESTABLISH IN POLICIES AND PROCEDURES WHAT
9 CONSTITUTES THE "DOCUMENTED EXPENSES, COSTS, AND OTHER IMPACTS
10 INCURRED DIRECTLY AS A RESULT OF LIMITED GAMING" DESCRIBED IN
11 SUBSECTION (1)(a)(I) OF THIS SECTION; AND

12 (B) FIFTY THOUSAND DOLLARS TO THE DEPARTMENT OF HUMAN
13 SERVICES TO DEVELOP A PLAN, BY NO LATER THAN MARCH 1, 2020, FOR
14 A SUCCESSFUL GAMBLING ADDICTION PROGRAM IN COLORADO. THE
15 DEVELOPMENT OF THIS PROGRAM MUST INVOLVE THE STUDY OF THE
16 MAGNITUDE OF THE GAMBLING ADDICTION PROBLEM IN COLORADO, THE
17 DOCUMENTATION OF THE EXISTING FINANCIAL RESOURCES AND
18 INFRASTRUCTURE TO HELP ADDRESS GAMBLING ADDICTION IN THE STATE,
19 THE STUDY OF BEST PRACTICES IN OTHER STATES FOR SUCCESSFUL
20 GAMBLING ADDICTION PROGRAMS, AND THE DOCUMENTATION OF ANY
21 GAPS IN EXISTING FINANCIAL RESOURCES AND INFRASTRUCTURE IN
22 COLORADO, INCLUDING THE REVIEW OF THE NEED FOR INCREASED
23 ADDICTION COUNSELORS.

24 **SECTION 3. Appropriation - adjustments to 2018 long bill.**

25 (1) To implement this act, the cash funds appropriation from the gambling
26 addition account within the local government limited gaming impact fund
27 created in section 12-47.1-1601 (1)(a), C.R.S., made in the annual general

1 appropriation act for the 2018-19 state fiscal year to the department of
2 human services for use by the office of behavioral health for gambling
3 addiction counseling services is decreased by \$100,000.

4 (2) For the 2018-19 state fiscal year, \$50,000 is appropriated to
5 the department of local affairs. This appropriation is from the gambling
6 addiction account within the local government limited gaming impact
7 fund created in section 12-47.1-1601 (1)(a)(I), C.R.S. To implement this
8 act, the department may use this appropriation as specified in section
9 12-47.1-1601 (1)(a)(II)(A), C.R.S.

10 (3) For the 2018-19 state fiscal year, \$50,000 is appropriated to
11 the department of human services. This appropriation is from the
12 gambling addiction account within the local government limited gaming
13 impact fund created in section 12-47.1-1601 (1)(a), C.R.S. To implement
14 this act, the department may use this appropriation as specified in section
15 12-47.1-1601 (1)(a)(II)(B), C.R.S.

16 **SECTION 4. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.