

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 19-0030.03 Duane Gall x4335

**HOUSE BILL 19-1327**

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**HOUSE SPONSORSHIP**

**Garnett and Neville**, Roberts, Van Winkle

**SENATE SPONSORSHIP**

**Donovan and Cooke**, Priola

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**House Committees**

Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING SPORTS BETTING, AND, IN CONNECTION THEREWITH,**  
102            **SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF**  
103            **COLORADO A BALLOT MEASURE AUTHORIZING THE COLLECTION**  
104            **OF A TAX ON THE NET PROCEEDS OF SPORTS BETTING THROUGH**  
105            **LICENSED CASINOS, DIRECTING THE REVENUES GENERATED**  
106            **THROUGH COLLECTION OF THE SPORTS BETTING TAX TO**  
107            **SPECIFIED PUBLIC PURPOSES, INCLUDING THE STATE WATER**  
108            **PLAN THROUGH CREATION OF THE WATER PLAN**  
109            **IMPLEMENTATION CASH FUND, AND MAKING AN APPROPRIATION.**

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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*

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.

*applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

In 2018, the United States supreme court held in *Murphy v. National Collegiate Athletic Association*, 138 S. Ct. 1461, that a federal law prohibiting states from authorizing sports betting violated the tenth amendment of the United States constitution. States may now authorize sports betting.

The bill decriminalizes sports betting in Colorado, effective May 1, 2020, under the following conditions:

- ! The collection of a tax on the net proceeds of sports betting must be approved by the registered electors of Colorado at the November 2019 general election;
- ! Sports betting will be regulated by the department of revenue, subject to supervision by the existing limited gaming control commission;
- ! A limited number of licenses will be issued. Persons or entities currently licensed to conduct limited gaming (i.e., the owners of casinos in Central City, Black Hawk, and Cripple Creek) are the only persons or entities eligible to hold a "master license" to conduct sports betting upon paying a license fee and submitting to background checks. A master license entitles the licensee to contract with a licensed "sports betting operator" or a licensed "internet sports betting operator", or both, for the operation of sports betting; and
- ! The state will collect a tax of 10% on the net proceeds of sports betting activity to fund implementation of the state water plan and other public purposes.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-30-102, **add** (3)

3 as follows:

4 **44-30-102. Legislative declaration.** (3) THE GENERAL ASSEMBLY

5 FURTHER FINDS, DETERMINES, AND DECLARES THAT:

6 (a) WHEN, IN 2018, THE UNITED STATES SUPREME COURT HELD IN

7 *MURPHY V. NATIONAL COLLEGIATE ATHLETIC ASSOCIATION*, 138 S. CT.

8 1461, THAT THERE EXISTED NO CURRENT FEDERAL IMPEDIMENT TO AN

1 INDIVIDUAL STATE'S AUTHORITY TO LEGALIZE SPORTS BETTING, BUT THAT  
2 SUCH AN EFFORT WAS SUBJECT ONLY TO THAT STATE'S OWN  
3 CONSTITUTIONAL LIMITS ON THAT AUTHORITY, COLORADO HAD THE  
4 OPTION TO EXPAND THE RESPONSIBILITIES OF THE LIMITED GAMING  
5 CONTROL COMMISSION CREATED IN THIS ARTICLE 30 TO INCLUDE SPORTS  
6 BETTING;

7 (b) EXPANSION OF THE COMMISSION'S ROLE IN THIS WAY IS  
8 APPROPRIATE, GIVEN THE COMMISSION'S EXPERIENCE IN REGULATING  
9 LIMITED GAMING SINCE 1992 AND ITS TRACK RECORD OF COMPETENT,  
10 EVENHANDED, AND EFFICIENT DISCHARGE OF THE DUTIES ENTRUSTED TO  
11 IT BY COLORADO'S VOTERS UNDER SECTION 9 OF ARTICLE XVIII OF THE  
12 STATE CONSTITUTION;

13 (c) THE GENERAL ASSEMBLY INTENDS, THROUGH PASSAGE OF  
14 HOUSE BILL 19-\_\_\_\_, ENACTED IN 2019, TO INCORPORATE SPORTS  
15 BETTING SEAMLESSLY INTO THE REGULATORY AND TAXING SYSTEM  
16 ESTABLISHED FOR LIMITED GAMING UNDER THIS ARTICLE 30 IN A MANNER  
17 THAT HONORS THE VOTERS' INTENT IN ADOPTING SECTION 9 OF ARTICLE  
18 XVIII OF THE STATE CONSTITUTION AND HAS DONE SO THROUGH  
19 ENACTMENT OF A REFERRED MEASURE REQUIRING STATEWIDE APPROVAL;

20 (d) IT IS APPROPRIATE, AND THE GENERAL ASSEMBLY INTENDS,  
21 THAT AFTER THE INCORPORATION OF SPORTS BETTING INTO THIS ARTICLE  
22 30 ON MAY 1, 2020, NO FURTHER EXPANSION OF SPORTS BETTING NOR  
23 AUTHORIZATION OF ANY NEW OR EXPANDED CLASS OF LICENSEES BE MADE  
24 EXCEPT WITH THE APPROVAL OF COLORADO VOTERS THROUGH  
25 LEGISLATION OR CONSTITUTIONAL AMENDMENTS THAT ARE SUBMITTED TO  
26 A STATEWIDE VOTE; AND

27 (e) THE SUCCESS OF SPORTS BETTING IS DEPENDENT UPON PUBLIC

1 CONFIDENCE AND TRUST THAT ACTIVITIES RELATED TO SPORTS BETTING  
2 ARE CONDUCTED HONESTLY AND COMPETITIVELY; THAT THE RIGHTS OF  
3 THE CREDITORS OF LICENSEES ARE PROTECTED; AND THAT SPORTS BETTING  
4 IS FREE FROM CRIMINAL AND CORRUPTIVE ELEMENTS. PUBLIC CONFIDENCE  
5 AND TRUST CAN BE MAINTAINED ONLY BY STRICT REGULATION OF SPORTS  
6 BETTING.

7 **SECTION 2.** In Colorado Revised Statutes, 44-30-103, **amend**  
8 (5) and (17); and **add** (32.5) as follows:

9 **44-30-103. Definitions.** As used in this article 30, unless the  
10 context otherwise requires:

11 (5) "Bet" means an amount placed as a wager in a game of chance  
12 OR ON A SPORTS EVENT, AS DEFINED IN SECTION 44-30-1501 (12).

13 (17) "Key employee" means any executive, employee, or agent of  
14 a gaming licensee OR SPORTS BETTING LICENSEE having the power to  
15 exercise a significant influence over decisions concerning any part of the  
16 operation of a THE gaming licensee OR SPORTS BETTING LICENSEE.

17 (32.5) "SPORTS BETTING" MEANS PLACING ONE OR MORE BETS IN  
18 A SPORTS BETTING OPERATION, AS DEFINED IN SECTION 44-30-1501 (10).

19 **SECTION 3.** In Colorado Revised Statutes, **amend** 44-30-104 as  
20 follows:

21 **44-30-104. Limited gaming - sports betting - authorization -**  
22 **regulation.** Limited gaming ~~is~~ AND SPORTS BETTING ARE hereby  
23 authorized and may be operated and maintained subject to ~~the provisions~~  
24 ~~of~~ this article 30. All limited gaming AND SPORTS BETTING authorized by  
25 this article 30 ~~shall be regulated~~ IS SUBJECT TO REGULATION by the  
26 Colorado ~~limited gaming control~~ commission.

27 **SECTION 4.** In Colorado Revised Statutes, **amend** 44-30-201 as

1 follows:

2 **44-30-201. Division of gaming - creation - repeal.** (1) There is  
3 hereby created, within the department, the division of gaming, the head  
4 of which ~~shall be~~ IS the director of the division of gaming. The director  
5 ~~shall be~~ IS appointed by, and ~~shall be~~ IS subject to removal by, the  
6 executive director. The division of gaming, the Colorado limited gaming  
7 control commission created in section 44-30-301, and the director of the  
8 division of gaming shall exercise their respective powers and perform  
9 their respective duties and functions as specified in this article 30 under  
10 the department as if ~~the same~~ THEY were transferred to the department by  
11 a **type 2** transfer, as the transfer is defined in the "Administrative  
12 Organization Act of 1968", article 1 of title 24; except that the  
13 commission ~~shall have~~ HAS full and exclusive authority to promulgate  
14 rules related to limited gaming AND SPORTS BETTING without any approval  
15 by, or delegation of authority from, the department. NOTWITHSTANDING  
16 ANY PROVISION OF THIS SUBSECTION (1) TO THE CONTRARY, SPORTS  
17 BETTING IS NOT AUTHORIZED UNLESS THE VOTERS AT THE NOVEMBER  
18 2019 STATEWIDE ELECTION APPROVE THE BALLOT QUESTION SUBMITTED  
19 PURSUANT TO SECTION 44-30-1514, ENACTED IN 2019 IN HOUSE BILL  
20 19-\_\_\_\_\_.

21 (2) (a) THE COMMISSION MAY ADOPT TEMPORARY OR EMERGENCY  
22 RULES, OR BOTH, AND MAY ACCEPT LICENSE APPLICATIONS, BEFORE MAY  
23 1, 2020, IN ANTICIPATION OF THE AUTHORIZATION OF SPORTS BETTING  
24 UNDER PART 15 OF THIS ARTICLE 30.

25 (b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2020.

26 **SECTION 5.** In Colorado Revised Statutes, **amend** 44-30-202 as  
27 follows:

1           **44-30-202. Functions of division - repeal.** (1) The function  
2 FUNCTIONS of the division ~~is~~ ARE to license, implement, regulate, and  
3 supervise the conduct IN THIS STATE of:

4           (a) Limited gaming ~~in this state~~ as authorized by section 9 of  
5 article XVIII of the state constitution; AND

6           (b) (I) SPORTS BETTING AS AUTHORIZED BY PART 15 OF THIS  
7 ARTICLE 30.

8           (II) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE SEPTEMBER  
9 1, 2020, IF THE VOTERS AT THE NOVEMBER 2019 STATEWIDE ELECTION DO  
10 NOT APPROVE THE QUESTION DESCRIBED IN SECTION 44-30-1514 AND THE  
11 GOVERNOR ISSUES AN OFFICIAL DECLARATION OF THE VOTE THEREON.

12           (2) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
13 CONTRARY, SPORTS BETTING IS NOT AUTHORIZED UNLESS THE VOTERS AT  
14 THE NOVEMBER 2019 STATEWIDE ELECTION APPROVE THE BALLOT  
15 QUESTION SUBMITTED PURSUANT TO SECTION 44-30-1514, ENACTED IN  
16 2019 IN HOUSE BILL 19-\_\_\_\_\_.

17           **SECTION 6.** In Colorado Revised Statutes, 44-30-203, **amend**  
18 (2) introductory portion, (2)(a), (2)(f), (2)(h), and (2)(k) as follows:

19           **44-30-203. Director - qualification - powers and duties.** (2) In  
20 addition to the duties imposed upon the director elsewhere in this part 2  
21 AND IN PART 15 OF THIS ARTICLE 30, the director shall:

22           (a) Supervise and administer the operation of the division, ~~and~~  
23 limited gaming, AND SPORTS BETTING in accordance with ~~the provisions~~  
24 ~~of~~ this article 30 and the rules of the commission;

25           (f) Advise the commission and recommend to the commission any  
26 rules and other procedures as the director deems necessary and advisable  
27 to improve the operation of the division and the conduct of limited

1 gaming OR SPORTS BETTING;

2 (h) Make a continuous study and investigation of the operation  
3 and the administration of similar laws that may be in effect in other states  
4 or countries; of any literature on gaming OR SPORTS BETTING that from  
5 time to time may be published or available; and of any federal laws that  
6 may affect the operation of the division, the ~~conduction~~ CONDUCT of  
7 limited gaming OR SPORTS BETTING, or the reaction of Colorado citizens  
8 to limited gaming OR SPORTS BETTING with a view to recommending or  
9 effecting changes that would serve the purposes of this article 30;

10 (k) Take any action as may be determined by the commission to  
11 be necessary to protect the security and integrity of limited gaming OR  
12 SPORTS BETTING; and

13 **SECTION 7.** In Colorado Revised Statutes, 44-30-204, **amend**  
14 (1) introductory portion, (1)(a), (1)(b), (1)(d), (1)(e), (1)(f), and (1)(g) as  
15 follows:

16 **44-30-204. Investigator - peace officers.** (1) All investigators of  
17 the division of ~~gaming~~, and their supervisors, including the director and  
18 the executive director, ~~shall~~ have all the powers of any peace officer to:

19 (a) Make arrests, with or without warrant, for any violation of ~~the~~  
20 ~~provisions of~~ this article 30, article 20 of title 18, or the rules promulgated  
21 pursuant to this article 30, any other laws or rules pertaining to the  
22 ~~conducting~~ CONDUCT of limited gaming OR SPORTS BETTING in this state,  
23 or any criminal law of this state, if, during an officer's exercise of powers  
24 or performance of duties under this section, probable cause is established  
25 that a violation of any said law or rule has occurred;

26 (b) Inspect, examine, investigate, hold, or impound any premises  
27 where limited gaming OR SPORTS BETTING is conducted, any devices or

1 equipment designed for or used in limited gaming OR SPORTS BETTING,  
2 and any books and records in any way connected with any limited gaming  
3 OR SPORTS BETTING activity;

4 (d) Serve all warrants, notices, summonses, or other processes  
5 relating to the enforcement of laws regulating limited gaming OR SPORTS  
6 BETTING;

7 (e) Serve distraint warrants issued by the department pertaining  
8 to limited gaming OR SPORTS BETTING;

9 (f) Conduct investigations into the character, record, and  
10 reputation of all applicants for limited gaming OR SPORTS BETTING  
11 licenses, all licensees, and any other persons as the commission may  
12 determine pertaining to limited gaming OR SPORTS BETTING;

13 (g) Investigate violations of all the laws pertaining to limited  
14 gaming, SPORTS BETTING, and ~~limited gaming~~ activities RELATED TO  
15 BOTH;

16 **SECTION 8.** In Colorado Revised Statutes, 44-30-302, **amend**  
17 (1)(a), (1)(d), (1)(f), (1)(h), (1)(j), (1)(n)(I), (1)(p), (1)(s), (1)(u), (2)  
18 introductory portion, (2)(a), (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), (2)(r), and  
19 (2)(s); and **add** (3) as follows:

20 **44-30-302. Commission - powers and duties - rules.** (1) In  
21 addition to any other powers and duties set forth in this part 3, and  
22 notwithstanding the designation of the Colorado limited gaming control  
23 commission under section 44-30-201 as a **type 2** transfer, the commission  
24 shall nonetheless have the following powers and duties:

25 (a) To promulgate the rules governing the licensing, conducting,  
26 and operating of limited gaming AND SPORTS BETTING as it deems  
27 necessary to carry out the purposes of this article 30. The director shall



1 prepare and submit to the commission written recommendations  
2 concerning proposed rules for this purpose.

3 (d) To conduct a continuous study and investigation of limited  
4 gaming AND SPORTS BETTING throughout the state for the purpose of  
5 ascertaining any defects in this article 30 or in the rules promulgated  
6 pursuant to this article 30 in order to discover any abuses in the  
7 administration and operation of the division or any violation of this article  
8 30 or any rule promulgated pursuant to this article 30;

9 (f) To report immediately to the governor, the attorney general,  
10 the speaker of the house of representatives, the president of the senate, the  
11 minority leaders of both houses, and any other state officers as the  
12 commission deems appropriate concerning any laws that it determines  
13 require immediate amendment to prevent abuses and violations of this  
14 article 30 or any rule promulgated pursuant to this article 30 or to remedy  
15 undesirable conditions in connection with the administration or the  
16 operation of the division, ~~or~~ limited gaming, OR SPORTS BETTING;

17 (h) To issue temporary or permanent licenses to those involved in  
18 the ownership, participation, or conduct of limited gaming OR SPORTS  
19 BETTING;

20 (j) To establish and collect fees and taxes upon persons, licenses,  
21 and gaming devices used in, or participating in, limited gaming OR  
22 SPORTS BETTING;

23 (n)(I) Except as otherwise provided in subsection (1)(n)(II) of this  
24 section, to inspect and examine without notice all premises ~~wherein~~ IN  
25 WHICH limited gaming OR SPORTS BETTING is conducted or WHERE  
26 devices or equipment used in ~~limited gaming~~ THOSE ACTIVITIES are  
27 located, manufactured, sold, or distributed, and to summarily seize,

1 remove, and impound, without notice or hearing, from the premises any  
2 equipment, devices, supplies, books, or records for the purpose of  
3 examination or inspection.

4 (p) To exercise any other incidental powers as may be necessary  
5 to ensure the safe and orderly regulation of limited gaming AND SPORTS  
6 BETTING and the secure collection of all revenues, taxes, and license fees;

7 (s) To establish and collect fees for performing, or having  
8 performed, tests on equipment and devices to be used in limited gaming  
9 OR SPORTS BETTING;

10 (u) To demand, at any time when business is being conducted,  
11 access to and inspection, examination, photocopying, and auditing of all  
12 papers, books, and records of applicants and licensees, on their premises  
13 or elsewhere as practicable and in the presence of the licensee or ~~his or~~  
14 ~~her~~ THE LICENSEE'S agent, pertaining to the gross income produced by any  
15 ~~licensed gaming~~ establishment and OR ACTIVITY LICENSED UNDER THIS  
16 ARTICLE 30; to require verification of income, and all other matters  
17 affecting the enforcement of the policies of the commission or any  
18 provision of this article 30; and to impound or remove all papers, books,  
19 and records of applicants and licensees, without hearing, for inspection  
20 or examination; and

21 (2) Rules promulgated pursuant to subsection (1) of this section  
22 ~~shall~~ MUST include, ~~but shall not be limited to~~ AT A MINIMUM, the  
23 following:

24 (a) The types of limited gaming AND SPORTS BETTING activities to  
25 be conducted and the rules for those activities;

26 (b) The requirements, qualifications, and grounds for the issuance,  
27 revocation, suspension, and summary suspension of all types of

1 permanent and temporary licenses required for the conduct of limited  
2 gaming OR SPORTS BETTING;

3 (c) Qualifications of persons to hold limited gaming OR SPORTS  
4 BETTING licenses;

5 (d) Restrictions upon the times, places, and structures where  
6 limited gaming ~~shall be~~ OR SPORTS BETTING ARE authorized;

7 (e) The ongoing operation of limited gaming OR SPORTS BETTING  
8 activities, INCLUDING THE TESTING AND APPROVAL OF SOFTWARE OR  
9 ACCOUNTING SYSTEMS USED IN CONNECTION WITH LIMITED GAMING OR  
10 SPORTS BETTING;

11 (f) The scope and conditions for investigations and inspections  
12 into the conduct of limited gaming OR SPORTS BETTING, the background  
13 of licensees and applicants for licenses, the premises where limited  
14 gaming ~~is~~ OR SPORTS BETTING ARE authorized, all premises where gaming  
15 devices are located, the books and records of licensees, and the sources  
16 and maintenance of limited gaming OR SPORTS BETTING devices and  
17 equipment;

18 (r) The conditions and circumstances that constitute suitability of  
19 persons, locations, and equipment for gaming OR SPORTS BETTING;

20 (s) The types and specifications of all equipment and devices used  
21 in or with limited gaming OR SPORTS BETTING; and

22 (3) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
23 CONTRARY, SPORTS BETTING IS NOT AUTHORIZED UNLESS THE VOTERS AT  
24 THE NOVEMBER 2019 STATEWIDE ELECTION APPROVE THE BALLOT  
25 QUESTION SUBMITTED PURSUANT TO SECTION 44-30-1514, ENACTED IN  
26 2019 IN HOUSE BILL 19-\_\_\_\_\_.

27 **SECTION 9.** In Colorado Revised Statutes, 44-30-701, **amend**

1 (1)(a), (1)(b)(I), and (1)(b)(II); and **add** (3) as follows:

2 **44-30-701. Limited gaming fund - created.** (1) There is hereby  
3 created in the office of the state treasurer the limited gaming fund. The  
4 fund shall be maintained and operated as follows:

5 (a) EXCEPT AS SPECIFIED IN PART 15 OF THIS ARTICLE 30, all  
6 revenues of the division shall be paid into the limited gaming fund.  
7 EXCEPT FOR THOSE EXPENSES RELATED TO SPORTS BETTING AS SPECIFIED  
8 IN PART 15 OF THIS ARTICLE 30, all expenses of the division and the  
9 commission, including the expenses of investigation and prosecution  
10 relating to limited gaming, shall be paid from the fund.

11 (b) (I) All money paid into the limited gaming fund shall be  
12 available immediately, without further appropriation, for the purposes of  
13 the fund. From the money in the limited gaming fund, the state treasurer  
14 is hereby authorized to pay all ongoing expenses of the commission, the  
15 department, the division, and any other state agency from whom  
16 assistance related to the administration of this article 30 is requested by  
17 the commission, director, or executive director, EXCEPT THOSE EXPENSES  
18 RELATED TO SPORTS BETTING, AS SPECIFIED IN PART 15 OF THIS ARTICLE  
19 30. The payment shall be made upon proper presentation of a voucher  
20 prepared by the commission in accordance with other statutes governing  
21 payments of liabilities incurred on behalf of the state. The payment shall  
22 not be conditioned on any appropriation by the general assembly. Receipt  
23 of the payment shall constitute spending authority by the division of  
24 gaming in the department.

25 (II) EXCEPT AS SPECIFIED IN PART 15 OF THIS ARTICLE 30:

26 (A) No claim for the payment of any expense of the commission,  
27 department, division, or other state agency shall be made unless it is

1 against the limited gaming fund; AND

2 (B) No other money of the state shall be used or obligated to pay  
3 the expenses of the division or commission.

4 (3) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
5 CONTRARY, SPORTS BETTING IS NOT AUTHORIZED UNLESS THE VOTERS AT  
6 THE NOVEMBER 2019 STATEWIDE ELECTION APPROVE THE BALLOT  
7 QUESTION SUBMITTED PURSUANT TO SECTION 44-30-1514, ENACTED IN  
8 2019 IN HOUSE BILL 19-\_\_\_\_\_.

9 **SECTION 10.** In Colorado Revised Statutes, 44-30-705, **amend**  
10 (3) as follows:

11 **44-30-705. Attorney general - duties.** (3) Expenses of the  
12 attorney general incurred in the performance of the responsibilities under  
13 this section shall be paid from the limited gaming fund; EXCEPT THAT ANY  
14 SUCH EXPENSES RELATED TO SPORTS BETTING UNDER PART 15 OF THIS  
15 ARTICLE 30 SHALL BE PAID FROM THE SPORTS BETTING FUND.  
16 NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (3) TO THE  
17 CONTRARY, SPORTS BETTING IS NOT AUTHORIZED UNLESS THE VOTERS AT  
18 THE NOVEMBER 2019 STATEWIDE ELECTION APPROVE THE BALLOT  
19 QUESTION SUBMITTED PURSUANT TO SECTION 44-30-1514, ENACTED IN  
20 2019 IN HOUSE BILL 19-\_\_\_\_\_.

21 **SECTION 11.** In Colorado Revised Statutes, **add** part 15 to  
22 article 30 of title 44 as follows:

23 PART 15

24 SPORTS BETTING

25 **44-30-1501. Definitions - rules.** DEFINITIONS APPLICABLE TO THIS  
26 PART 15 ALSO APPEAR IN SECTION 44-30-103 AND ARTICLE 1 OF THIS TITLE  
27 44. AS USED IN THIS PART 15, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1 (1) "CASINO" MEANS A LICENSED GAMING ESTABLISHMENT AS  
2 DEFINED IN SECTION 44-30-103 (18).

3 (2) "COLLEGIATE SPORTS EVENT" MEANS A SPORTS EVENT  
4 OFFERED OR SPONSORED BY OR PLAYED IN CONNECTION WITH A PUBLIC OR  
5 PRIVATE INSTITUTION THAT OFFERS EDUCATIONAL SERVICES BEYOND THE  
6 SECONDARY LEVEL.

7 (3) "FANTASY SPORTS ACTIVITY" MEANS THE CONDUCT OF, OR  
8 PARTICIPATION IN, A FANTASY CONTEST AS DEFINED IN SECTION  
9 12-15.5-102 (4).

10 (4) "INTERNET SPORTS BETTING OPERATION" MEANS A SPORTS  
11 BETTING OPERATION IN WHICH WAGERS ON SPORTS EVENTS ARE MADE  
12 THROUGH A COMPUTER OR MOBILE OR INTERACTIVE DEVICE AND  
13 ACCEPTED BY AN INTERNET SPORTS BETTING OPERATOR.

14 (5) "INTERNET SPORTS BETTING OPERATOR" MEANS A PERSON  
15 LICENSED BY THE COMMISSION TO OPERATE AN INTERNET SPORTS BETTING  
16 OPERATION.

17 (6) "MASTER LICENSE" MEANS A SPORTS BETTING LICENSE, ISSUED  
18 BY THE COMMISSION PURSUANT TO SECTION 44-30-1505 (1)(a), THAT  
19 AUTHORIZES THE LICENSEE TO EITHER CONDUCT SPORTS BETTING AND  
20 INTERNET SPORTS BETTING ITSELF OR CONTRACT WITH A SPORTS BETTING  
21 OPERATOR, AN INTERNET SPORTS BETTING OPERATOR, OR BOTH, TO  
22 CONDUCT SPORTS BETTING.

23 (7) "NET SPORTS BETTING PROCEEDS" MEANS THE TOTAL AMOUNT  
24 OF ALL BETS PLACED BY PLAYERS IN A SPORTS BETTING OPERATION OR  
25 INTERNET SPORTS BETTING OPERATION, EXCLUDING FREE BETS, LESS ALL  
26 PAYMENTS TO PLAYERS AND LESS ALL EXCISE TAXES PAID PURSUANT TO  
27 FEDERAL LAW. PAYMENTS TO PLAYERS INCLUDE ALL PAYMENTS OF CASH

1       PREMIUMS, MERCHANDISE, OR ANY OTHER THING OF VALUE.

2               (8) "PROHIBITED SPORTS EVENT" MEANS:

3               (a) A HIGH SCHOOL SPORTS EVENT;

4               (b) A VIDEO GAME THAT IS NOT SANCTIONED BY A SPORTS  
5 GOVERNING BODY AS AN ELECTRONIC COMPETITION; AND

6               (c) ONLY WITH RESPECT TO PROPOSITION BETS, A COLLEGIATE  
7 SPORTS EVENT.

8               (9) "SPORTS BETTING LICENSE" MEANS ANY OF THE LICENSES  
9 SPECIFIED IN SECTION 44-30-1505 (1).

10              (10) "SPORTS BETTING OPERATION" MEANS A LICENSED WAGERING  
11 OPERATION IN WHICH BETS ARE PLACED ON SPORTS EVENTS THROUGH ANY  
12 SYSTEM OR METHOD OF WAGERING, INCLUDING SINGLE-GAME BETS,  
13 TEASER BETS, PARLAYS, OVER-UNDER, MONEYLINE, POOLS, EXCHANGE  
14 WAGERING, IN-GAME WAGERING, IN-PLAY BETS, PROPOSITION BETS OTHER  
15 THAN THOSE RELATING TO COLLEGIATE SPORTS EVENTS, OR STRAIGHT  
16 BETS.

17              (11) "SPORTS BETTING OPERATOR" MEANS A PERSON THAT IS  
18 LICENSED TO OPERATE A SPORTS BETTING OPERATION IN WHICH  
19 CUSTOMERS PLACE BETS IN PERSON AT A DESIGNATED PHYSICAL  
20 LOCATION.

21              (12) (a) "SPORTS EVENT" MEANS:

22              (I) ANY INDIVIDUAL OR TEAM SPORT OR ATHLETIC EVENT IN WHICH  
23 THE OUTCOME IS NOT DETERMINED SOLELY BY CHANCE, WHETHER  
24 AMATEUR OR PROFESSIONAL, INCLUDING AN OLYMPIC OR INTERNATIONAL  
25 SPORT OR ATHLETIC EVENT AND ANY COLLEGIATE SPORTS EVENT;

26              (II) ANY PORTION OF A SPORT OR ATHLETIC EVENT LISTED IN  
27 SUBSECTION (12)(a)(I) OF THIS SECTION, INCLUDING THE INDIVIDUAL

1 PERFORMANCE STATISTICS OF ATHLETES IN A SPORTS EVENT OR  
2 COMBINATION OF SPORTS EVENTS;

3 (III) A SANCTIONED MOTOR SPORT, AS AUTHORIZED BY THE  
4 COMMISSION BY RULE; AND

5 (IV) ANY OTHER SPORTS EVENT OR COMBINATION OF SPORTS  
6 EVENTS AS AUTHORIZED BY THE COMMISSION BY RULE.

7 (b) "SPORTS EVENT" DOES NOT INCLUDE A PROHIBITED SPORTS  
8 EVENT OR A FANTASY SPORTS ACTIVITY.

9 (13) "SPORTS GOVERNING BODY" MEANS AN ORGANIZATION THAT  
10 PERFORMS A REGULATORY OR SANCTIONING FUNCTION OVER THE  
11 CONDUCT OF A SPORTS EVENT.

12 **44-30-1502. Conflict of interest - participants in sports or**  
13 **athletic events.** (1) THE FOLLOWING PERSONS SHALL NOT HAVE ANY  
14 OWNERSHIP INTEREST IN, CONTROL OF, OR OTHERWISE BE EMPLOYED BY  
15 A SPORTS BETTING OPERATOR, A LICENSEE, OR A FACILITY IN WHICH  
16 SPORTS BETTING TAKES PLACE OR PLACE A WAGER ON A SPORTS EVENT  
17 THAT IS OVERSEEN BY THAT PERSON'S SPORTS GOVERNING BODY BASED ON  
18 PUBLICLY AVAILABLE INFORMATION:

19 (a) AN ATHLETE, COACH, REFEREE, EMPLOYEE, OR DIRECTOR OF:

20 (I) A SPORTS GOVERNING BODY THAT SANCTIONS OR GOVERNS A  
21 SPORTS EVENT ON WHICH BETS ARE PLACED; OR

22 (II) ANY TEAM THAT IS A MEMBER TEAM IN A SPORTS GOVERNING  
23 BODY DESCRIBED IN SUBSECTION (1)(a)(I) OF THIS SECTION.

24 (b) A SPORTS GOVERNING BODY OR ANY OF ITS MEMBER TEAMS;

25 (c) AN AGENT, UNION, OR UNION REPRESENTATIVE THAT  
26 ADVOCATES FOR PLAYERS, REFEREES, OR OTHER PERSONNEL INVOLVED  
27 WITH THE CONDUCT OF A SPORTS EVENT;



1 (d) A PERSON WHO HOLDS A POSITION OF AUTHORITY OR  
2 INFLUENCE SUFFICIENT TO EXERT INFLUENCE OVER THE PARTICIPANTS IN  
3 A SPORTS EVENT, INCLUDING COACHES, MANAGERS, AND ATHLETIC  
4 TRAINERS;

5 (e) A PERSON WITH ACCESS TO NONPUBLIC INFORMATION ON ANY  
6 SPORTS EVENT OVERSEEN BY THAT PERSON'S SPORTS GOVERNING BODY,  
7 WHICH INFORMATION PERTAINS TO OR COULD AFFECT OR INFLUENCE THE  
8 PERFORMANCE OF ANY TEAM, COACH, OR PARTICIPANT IN THE SPORTS  
9 EVENT; OR

10 (f) A PERSON IDENTIFIED BY THE SPORTS GOVERNING BODY TO THE  
11 DIVISION OR THE COMMISSION FOR PURPOSES OF ESTABLISHING ACTUAL OR  
12 POTENTIAL CONFLICTS OF INTEREST.

13 (2) THE DIRECT OR INDIRECT LEGAL OR BENEFICIAL OWNER OF TEN  
14 PERCENT OR MORE OF A SPORTS GOVERNING BODY OR ANY OF ITS MEMBER  
15 TEAMS SHALL NOT PLACE OR ACCEPT ANY WAGER ON A SPORTS EVENT IN  
16 WHICH ANY MEMBER TEAM OF THAT SPORTS GOVERNING BODY  
17 PARTICIPATES.

18 (3) THE PROHIBITIONS SET FORTH IN THIS SECTION DO NOT APPLY  
19 TO A SPORTS GOVERNING BODY, A MEMBER TEAM OF A SPORTS GOVERNING  
20 BODY, OR A PERSON WHO IS A DIRECTOR OR A DIRECT OR INDIRECT OWNER  
21 OF A SPORTS GOVERNING BODY OR MEMBER TEAM OF A SPORTS  
22 GOVERNING BODY:

23 (a) WHO HOLDS LESS THAN TEN PERCENT DIRECT OR INDIRECT  
24 OWNERSHIP INTEREST IN A CASINO OR SPORTS BETTING OPERATION; OR

25 (b) WHOSE SPORTS BETTING OPERATION PROHIBITS ANY WAGERING  
26 ON THE OWNER'S TEAM OR PLAYERS OR THE SPORTS GOVERNING BODY'S  
27 SPORTS EVENTS.

1           **44-30-1503. Licenses - rules.** (1) (a) THE COMMISSION SHALL  
2 ISSUE, SUSPEND, REVOKE, AND RENEW SPORTS BETTING LICENSES  
3 PURSUANT TO SUBSECTION (3) OF THIS SECTION AND RULES ADOPTED BY  
4 THE COMMISSION. THE COMMISSION'S LICENSING RULES MUST INCLUDE  
5 REQUIREMENTS RELATING TO THE FINANCIAL RESPONSIBILITY OF THE  
6 LICENSEE, THE LICENSEE'S SOURCE OF REVENUE FOR ITS SPORTS BETTING  
7 OPERATIONS, THE CHARACTER OF THE LICENSEE, THE TRUSTWORTHY  
8 OPERATION OF THE SPORTS BETTING ACTIVITY SOUGHT TO BE LICENSED,  
9 AND OTHER MATTERS NECESSARY TO PROTECT THE PUBLIC INTEREST AND  
10 TRUST IN SPORTS BETTING. SUSPENSION IS LIMITED TO CIRCUMSTANCES IN  
11 WHICH THE LICENSEE'S ACTIONS APPEAR CONTRARY TO THE PUBLIC  
12 INTEREST OR TEND TO UNDERMINE PUBLIC TRUST IN THE INTEGRITY OF  
13 SPORTS BETTING.

14           (b) THE COMMISSION'S RULES MUST REQUIRE THAT LICENSES BE  
15 PROMINENTLY DISPLAYED IN AREAS VISIBLE TO THE PUBLIC.

16           (2) (a) A LICENSE SHALL BE REVOKED UPON A FINDING THAT THE  
17 LICENSEE HAS:

18           (I) PROVIDED MISLEADING INFORMATION TO THE DIVISION OR  
19 COMMISSION;

20           (II) BEEN CONVICTED OF A FELONY OR ANY GAMBLING-RELATED  
21 OFFENSE;

22           (III) BECOME A PERSON WHOSE CHARACTER IS NO LONGER  
23 CONSISTENT WITH THE PROTECTION OF THE PUBLIC INTEREST AND TRUST  
24 IN SPORTS BETTING; OR

25           (IV) INTENTIONALLY REFUSED TO PAY A PRIZE IN THE LICENSEE'S  
26 POSSESSION TO A PERSON ENTITLED TO RECEIVE THE PRIZE UNDER THIS  
27 PART 15.

1 (b) A LICENSE MAY BE SUSPENDED, REVOKED, OR NOT RENEWED  
2 FOR ANY OF THE FOLLOWING CAUSES:

3 (I) A DELINQUENCY IN REMITTING MONEY RIGHTFULLY OWED TO  
4 PLAYERS, CONTRACTORS, OR OTHERS INVOLVED IN SPORTS BETTING;

5 (II) FAILURE TO ENSURE THE TRUSTWORTHY OPERATION OF SPORTS  
6 BETTING; OR

7 (III) ANY INTENTIONAL VIOLATION OF THIS PART 15 OR ANY RULE  
8 ADOPTED PURSUANT TO THIS PART 15.

9 (3) PROCEDURES FOR ISSUANCE, SUSPENSION, REVOCATION, AND  
10 RENEWAL OF LICENSES MUST BE IN ACCORDANCE WITH ARTICLE 4 OF TITLE  
11 24, AND THE COMMISSION HAS ALL THE POWERS AND IS SUBJECT TO ALL  
12 THE REQUIREMENTS OF ARTICLE 4 OF TITLE 24 IN CONDUCTING ANY  
13 HEARINGS RELATING TO GRANTING, SUSPENDING, REVOKING, OR  
14 RENEWING LICENSES.

15 (4) LICENSEES MAY INCLUDE INDIVIDUALS, FIRMS, ASSOCIATIONS,  
16 OR CORPORATIONS, WHETHER FOR PROFIT OR NONPROFIT, BUT THE  
17 FOLLOWING ARE INELIGIBLE FOR A LICENSE UNDER THIS PART 15:

18 (a) A PERSON WHO HAS BEEN CONVICTED OF A  
19 GAMBLING-RELATED OFFENSE, NOTWITHSTANDING SECTION 24-5-101;

20 (b) A PERSON WHO IS OR HAS BEEN A PROFESSIONAL GAMBLER OR  
21 GAMBLING PROMOTER;

22 (c) A PERSON WHO HAS ENGAGED IN BOOKMAKING OR ANY OTHER  
23 FORM OF ILLEGAL GAMBLING, INCLUDING ANY SPORTS BETTING OPERATION  
24 WHOSE WAGERING ACTIVITIES DID NOT RESULT IN PROSECUTION BUT THAT  
25 THE COMMISSION FINDS VIOLATED STATE OR FEDERAL LAW;

26 (d) A PERSON WHO IS NOT OF GOOD CHARACTER AND REPUTATION,  
27 NOTWITHSTANDING SECTION 24-5-101, IN THE COMMUNITY WHERE THE

1 PERSON RESIDES;

2 (e) A PERSON WHO HAS BEEN CONVICTED OF A CRIME INVOLVING  
3 MISREPRESENTATION, NOTWITHSTANDING SECTION 24-5-101;

4 (f) A FIRM OR CORPORATION IN WHICH A PERSON DESCRIBED IN  
5 SUBSECTIONS (4)(b) TO (4)(e) OF THIS SECTION HAS A PROPRIETARY,  
6 EQUITABLE, OR CREDIT INTEREST OF TEN PERCENT OR MORE;

7 (g) AN ORGANIZATION IN WHICH A PERSON DESCRIBED IN  
8 SUBSECTIONS (4)(b) TO (4)(e) OF THIS SECTION IS AN OFFICER, DIRECTOR,  
9 OR MANAGING AGENT, WHETHER COMPENSATED OR NOT; OR

10 (h) AN ORGANIZATION IN WHICH A PERSON DESCRIBED IN  
11 SUBSECTIONS (4)(b) TO (4)(e) OF THIS SECTION IS TO PARTICIPATE IN THE  
12 MANAGEMENT OR PROMOTION OF SPORTS BETTING.

13 (5) IN ADDITION TO THE PERSONS SPECIFIED IN SUBSECTION (4) OF  
14 THIS SECTION AS INELIGIBLE FOR A LICENSE, THE COMMISSION MAY  
15 DETERMINE THE FOLLOWING TO BE INELIGIBLE FOR A LICENSE UNDER THIS  
16 PART 15:

17 (a) A PERSON WHO HAS BEEN CONVICTED OF A FELONY OR A CRIME  
18 INVOLVING FRAUD, NOTWITHSTANDING SECTION 24-5-101;

19 (b) A FIRM OR CORPORATION IN WHICH A PERSON DESCRIBED IN  
20 SUBSECTION (5)(a) OF THIS SECTION HAS A PROPRIETARY, EQUITABLE, OR  
21 CREDIT INTEREST OF TEN PERCENT OR MORE;

22 (c) AN ORGANIZATION IN WHICH A PERSON DESCRIBED IN  
23 SUBSECTION (5)(a) OF THIS SECTION IS AN OFFICER, DIRECTOR, OR  
24 MANAGING AGENT, WHETHER COMPENSATED OR NOT; OR

25 (d) AN ORGANIZATION IN WHICH A PERSON DESCRIBED IN  
26 SUBSECTION (5)(a) OF THIS SECTION IS TO PARTICIPATE IN THE  
27 MANAGEMENT OR PROMOTION OF SPORTS BETTING.

1 (6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
2 CONTRARY, SPORTS BETTING IS NOT AUTHORIZED UNLESS THE VOTERS AT  
3 THE NOVEMBER 2019 STATEWIDE ELECTION APPROVE THE BALLOT  
4 QUESTION SUBMITTED PURSUANT TO SECTION 44-30-1514, ENACTED IN  
5 2019 IN HOUSE BILL 19-\_\_\_\_\_.

6 **44-30-1504. Disclosure of information by corporate applicants**  
7 **- license required - investigation - criminal history record check -**  
8 **rules - definition.** (1) CORPORATE APPLICANTS FOR A SPORTS BETTING  
9 LICENSE AND LICENSEES SHALL DISCLOSE TO THE COMMISSION, IN A FORM  
10 AND MANNER DETERMINED BY THE COMMISSION, THE IDENTITY OF:

11 (a) EACH BOARD-APPOINTED OFFICER OF THE APPLICANT OR  
12 LICENSEE;

13 (b) EACH DIRECTOR OF THE APPLICANT OR LICENSEE;

14 (c) EACH PERSON WHO DIRECTLY HOLDS ANY VOTING OR  
15 CONTROLLING INTEREST OF TEN PERCENT OR MORE, IN THE CASE OF A  
16 SPORTS BETTING OPERATOR LICENSE OR INTERNET SPORTS BETTING  
17 OPERATOR LICENSE, OR OF ANY PERCENTAGE, IN THE CASE OF A MASTER  
18 LICENSE, OF THE SECURITIES ISSUED BY THE APPLICANT OR LICENSEE;

19 (d) EACH PERSON WHO DIRECTLY HOLDS ANY NONVOTING OR  
20 PASSIVE OWNERSHIP INTEREST OF TWENTY-FIVE PERCENT OR MORE OF THE  
21 SECURITIES ISSUED BY THE APPLICANT OR LICENSEE;

22 (e) EACH HOLDING, INTERMEDIARY, OR SUBSIDIARY COMPANY OF  
23 THE APPLICANT OR LICENSEE; AND

24 (f) EACH LENDER FROM WHICH THE APPLICANT OR LICENSEE  
25 CURRENTLY HAS AN OUTSTANDING LOAN.

26 (2) AS TO EACH HOLDING, INTERMEDIARY, OR SUBSIDIARY  
27 COMPANY OF AN APPLICANT FOR A SPORTS BETTING LICENSE OR A

1 LICENSEE, THE APPLICANT OR LICENSEE SHALL ESTABLISH AND MAINTAIN  
2 THE QUALIFICATIONS OF:

3 (a) EACH BOARD-APPOINTED OFFICER OF THE HOLDING,  
4 INTERMEDIARY, OR SUBSIDIARY COMPANY;

5 (b) EACH DIRECTOR OF THE HOLDING, INTERMEDIARY, OR  
6 SUBSIDIARY COMPANY;

7 (c) EACH PERSON WHO DIRECTLY HOLDS ANY VOTING OR  
8 CONTROLLING INTEREST OF TEN PERCENT OR MORE, IN THE CASE OF A  
9 SPORTS BETTING OPERATOR LICENSE OR INTERNET SPORTS BETTING  
10 OPERATOR LICENSE, OR OF ANY PERCENTAGE, IN THE CASE OF A MASTER  
11 LICENSE, OF THE SECURITIES ISSUED BY THE HOLDING, INTERMEDIARY, OR  
12 SUBSIDIARY COMPANY;

13 (d) EACH PERSON WHO DIRECTLY HOLDS ANY NONVOTING OR  
14 PASSIVE OWNERSHIP INTEREST OF TWENTY-FIVE PERCENT OR MORE IN THE  
15 HOLDING, INTERMEDIARY, OR SUBSIDIARY COMPANY; AND

16 (e) EACH LENDER FROM WHICH THE HOLDING, INTERMEDIARY, OR  
17 SUBSIDIARY COMPANY CURRENTLY HAS AN OUTSTANDING LOAN.

18 (3) THE COMMISSION OR THE DIVISION MAY WAIVE ANY OR ALL OF  
19 THE QUALIFICATION REQUIREMENTS FOR ANY PERSON LISTED IN  
20 SUBSECTION (1) OR (2) OF THIS SECTION.

21 (4) ALL PERSONS EMPLOYED DIRECTLY IN GAMBLING-RELATED  
22 ACTIVITIES CONDUCTED BY A LICENSEE OR APPLICANT FOR A SPORTS  
23 BETTING LICENSE, WHETHER IN A CASINO, IN A SPORTS BETTING OPERATION  
24 OR INTERNET SPORTS BETTING OPERATION, OR IN ANY OTHER CAPACITY,  
25 MUST BE LICENSED UNDER THIS PART 15. OTHER EMPLOYEES OF A  
26 LICENSEE MAY BE REQUIRED TO HOLD SUPPORT LICENSES, IF APPROPRIATE,  
27 IN ACCORDANCE WITH RULES OF THE COMMISSION PROMULGATED IN

1 CONSULTATION WITH THE DIVISION.

2 (5) A MASTER LICENSEE SHALL DESIGNATE ONE OR MORE KEY  
3 EMPLOYEES TO BE RESPONSIBLE FOR THE OPERATION OF THE SPORTS  
4 BETTING OPERATION. AT LEAST ONE SUCH KEY EMPLOYEE SHALL BE ON  
5 THE PREMISES WHENEVER SPORTS BETTING IS CONDUCTED.

6 (6) THE APPLICANT FOR A SPORTS BETTING LICENSE MUST SUBMIT  
7 TO AND PAY THE COSTS OF ANY INVESTIGATION INTO THE BACKGROUND OF  
8 AN APPLICANT. THE DIVISION MAY CONDUCT THE INVESTIGATION  
9 PURSUANT TO SECTION 44-30-204.

10 (7)(a) EACH APPLICANT FOR A SPORTS BETTING LICENSE, WITH THE  
11 SUBMISSION OF THE APPLICATION, SHALL SUBMIT A SET OF FINGERPRINTS  
12 TO THE DIVISION. THE DIVISION SHALL FORWARD THE FINGERPRINTS TO  
13 THE COLORADO BUREAU OF INVESTIGATION FOR THE PURPOSE OF  
14 CONDUCTING A STATE AND NATIONAL FINGERPRINT-BASED CRIMINAL  
15 HISTORY RECORD CHECK UTILIZING RECORDS OF THE COLORADO BUREAU  
16 OF INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION. ONLY  
17 THE ACTUAL COSTS OF THE RECORD CHECK SHALL BE BORNE BY THE  
18 APPLICANT. NOTHING IN THIS SUBSECTION (7) PRECLUDES THE DIVISION  
19 FROM MAKING FURTHER INQUIRIES INTO THE BACKGROUND OF THE  
20 APPLICANT.

21 (b) FOR PURPOSES OF THIS SUBSECTION (7), "APPLICANT" MEANS  
22 AN INDIVIDUAL OR EACH OFFICER OR DIRECTOR OF A FIRM, ASSOCIATION,  
23 OR CORPORATION THAT IS APPLYING FOR A SPORTS BETTING LICENSE  
24 PURSUANT TO THIS SECTION.

25 (8) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
26 CONTRARY, SPORTS BETTING IS NOT AUTHORIZED UNLESS THE VOTERS AT  
27 THE NOVEMBER 2019 STATEWIDE ELECTION APPROVE THE BALLOT

1 QUESTION SUBMITTED PURSUANT TO SECTION 44-30-1514, ENACTED IN  
2 2019 IN HOUSE BILL 19-\_\_\_\_\_.

3 **44-30-1505. License classifications - number of licenses -**  
4 **designated sports betting operators - qualifications - rules.** (1) THE  
5 COMMISSION SHALL ISSUE AT LEAST THE FOLLOWING THREE  
6 CLASSIFICATIONS OF SPORTS BETTING LICENSES IN ADDITION TO ANY  
7 LICENSE CLASSIFICATIONS THE COMMISSION CHOOSES TO AUTHORIZE IN  
8 ACCORDANCE WITH SECTION 44-30-1504 (4):

- 9 (a) MASTER LICENSE;
- 10 (b) SPORTS BETTING OPERATOR; AND
- 11 (c) INTERNET SPORTS BETTING OPERATOR.

12 (2) (a) (I) THE COMMISSION MAY ISSUE A MASTER LICENSE, UPON  
13 THE APPLICANT'S PAYMENT OF ANY REQUIRED FEES AND COMPLIANCE  
14 WITH ALL OTHER REQUIREMENTS OF THIS PART 15, TO A PERSON THAT:

15 (A) HOLDS AND, ON OR BEFORE MAY 1, 2020, HELD A RETAIL  
16 GAMING LICENSE AS DESCRIBED IN SECTION 44-30-501 (1)(c); OR

17 (B) HAS OBTAINED A RETAIL GAMING LICENSE THROUGH THE  
18 PURCHASE, APPROVED BY THE COMMISSION, OF AN OWNERSHIP INTEREST  
19 IN ONE OR MORE CASINOS THAT WERE OPERATING ON MAY 1, 2020. EACH  
20 OWNER OF AN INTEREST SO ACQUIRED, OR, IN THE CASE OF MULTIPLE  
21 OWNERS OR ENTITIES, THE REPRESENTATIVE ENTITY FOR THE OWNERS OR  
22 ENTITIES, IS NOT ELIGIBLE FOR MORE THAN ONE MASTER LICENSE.

23 (II) THE PURCHASE OF AN EXISTING OWNERSHIP INTEREST IN A  
24 CASINO REQUIRING THE ISSUANCE OF A NEW RETAIL GAMING LICENSE DOES  
25 NOT PROHIBIT THE TRANSFER OF AN EXISTING MASTER LICENSE WITH THE  
26 OWNERSHIP INTEREST.

27 (III) A MASTER LICENSEE IS REQUIRED TO CONDUCT SPORTS



1 BETTING ON ITS PREMISES IN ACCORDANCE WITH THIS PART 15.

2 (IV) A MASTER LICENSE EXPIRES TWO YEARS AFTER THE DATE OF  
3 ISSUANCE.

4 (b) (I) A SPORTS BETTING OPERATOR LICENSE OR INTERNET SPORTS  
5 BETTING OPERATOR LICENSE ENTITLES THE LICENSEE TO CONTRACT WITH  
6 A MASTER LICENSEE FOR THE PURPOSE OF OPERATING A SPORTS BETTING  
7 OPERATION OR INTERNET SPORTS BETTING OPERATION, AS APPLICABLE.  
8 EACH MASTER LICENSEE SHALL CONTRACT WITH NO MORE THAN ONE  
9 SPORTS BETTING OPERATOR AND ONE INTERNET SPORTS BETTING  
10 OPERATOR AT THE SAME TIME. A MASTER LICENSEE MAY CONTRACT WITH  
11 THE SAME ENTITY TO PROVIDE THE SERVICES OF A SPORTS BETTING  
12 OPERATOR AND AN INTERNET SPORTS BETTING OPERATOR.

13 (II) AN INTERNET SPORTS BETTING OPERATOR MAY PROVIDE ONLY  
14 ONE INDIVIDUALLY BRANDED WEBSITE, WHICH MAY HAVE AN  
15 ACCOMPANYING MOBILE APPLICATION THAT MUST BEAR THE SAME UNIQUE  
16 BRAND AS THE WEBSITE FOR AN INTERNET SPORTS BETTING OPERATION.  
17 AN INTERNET SPORTS BETTING OPERATION SHALL NOT BE OPENED TO THE  
18 PUBLIC, AND, EXCEPT FOR TEST PURPOSES, SPORTS BETTING SHALL NOT BE  
19 CONDUCTED IN THE INTERNET SPORTS BETTING OPERATION UNTIL THE  
20 INTERNET SPORTS BETTING OPERATOR RECEIVES ITS LICENSE AND THE  
21 COMMISSION APPROVES ITS CONTRACT WITH THE MASTER LICENSEE IN  
22 ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION.

23 (c) A PERSON MAY HOLD BOTH A SPORTS BETTING OPERATOR  
24 LICENSE AND AN INTERNET SPORTS BETTING OPERATOR LICENSE. THE  
25 COMMISSION SHALL DETERMINE BY RULE THE DISTINCTIONS AND SPECIFIC  
26 QUALIFICATIONS APPLICABLE TO THESE LICENSES, INCLUDING  
27 QUALIFICATIONS AS TO THE TIME, PLACE, AND MANNER OF ACCEPTING

1 WAGERS AND OF VERIFYING THE IDENTITY OF PERSONS SEEKING TO PLACE  
2 WAGERS.

3 (3) A CONTRACT BETWEEN TWO OR MORE LICENSEES LISTED IN  
4 SUBSECTION (1) OF THIS SECTION MUST BE SUBMITTED IN ADVANCE TO,  
5 AND IS SUBJECT TO APPROVAL BY, THE DIVISION IN ACCORDANCE WITH  
6 RULES OF THE COMMISSION.

7 (4) THE FEE FOR ISSUANCE OR RENEWAL OF A LICENSE LISTED IN  
8 SUBSECTION (1) OF THIS SECTION IS AS SPECIFIED BY THE COMMISSION BY  
9 RULE IN AN AMOUNT SUFFICIENT TO RECOVER THE COMMISSION'S DIRECT  
10 AND INDIRECT COSTS OF PROCESSING THE APPLICATION AND CONDUCTING  
11 BACKGROUND INVESTIGATIONS, NOT TO EXCEED ONE HUNDRED  
12 TWENTY-FIVE THOUSAND DOLLARS.

13 (5) (a) A SPORTS BETTING OPERATION OTHER THAN AN INTERNET  
14 SPORTS BETTING OPERATION MUST BE OPERATED IN A DESIGNATED AREA  
15 WITHIN A CASINO, SUBJECT TO ALL REQUIREMENTS CONCERNING DESIGN,  
16 EQUIPMENT, SECURITY MEASURES, AND RELATED MATTERS ESTABLISHED  
17 BY THE COMMISSION BY RULE, AND MAY OFFER SPORTS BETTING ON ANY  
18 SPORTS EVENT AUTHORIZED UNDER RULES OF THE COMMISSION.

19 (b) ALL SPORTS BETTING LICENSES MUST SPECIFY THE PORTION OF  
20 THE LICENSEE'S PREMISES LOCATED WITHIN THE CITY OF CENTRAL, THE  
21 CITY OF BLACK HAWK, OR THE CITY OF CRIPPLE CREEK WHERE SPORTS  
22 BETTING WILL TAKE PLACE. THE COMMISSION SHALL NOT REQUIRE SPORTS  
23 BETTING TO BE CONDUCTED WITHIN A CASINO'S DESIGNATED GAMING  
24 AREA AS AUTHORIZED BY THE COMMISSION BY RULE, BUT ANY SPORTS  
25 BETTING CONDUCTED OUTSIDE OF A CASINO'S DESIGNATED GAMING AREA  
26 MUST BE CONDUCTED ONLY BY A LICENSED INTERNET SPORTS BETTING  
27 OPERATOR, AND BETS MUST BE PLACED ONLY THROUGH A CUSTOMER'S

1 OWN COMPUTER OR MOBILE OR INTERACTIVE DEVICE.

2 (c) A CASINO'S SUPPORT SERVICES FOR SPORTS BETTING,  
3 INCLUDING DATA AGGREGATION, RISK MANAGEMENT, COMPUTER  
4 SERVICES, SETTING OF ODDS, AND BANKING MAY BE SITED OUTSIDE OF A  
5 CASINO'S DESIGNATED GAMING AREA.

6 (d) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE  
7 30, SPORTS BETTING SHALL NOT BE CONDUCTED ANYWHERE IN THE CITY  
8 OF CENTRAL, THE CITY OF BLACK HAWK, OR THE CITY OF CRIPPLE CREEK  
9 UNLESS SPORTS BETTING IS AUTHORIZED BY THE LOCAL VOTERS OF THE  
10 RESPECTIVE CITY IN A MUNICIPAL OR COORDINATED ELECTION HELD IN  
11 NOVEMBER 2019, CONCURRENTLY WITH THE STATEWIDE ELECTION  
12 DESCRIBED IN SECTION 44-30-1514.

13 (6) EACH LICENSEE SHALL KEEP A COMPLETE SET OF BOOKS OF  
14 ACCOUNT, CORRESPONDENCE, AND ALL OTHER RECORDS NECESSARY TO  
15 FULLY SHOW THE SPORTS BETTING TRANSACTIONS OF THE LICENSEE, ALL  
16 OF WHICH MUST BE OPEN AT ALL TIMES DURING BUSINESS HOURS FOR  
17 INSPECTION AND EXAMINATION BY THE DIVISION OR ITS DULY AUTHORIZED  
18 REPRESENTATIVES. THE DIVISION MAY REQUIRE ANY LICENSEE TO FURNISH  
19 THE INFORMATION THAT THE DIVISION CONSIDERS NECESSARY FOR THE  
20 PROPER ADMINISTRATION OF THIS PART 15 AND MAY REQUIRE AN AUDIT TO  
21 BE MADE OF THE BOOKS OF ACCOUNT AND RECORDS WHEN THE DIVISION  
22 CONSIDERS IT NECESSARY BY AN AUDITOR, SELECTED BY THE DIRECTOR,  
23 WHO SHALL LIKEWISE HAVE ACCESS TO ALL THE BOOKS AND RECORDS OF  
24 THE LICENSEE, AND THE LICENSEE MAY BE REQUIRED TO PAY THE EXPENSE  
25 OF THE AUDIT.

26 (7) A SPORTS GOVERNING BODY MAY PETITION THE COMMISSION  
27 TO RESTRICT, LIMIT, OR EXCLUDE A TYPE OF WAGER THE OUTCOME OF

1 WHICH IS SOLELY DETERMINED BY THE ACTIONS OF A SINGLE PLAYER.  
2 UPON RECEIVING SUCH A PETITION, THE COMMISSION SHALL REVIEW THE  
3 REQUEST IN GOOD FAITH, SEEK INPUT FROM THE SPORTS BETTING  
4 OPERATORS ON THE PETITION, AND, IF THE COMMISSION DEEMS IT  
5 APPROPRIATE, ADOPT RULES TO RESTRICT, LIMIT, OR EXCLUDE THAT TYPE  
6 OF WAGER.

7 (8) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
8 CONTRARY, SPORTS BETTING IS NOT AUTHORIZED UNLESS THE VOTERS AT  
9 THE NOVEMBER 2019 STATEWIDE ELECTION APPROVE THE BALLOT  
10 QUESTION SUBMITTED PURSUANT TO SECTION 44-30-1514, ENACTED IN  
11 2019 IN HOUSE BILL 19-\_\_\_\_\_.

12 **44-30-1506. Operations - eligibility to place bets -**  
13 **record-keeping - information sharing.** (1) A PERSON MUST BE AT LEAST  
14 TWENTY-ONE YEARS OF AGE TO PLACE A BET.

15 (2) (a) A SPORTS BETTING OPERATOR SHALL ADOPT PROCEDURES  
16 TO PREVENT PERSONS WHO ARE PROHIBITED FROM WAGERING ON SPORTS  
17 EVENTS FROM DOING SO.

18 (b) A SPORTS BETTING OPERATOR SHALL NOT ACCEPT A BET FROM  
19 ANY PERSON WHOSE IDENTITY IS KNOWN TO THE SPORTS BETTING  
20 OPERATOR AND:

21 (I) WHOSE NAME APPEARS ON THE EXCLUSION LIST MAINTAINED  
22 BY THE MASTER LICENSEE WITH WHOM THE SPORTS BETTING OPERATOR  
23 HAS A CONTRACTUAL RELATIONSHIP; EXCEPT THAT A PERSON MAY NOT  
24 INVALIDATE OR RETRACT A BET ALREADY PLACED AT THE TIME THE  
25 PERSON'S NAME IS PLACED ON THE EXCLUSION LIST;

26 (II) WHO IS THE SPORTS BETTING OPERATOR, A DIRECTOR, OFFICER,  
27 OWNER, OR EMPLOYEE OF THE SPORTS BETTING OPERATOR, OR ANY

1 RELATIVE OF THE SPORTS BETTING OPERATOR LIVING IN THE SAME  
2 HOUSEHOLD AS THE SPORTS BETTING OPERATOR;

3 (III) WHO HAS ACCESS TO NONPUBLIC, CONFIDENTIAL  
4 INFORMATION HELD BY THE SPORTS BETTING OPERATOR; OR

5 (IV) WHO IS AN AGENT OR PROXY FOR ANY OTHER PERSON FOR  
6 THE PURPOSE OF PLACING THE BET.

7 (3) A SPORTS BETTING OPERATOR SHALL ESTABLISH OR DISPLAY  
8 THE ODDS AT WHICH WAGERS MAY BE PLACED ON SPORTS EVENTS.

9 (4) A SPORTS BETTING OPERATOR SHALL ADOPT PROCEDURES TO  
10 OBTAIN PERSONALLY IDENTIFIABLE INFORMATION FROM ANY INDIVIDUAL  
11 WHO PLACES ANY SINGLE BET IN AN AMOUNT OF TEN THOUSAND DOLLARS  
12 OR MORE ON A SPORTS EVENT WHILE PHYSICALLY PRESENT IN A CASINO,  
13 AND ALL DISCLOSURE AND REPORTING REQUIREMENTS OTHERWISE  
14 APPLICABLE TO WAGERS UNDER THIS ARTICLE 30 APPLY TO THE CONDUCT  
15 OF SPORTS BETTING UNDER THIS PART 15.

16 (5) (a) A SPORTS BETTING OPERATOR SHALL PROMPTLY REPORT TO  
17 THE DIVISION:

18 (I) ANY CRIMINAL OR DISCIPLINARY PROCEEDINGS COMMENCED  
19 AGAINST THE SPORTS BETTING OPERATOR OR ITS EMPLOYEES IN  
20 CONNECTION WITH THE OPERATIONS OF THE SPORTS BETTING OPERATION  
21 OR INTERNET SPORTS BETTING OPERATION;

22 (II) ANY ABNORMAL BETTING ACTIVITY OR DISCERNIBLE PATTERNS  
23 THAT MAY INDICATE A CONCERN ABOUT THE INTEGRITY OF A SPORTS  
24 EVENT OR EVENTS;

25 (III) ANY OTHER CONDUCT WITH THE POTENTIAL TO CORRUPT A  
26 BETTING OUTCOME OF A SPORTS EVENT FOR PURPOSES OF FINANCIAL GAIN,  
27 INCLUDING MATCH FIXING OR THE USE OF MATERIAL, NONPUBLIC

1 INFORMATION TO PLACE BETS OR FACILITATE ANOTHER PERSON'S SPORTS  
2 BETTING ACTIVITY; AND

3 (IV) SUSPICIOUS OR ILLEGAL WAGERING ACTIVITIES, INCLUDING  
4 THE USE OF FUNDS DERIVED FROM ILLEGAL ACTIVITY, WAGERS TO  
5 CONCEAL OR LAUNDER FUNDS DERIVED FROM ILLEGAL ACTIVITY, USE OF  
6 AGENTS TO PLACE BETS, OR USE OF FALSE IDENTIFICATION.

7 (b) IN ADDITION TO REPORTING TO THE DIVISION AS REQUIRED BY  
8 SUBSECTION (5)(a) OF THIS SECTION, A SPORTS BETTING OPERATOR SHALL  
9 MAINTAIN RECORDS OF ALL BETS PLACED, INCLUDING PERSONALLY  
10 IDENTIFIABLE INFORMATION OF THE BETTOR WHEN AVAILABLE, AMOUNT  
11 AND TYPE OF BET, TIME THE BET WAS PLACED, LOCATION OF THE BET,  
12 INCLUDING INTERNET PROTOCOL ADDRESS IF APPLICABLE, THE OUTCOME  
13 OF THE BET, AND RECORDS OF ABNORMAL BETTING ACTIVITY. A SPORTS  
14 BETTING OPERATOR SHALL MAINTAIN THESE RECORDS FOR AT LEAST  
15 THREE YEARS AFTER THE SPORTS EVENT OCCURS AND SHALL MAKE THE  
16 RECORDS AVAILABLE FOR INSPECTION UPON REQUEST OF THE DIVISION OR  
17 AS REQUIRED BY COURT ORDER.

18 (c) THE DIVISION SHALL, GIVEN GOOD AND SUFFICIENT REASON,  
19 COOPERATE WITH A SPORTS GOVERNING BODY AND SPORTS BETTING  
20 OPERATORS TO ENSURE THE TIMELY, EFFICIENT, AND ACCURATE SHARING  
21 OF INFORMATION FOR THE SOLE PURPOSE OF ENSURING THE INTEGRITY OF  
22 THEIR SPORT.

23 (d) THE DIVISION AND SPORTS BETTING OPERATORS SHALL, GIVEN  
24 GOOD AND SUFFICIENT REASON, COOPERATE WITH INVESTIGATIONS  
25 CONDUCTED BY SPORTS GOVERNING BODIES AND SHALL COOPERATE WITH  
26 LAW ENFORCEMENT AGENCIES, INCLUDING PROVIDING OR FACILITATING  
27 THE PROVISION OF ACCOUNT-LEVEL BETTING INFORMATION AND ANY

1 AVAILABLE AUDIO OR VIDEO FILES RELATING TO PERSONS PLACING BETS.

2 (e) THE DIVISION MAY SHARE ANY INFORMATION OBTAINED UNDER  
3 THIS SECTION WITH ANY LAW ENFORCEMENT ENTITY, TEAM, SPORTS  
4 GOVERNING BODY, OR REGULATORY AGENCY THAT REQUESTS  
5 INFORMATION FROM THE DIVISION IN CONNECTION WITH AN  
6 INVESTIGATION CONDUCTED BY THAT ENTITY, TEAM, SPORTS GOVERNING  
7 BODY, OR REGULATORY AGENCY. THE DIVISION MAY REDACT OR  
8 AGGREGATE INFORMATION TO PROTECT THE PRIVACY OF PERSONS WHO  
9 ARE NOT SUBJECTS OR TARGETS OF THE INVESTIGATION.

10 (6) ALL BETS AUTHORIZED UNDER THIS PART 15 MUST BE  
11 INITIATED, RECEIVED, AND OTHERWISE MADE WITHIN COLORADO UNLESS  
12 OTHERWISE DETERMINED BY THE DIVISION IN ACCORDANCE WITH  
13 APPLICABLE FEDERAL AND STATE LAWS. CONSISTENT WITH THE INTENT OF  
14 THE UNITED STATES CONGRESS AS ARTICULATED IN THE FEDERAL  
15 "UNLAWFUL INTERNET GAMBLING ENFORCEMENT ACT OF 2006", 31  
16 U.S.C. SEC. 5361-5367, THE INTERMEDIATE ROUTING OF ELECTRONIC  
17 DATA RELATING TO A LAWFUL INTRASTATE WAGER AUTHORIZED UNDER  
18 THIS PROVISION DOES NOT DETERMINE THE LOCATION OR LOCATIONS IN  
19 WHICH THE WAGER IS INITIATED, RECEIVED, OR OTHERWISE MADE.

20 (7) EACH SPORTS BETTING OPERATOR MAY SET SUCH BET LIMITS  
21 AS IT SEES FIT, IN ITS SOLE DISCRETION, AND MAY MAKE THOSE LIMITS  
22 SPECIFIC TO A FORM OR CLASS OF SPORTS BETTING, A SPECIFIC SPORTS  
23 EVENT, OR A PERSON PLACING A BET, BASED ON INDIVIDUAL OR  
24 AGGREGATE DATA CONCERNING BETS TO BE PLACED OR THAT HAVE BEEN  
25 PLACED HISTORICALLY BY THAT INDIVIDUAL OR ON THAT FORM OR CLASS  
26 OF SPORTS BETTING OR ON THAT SPORTS EVENT.

27 (8) AN INTERNET SPORTS BETTING OPERATOR SHALL ACCEPT BETS

1 ONLY FROM PERSONS PHYSICALLY LOCATED WITHIN THE STATE OF  
2 COLORADO. AN INTERNET SPORTS BETTING OPERATOR MAY ESTABLISH  
3 AND FUND SPORTS WAGERING ACCOUNTS ELECTRONICALLY THROUGH  
4 COMMISSION-APPROVED MOBILE APPLICATIONS AND DIGITAL PLATFORMS.

5 **44-30-1507. Records - confidentiality - exceptions.** (1) EXCEPT  
6 AS SPECIFIED IN SUBSECTIONS (2) AND (3) OF THIS SECTION, INFORMATION  
7 AND RECORDS OF THE COMMISSION ENUMERATED BY THIS SECTION ARE  
8 CONFIDENTIAL AND MAY NOT BE DISCLOSED EXCEPT PURSUANT TO A  
9 COURT ORDER. NO PERSON MAY BY SUBPOENA, DISCOVERY, OR  
10 STATUTORY AUTHORITY OBTAIN SUCH INFORMATION OR RECORDS.  
11 INFORMATION AND RECORDS CONSIDERED CONFIDENTIAL INCLUDE:

- 12 (a) TAX RETURNS OF INDIVIDUAL LICENSEES;
- 13 (b) CREDIT REPORTS AND SECURITY REPORTS AND PROCEDURES OF  
14 APPLICANTS AND OTHER PERSONS SEEKING TO DO BUSINESS OR DOING  
15 BUSINESS WITH THE COMMISSION;
- 16 (c) AUDIT WORK PAPERS, WORKSHEETS, AND AUDITING  
17 PROCEDURES USED BY THE COMMISSION, ITS AGENTS, OR EMPLOYEES; AND
- 18 (d) INVESTIGATIVE REPORTS CONCERNING VIOLATIONS OF LAW OR  
19 CONCERNING THE BACKGROUNDS OF LICENSEES, APPLICANTS, OR OTHER  
20 PERSONS PREPARED BY DIVISION INVESTIGATORS OR INVESTIGATORS FROM  
21 OTHER AGENCIES WORKING WITH THE COMMISSION AND ANY WORK PAPERS  
22 RELATED TO THE REPORTS; EXCEPT THAT THE COMMISSION MAY, IN ITS  
23 SOLE DISCRETION, DISCLOSE SO MUCH OF THE REPORTS OR WORK PAPERS  
24 AS IT DEEMS NECESSARY AND PRUDENT.

25 (2) SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO  
26 REQUESTS FOR INFORMATION OR RECORDS DESCRIBED IN SUBSECTION (1)  
27 OF THIS SECTION FROM THE GOVERNOR, ATTORNEY GENERAL, STATE



1 AUDITOR, ANY OF THE RESPECTIVE DISTRICT ATTORNEYS OF THIS STATE,  
2 OR ANY FEDERAL OR STATE LAW ENFORCEMENT AGENCY, OR FOR THE USE  
3 OF THE INFORMATION OR RECORDS BY THE EXECUTIVE DIRECTOR,  
4 DIRECTOR, OR COMMISSION FOR OFFICIAL PURPOSES, OR BY EMPLOYEES OF  
5 THE DIVISION OR THE DEPARTMENT IN THE PERFORMANCE OF THEIR  
6 AUTHORIZED AND OFFICIAL DUTIES.

7 (3) THIS SECTION DOES NOT MAKE CONFIDENTIAL THE AGGREGATE  
8 TAX COLLECTIONS DURING ANY REPORTING PERIOD, THE NAMES AND  
9 BUSINESSES OF LICENSEES, OR FIGURES SHOWING THE AGGREGATE  
10 AMOUNT OF MONEY BET DURING ANY REPORTING PERIOD.

11 (4) (a) A PERSON WHO DISCLOSES CONFIDENTIAL RECORDS OR  
12 INFORMATION IN VIOLATION OF THIS SECTION COMMITS A CLASS 1  
13 MISDEMEANOR AND SHALL BE PUNISHED AS PROVIDED IN SECTION  
14 18-1.3-501. A CRIMINAL PROSECUTION PURSUANT TO THIS SECTION MUST  
15 BE BROUGHT WITHIN FIVE YEARS AFTER THE DATE THE VIOLATION  
16 OCCURRED.

17 (b) IF A PERSON VIOLATING THIS SECTION IS AN OFFICER OR  
18 EMPLOYEE OF THE STATE, IN ADDITION TO ANY OTHER PENALTIES OR  
19 SANCTIONS, THE PERSON IS SUBJECT TO DISMISSAL IF THE PROCEDURES IN  
20 SECTION 24-50-125 ARE FOLLOWED.

21 (c) A PERSON IS LIABLE FOR TREBLE DAMAGES TO AN INJURED  
22 PARTY IN A CIVIL ACTION THE SUBJECT OF WHICH INCLUDES THE RELEASE  
23 OF CONFIDENTIAL RECORDS OR INFORMATION, IF THE PERSON VIOLATING  
24 THIS SECTION IS A CURRENT EMPLOYEE OR OFFICER OF THE STATE WHO  
25 OBTAINED THE CONFIDENTIAL RECORDS OR INFORMATION SPECIFIED IN  
26 SUBSECTION (1) OF THIS SECTION DURING HIS OR HER EMPLOYMENT.

27 (d) A FORMER EMPLOYEE OR OFFICER IS LIABLE FOR TREBLE

1 DAMAGES TO AN INJURED PARTY IN A CIVIL ACTION THE SUBJECT OF WHICH  
2 INCLUDES THE RELEASE OF RECORDS OR INFORMATION AFTER LEAVING  
3 STATE EMPLOYMENT IF THE PERSON VIOLATING THIS SECTION IS A FORMER  
4 EMPLOYEE OR OFFICER OF THE STATE WHO OBTAINED THE CONFIDENTIAL  
5 RECORDS OR INFORMATION DURING HIS OR HER EMPLOYMENT AND THE  
6 PERSON EXECUTED A WRITTEN STATEMENT WITH THE STATE AGREEING TO  
7 BE HELD TO THE CONFIDENTIALITY STANDARDS EXPRESSED IN THIS  
8 SUBSECTION (4).

9 **44-30-1508. Sports betting tax - rules.** (1) THERE IS HEREBY  
10 IMPOSED A TAX ON SPORTS BETTING ACTIVITY, AT THE RATE OF TEN  
11 PERCENT OF NET SPORTS BETTING PROCEEDS. THE COMMISSION SHALL  
12 ESTABLISH BY RULE THE FORM AND MANNER IN WHICH THE TAX IS  
13 COLLECTED.

14 (2) ALL PROCEEDS OF THE SPORTS BETTING TAX SHALL BE  
15 FORWARDED TO THE STATE TREASURER, WHO SHALL CREDIT THEM TO THE  
16 SPORTS BETTING FUND CREATED IN SECTION 44-30-1509.

17 **44-30-1509. Sports betting fund - creation - rules - definitions.**

18 (1) (a) THERE IS HEREBY CREATED, IN THE STATE TREASURY, THE SPORTS  
19 BETTING FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE INITIAL  
20 APPROPRIATION TO THE DIVISION FOR SPORTS BETTING REGULATION AND  
21 ALL SUBSEQUENT REVENUES OF THE DIVISION DERIVED FROM SPORTS  
22 BETTING ACTIVITY, INCLUDING LICENSE FEES, FINES AND PENALTIES, AND  
23 COLLECTION OF THE SPORTS BETTING TAX, SHALL BE DEPOSITED INTO THE  
24 FUND. ALL EXPENSES OF THE DIVISION RELATED TO SPORTS BETTING  
25 REGULATION, INCLUDING THE EXPENSES OF INVESTIGATION AND  
26 PROSECUTION RELATING TO SPORTS BETTING, SHALL BE PAID FROM THE  
27 FUND.

1           (b) ALL MONEY PAID INTO THE FUND IS CONTINUOUSLY  
2 APPROPRIATED FOR THE PURPOSES OF IMPLEMENTING THIS PART 15.  
3 PAYMENT SHALL BE MADE UPON PROPER PRESENTATION OF A VOUCHER  
4 PREPARED BY THE COMMISSION IN ACCORDANCE WITH OTHER STATUTES  
5 GOVERNING PAYMENTS OF LIABILITIES INCURRED ON BEHALF OF THE STATE  
6 AND SHALL NOT BE CONDITIONED ON ANY APPROPRIATION BY THE  
7 GENERAL ASSEMBLY. RECEIPT OF THE PAYMENT CONSTITUTES SPENDING  
8 AUTHORITY BY THE DIVISION.

9           (2) FROM THE MONEY IN THE SPORTS BETTING FUND, THE STATE  
10 TREASURER SHALL:

11           (a) FIRST, TRANSFER AN AMOUNT TO THE GENERAL FUND TO REPAY  
12 ANY APPROPRIATION MADE FROM THE GENERAL FUND FOR THE  
13 COMMISSION'S AND DIVISION'S STARTUP COSTS, INCLUDING INITIAL  
14 LICENSING AND RULE-MAKING, RELATED TO SPORTS BETTING.

15           (b) SECOND, PAY ALL ONGOING EXPENSES RELATED TO  
16 ADMINISTERING THIS PART 15 INCURRED BY THE COMMISSION, THE  
17 DEPARTMENT, THE DIVISION, AND ANY OTHER STATE AGENCY FROM WHOM  
18 ASSISTANCE RELATED TO THE ADMINISTRATION OF THIS PART 15 IS  
19 REQUESTED BY THE COMMISSION OR THE DIRECTOR, AS DETERMINED IN  
20 ACCORDANCE WITH RULES OF THE COMMISSION. WHEN MAKING  
21 DISTRIBUTIONS FROM THE FUND AS DESCRIBED IN THIS SUBSECTION (2),  
22 THE STATE TREASURER MAY WITHHOLD AN AMOUNT REASONABLY  
23 ANTICIPATED TO BE SUFFICIENT TO PAY THE EXPENSES UNTIL THE NEXT  
24 ANNUAL DISTRIBUTION.

25           (c) THIRD, TRANSFER AN AMOUNT EQUAL TO TWO PERCENT OF THE  
26 FULL FISCAL YEAR SPORTS BETTING TAX REVENUES TO THE STATE  
27 HISTORICAL FUND CREATED BY SECTION 9 (5)(b)(II) OF ARTICLE XVIII OF

1 THE STATE CONSTITUTION AND THE COLLEGES DESCRIBED IN SECTION  
2 44-30-702 (4)(a), IN PROPORTION TO THE PRIOR FISCAL YEAR'S LIMITED  
3 AND EXTENDED GAMING REVENUE TO EACH AS DETERMINED UNDER  
4 SECTIONS 44-30-701 AND 44-30-702, PLUS AN ANNUAL ADJUSTMENT  
5 CALCULATED AS FOLLOWS:

6 (I) FOR REVENUES COLLECTED IN FISCAL YEAR 2020-21, THE  
7 PAYMENT MUST EQUAL TWO PERCENT OF THE FIRST YEAR'S REVENUES  
8 ATTRIBUTABLE TO SPORTS BETTING.

9 (II) FOR EACH FISCAL YEAR AFTER THE 2020-21 FISCAL YEAR, THE  
10 STATE TREASURER SHALL ADJUST THE ANNUAL PAYMENT AS FOLLOWS:

11 (A) FOR ANY FISCAL YEAR IN WHICH THE ANNUAL GROWTH OF  
12 REVENUES ATTRIBUTABLE TO SPORTS BETTING EQUALS OR EXCEEDS TWO  
13 PERCENT, ADD AN AMOUNT TO THE PAYMENT MADE FOR THE PRIOR FISCAL  
14 YEAR EQUAL TO TWO PERCENT OF SAID REVENUES;

15 (B) FOR ANY FISCAL YEAR IN WHICH THE ANNUAL GROWTH IN  
16 REVENUES ATTRIBUTABLE TO SPORTS BETTING EQUALS OR EXCEEDS ZERO  
17 BUT IS LESS THAN TWO PERCENT, ADD AN AMOUNT TO THE PAYMENT MADE  
18 FOR THE PRIOR FISCAL YEAR EQUAL TO THE ACTUAL PERCENTAGE GROWTH  
19 OF SAID REVENUES;

20 (C) FOR ANY FISCAL YEAR IN WHICH REVENUES ATTRIBUTABLE TO  
21 SPORTS BETTING EXPERIENCE A DECLINE, REDUCE THE PAYMENT BY AN  
22 AMOUNT EQUAL TO THE ACTUAL PERCENTAGE DECLINE OF SAID REVENUES.

23 (d) FOURTH, TRANSFER ONE HUNDRED THIRTY THOUSAND  
24 DOLLARS ANNUALLY TO THE OFFICE OF BEHAVIORAL HEALTH IN THE  
25 DEPARTMENT OF HUMAN SERVICES, TO BE USED AS FOLLOWS:

26 (I) THIRTY THOUSAND DOLLARS FOR THE OPERATION OF A CRISIS  
27 HOTLINE FOR GAMBLERS BY ROCKY MOUNTAIN CRISIS PARTNERS OR ITS

1 SUCCESSOR ORGANIZATION; AND

2 (II) ONE HUNDRED THOUSAND DOLLARS FOR PREVENTION,  
3 EDUCATION, TREATMENT, AND WORKFORCE DEVELOPMENT BY, AND  
4 INCLUDING THE PAYMENT OF SALARIES OF, COUNSELORS CERTIFIED IN THE  
5 TREATMENT OF GAMBLING DISORDERS.

6 (e) FIFTH, TRANSFER ALL REMAINING UNEXPENDED AND  
7 UNENCUMBERED MONEY IN THE FUND TO THE WATER PLAN  
8 IMPLEMENTATION CASH FUND CREATED IN SECTION 37-60-123.3.

9 (3) NOTHING IN THIS SECTION PERMITS COMPOUNDING OR  
10 ACCUMULATION OF THE ANNUAL ADJUSTMENT.

11 (4) UPON REQUEST, THE STATE TREASURER SHALL REPORT TO THE  
12 DIRECTOR OR THE COMMISSION THE AMOUNT OF MONEY AVAILABLE IN THE  
13 FUND. THE DIRECTOR SHALL CERTIFY ALL ACCOUNTS AND EXPENDITURES  
14 FROM THE FUND. THE STATE TREASURER SHALL PAY UPON WARRANTS  
15 DRAWN BY THE CONTROLLER. THE CONTROLLER IS AUTHORIZED AS  
16 DIRECTED TO DRAW WARRANTS PAYABLE OUT OF THE FUND UPON  
17 VOUCHERS PROPERLY CERTIFIED.

18 (5) THE STATE TREASURER SHALL INVEST THE MONEY IN THE FUND  
19 SO LONG AS THE MONEY IS TIMELY AVAILABLE TO PAY THE EXPENSES OF  
20 THE DIVISION. INVESTMENTS MUST BE THOSE OTHERWISE PERMITTED BY  
21 STATE LAW, AND INTEREST OR ANY OTHER RETURN ON THE INVESTMENTS  
22 SHALL BE PAID INTO THE FUND.

23 (6) THE DIVISION SHALL BE OPERATED SO THAT, AFTER THE INITIAL  
24 STATE APPROPRIATION, ITS ADMINISTRATION OF THIS PART 15 IS  
25 FINANCIALLY SELF-SUSTAINING.

26 (7) NO CLAIM FOR THE PAYMENT OF ANY EXPENSE OF THE DIVISION  
27 RELATING TO ADMINISTERING THIS PART 15 CAN BE MADE UNLESS IT IS

1 AGAINST THE FUND. NO OTHER MONEY OF THE STATE SHALL BE USED OR  
2 OBLIGATED TO PAY THE EXPENSES OF THE DIVISION OR COMMISSION  
3 RELATED TO SPORTS BETTING.

4 **44-30-1510. Audits.** THE SPORTS BETTING FUND SHALL BE  
5 AUDITED AT LEAST ONCE BEFORE MAY 1, 2022, AND AT LEAST ONCE  
6 EVERY FIVE YEARS THEREAFTER, BY OR UNDER THE DIRECTION OF THE  
7 STATE AUDITOR, WHO, NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I),  
8 SHALL SUBMIT A REPORT OF THE AUDIT TO THE LEGISLATIVE AUDIT  
9 COMMITTEE. THE EXPENSES OF THE AUDIT SHALL BE PAID FROM THE  
10 SPORTS BETTING FUND.

11 **44-30-1511. Unlawful acts.** (1) IN ADDITION TO THE  
12 PROHIBITIONS IN SECTION 44-30-801, IT IS UNLAWFUL FOR ANY PERSON:

13 (a) TO CHARGE, IN CONNECTION WITH THE PLACEMENT OR  
14 ACCEPTANCE OF A BET, A COMMISSION OR FEE GREATER THAN OR LESS  
15 THAN THAT FIXED BY THE COMMISSION;

16 (b) TO ACCEPT A BET BY ANY PERSON UNDER TWENTY-ONE YEARS  
17 OF AGE; OR

18 (c) TO ACCEPT A BET AT ANY PLACE OR IN ANY MANNER OTHER  
19 THAN A PLACE OR MANNER AUTHORIZED AND SPECIFIED IN A SPORTS  
20 BETTING LICENSE.

21 **44-30-1512. Penalties.** (1) IN ADDITION TO ANY OTHER PENALTIES  
22 THAT MAY APPLY, A PERSON VIOLATING SECTION 44-30-1511 COMMITS A  
23 CLASS 2 MISDEMEANOR AND SHALL BE PUNISHED AS PROVIDED IN SECTION  
24 18-1.3-501.

25 (2) A PERSON VIOLATING THE ACCEPTANCE OF BETS RESTRICTIONS  
26 OF SECTION 44-30-1511 (1)(b) MAY ALSO BE PROSECUTED PURSUANT TO  
27 SECTION 18-6-701 FOR CONTRIBUTING TO THE DELINQUENCY OF A MINOR.

1 (3) A PERSON PURPORTING TO ISSUE, SUSPEND, REVOKE, OR RENEW  
2 LICENSES PURSUANT TO THIS PART 15 OR TO PROCURE OR INFLUENCE THE  
3 ISSUANCE, SUSPENSION, REVOCATION, OR RENEWAL OF A LICENSE FOR ANY  
4 PERSONAL PECUNIARY GAIN OR ANY THING OF VALUE, AS DEFINED IN  
5 SECTION 18-1-901 (3)(r), OR A PERSON VIOLATING SECTION 44-30-1502  
6 COMMITS A CLASS 3 FELONY AND SHALL BE PUNISHED AS PROVIDED IN  
7 SECTION 18-1.3-401.

8 (4) A PERSON VIOLATING ANY PROVISION OF THIS PART 15  
9 RELATING TO DISCLOSURE BY PROVIDING FALSE OR MISLEADING  
10 INFORMATION COMMITS A CLASS 6 FELONY AND SHALL BE PUNISHED AS  
11 PROVIDED IN SECTION 18-1.3-401.

12 **44-30-1513. Other laws inapplicable.** ANY OTHER STATE OR  
13 LOCAL LAW IN CONFLICT WITH THIS PART 15 IS INAPPLICABLE, BUT THIS  
14 SECTION DOES NOT SUPERSEDE OR AFFECT PART 6 OF ARTICLE 21 OF TITLE  
15 24.

16 **44-30-1514. Approval by electors - repeal.** (1) THE SECRETARY  
17 OF STATE SHALL SUBMIT TO THE REGISTERED ELECTORS OF THE STATE FOR  
18 THEIR APPROVAL OR REJECTION AT THE STATEWIDE ELECTION HELD IN  
19 NOVEMBER 2019 THE FOLLOWING BALLOT ISSUE: "SHALL STATE TAXES BE  
20 INCREASED BY \_\_\_\_\_ DOLLARS ANNUALLY TO FUND STATE WATER  
21 PROJECTS AND COMMITMENTS AND TO PAY FOR THE REGULATION OF  
22 SPORTS BETTING THROUGH LICENSED CASINOS BY AUTHORIZING A TAX ON  
23 SPORTS BETTING OF TEN PERCENT OF NET SPORTS BETTING PROCEEDS, AND  
24 TO IMPOSE THE TAX ON PERSONS LICENSED TO CONDUCT SPORTS BETTING  
25 OPERATIONS?".

26 (2) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2020.

27 **44-30-1515. Repeal of part.** (1) THIS PART 15 IS REPEALED,

1 EFFECTIVE MAY 1, 2020, IF THE VOTERS AT THE NOVEMBER 2019  
2 STATEWIDE ELECTION DO NOT APPROVE THE QUESTION DESCRIBED IN  
3 SECTION 44-30-1514 AND THE GOVERNOR ISSUES AN OFFICIAL  
4 DECLARATION OF THE VOTE THEREON.

5 (2) THIS SECTION IS REPEALED, EFFECTIVE MAY 1, 2020, IF THE  
6 VOTERS AT THE NOVEMBER 2019 STATEWIDE ELECTION APPROVE THE  
7 QUESTION DESCRIBED IN SECTION 44-30-1514 AND THE GOVERNOR ISSUES  
8 AN OFFICIAL DECLARATION OF THE VOTE THEREON.

9 **SECTION 12.** In Colorado Revised Statutes, 18-10-102, **amend**  
10 (2)(d) and (2)(f); and **add** (2)(g) as follows:

11 **18-10-102. Definitions.** As used in this article 10, unless the  
12 context otherwise requires:

13 (2) "Gambling" means risking any money, credit, deposit, or other  
14 thing of value for gain contingent in whole or in part upon lot, chance, the  
15 operation of a gambling device, or the happening or outcome of an event,  
16 including a sporting event, over which the person taking a risk has no  
17 control, but does not include:

18 (d) Any game, wager, or transaction ~~which~~ THAT is incidental to  
19 a bona fide social relationship, is participated in by natural persons only,  
20 and in which no person is participating, directly or indirectly, in  
21 professional gambling; ~~or~~

22 (f) Any use of or transaction involving a crane game, as defined  
23 in section 44-30-103 (9); OR

24 (g) SPORTS BETTING CONDUCTED IN ACCORDANCE WITH PART 15  
25 OF ARTICLE 30 OF TITLE 44 AND APPLICABLE RULES OF THE LIMITED  
26 GAMING CONTROL COMMISSION.

27 **SECTION 13.** In Colorado Revised Statutes, **add** 37-60-123.3 as



1 follows:

2 **37-60-123.3. Water plan implementation cash fund - created.**

3 (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE WATER PLAN  
4 IMPLEMENTATION CASH FUND, REFERRED TO IN THIS SECTION AS THE  
5 "FUND". THE FUND CONSISTS OF SPORTS BETTING REVENUES TRANSFERRED  
6 FROM THE SPORTS BETTING FUND IN ACCORDANCE WITH SECTION  
7 44-30-1509 AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY  
8 APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL  
9 CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND  
10 INVESTMENT OF MONEY IN THE FUND TO THE FUND.

11 (2) FROM THE FUND, THE BOARD MAY APPROVE OF:

12 (a) GRANTS PURSUANT TO SECTION 37-60-106.3 (6);

13 (b) EXPENDITURES TO ENSURE COMPLIANCE WITH INTERSTATE  
14 WATER ALLOCATION COMPACTS, EQUITABLE APPORTIONMENT DECREES,  
15 INTERNATIONAL TREATIES, AND FEDERAL LAWS RELATING TO INTERSTATE  
16 STORAGE AND RELEASE, APPORTIONMENT, AND ALLOCATION OF WATER,  
17 INCLUDING TO SUPPORT PROJECTS AND PROCESSES THAT MAY INCLUDE  
18 COMPENSATION TO WATER USERS FOR TEMPORARY AND VOLUNTARY  
19 REDUCTIONS IN CONSUMPTIVE USE THAT ARE REGIONALLY EQUITABLE AND  
20 AVOID DISPROPORTIONATE, NEGATIVE ECONOMIC OR ENVIRONMENTAL  
21 IMPACTS TO ANY SINGLE SUBBASIN OR REGION; AND

22 (c) EXPENDITURES THAT MAY BE NECESSARY FOR THE  
23 ADMINISTRATION OF GRANTS AND COMPACT EXPENDITURES LISTED IN  
24 SUBSECTIONS (2)(a) AND (2)(b) OF THIS SECTION.

25 **SECTION 14. Appropriation.** (1) For the 2019-20 state fiscal  
26 year, \$1,739,015 is appropriated to the department of revenue. This  
27 appropriation is from the general fund. To implement this act, the

1 department may use this appropriation as follows:

2 (a) \$882,345 for use by the limited gaming division for personal  
3 services, which amount is based on an assumption that the division will  
4 require an additional 11.6 FTE;

5 (b) \$234,416 for use by the limited gaming division for operating  
6 expenses;

7 (c) \$443,500 for tax administration IT system (GenTax) support;

8 (d) \$142,388 for the purchase of legal services;

9 (e) \$34,650 for vehicle lease payments; and

10 (f) \$1,716 for the purchase of criminal history record checks.

11 (2) For the 2019-20 state fiscal year, \$142,388 is appropriated to  
12 the department of law. This appropriation is from reappropriated funds  
13 received from the department of revenue under subsection (1)(d) of this  
14 section and is based on an assumption that the department of law will  
15 require an additional 0.8 FTE. To implement this act, the department of  
16 law may use this appropriation to provide legal services for the  
17 department of revenue.

18 (3) For the 2019-20 state fiscal year, \$34,650 is appropriated to  
19 the department of personnel. This appropriation is from reappropriated  
20 funds received from the department of revenue under subsection (1)(e) of  
21 this section. To implement this act, the department of personnel may use  
22 this appropriation to provide vehicles for the department of revenue.

23 (4) For the 2019-20 state fiscal year, \$1,716 is appropriated to the  
24 department of public safety for use by the biometric identification and  
25 records unit. This appropriation is from reappropriated funds received  
26 from the department of revenue under subsection (1)(f) of this section. To  
27 implement this act, the unit may use this appropriation to provide criminal

1 history record checks for the department of revenue.

2 **SECTION 15. Act subject to petition - effective date.**

3 (1) Except as specified in subsection (2) of this section, this act takes  
4 effect at 12:01 a.m. on the day following the expiration of the ninety-day  
5 period after final adjournment of the general assembly (August 2, 2019,  
6 if adjournment sine die is on May 3, 2019); except that, if a referendum  
7 petition is filed pursuant to section 1 (3) of article V of the state  
8 constitution against this act or an item, section, or part of this act within  
9 such period, then the act, item, section, or part will not take effect unless  
10 approved by the people at the general election to be held in November  
11 2020 and, in such case, will take effect on the date of the official  
12 declaration of the vote thereon by the governor.

13 (2) (a) Sections 1 to 3, 6, 7, 12, and 13 of this act and sections  
14 44-30-1501, 44-30-1502, and 44-30-1506 to 44-30-1514, Colorado  
15 Revised Statutes, enacted by section 11 of this act, take effect only if, at  
16 the November 2019 statewide election, a majority of voters approve the  
17 ballot question submitted pursuant to section 44-30-1514, Colorado  
18 Revised Statutes, enacted in section 11 of this act.

19 (b) If the voters at the November 2019 statewide election approve  
20 the ballot question described in subsection (2)(a) of this section, then  
21 sections 1 to 3, 6, 7, 12, and 13 of this act and sections 44-30-1501,  
22 44-30-1502, and 44-30-1506 to 44-30-1514, Colorado Revised Statutes,  
23 enacted by section 11 of this act, take effect May 1, 2020.

24 (c) Section 13 of this act takes effect only if Senate Bill 19-212  
25 becomes law.