

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

**PREAMENDED**

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

LLS NO. R20-0438.01 Duane Gall x4335

**HCR20-1001**

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**HOUSE SPONSORSHIP**

**Singer and Wilson,**

**SENATE SPONSORSHIP**

**Smallwood and Todd,**

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**House Committees**

State, Veterans, & Military Affairs  
Appropriations

**Senate Committees**

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**HOUSE CONCURRENT RESOLUTION 20-1001**

101     **SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF**  
102             **COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION**  
103             **CONCERNING THE CONDUCT OF CHARITABLE GAMING**  
104             **ACTIVITIES, AND, IN CONNECTION THEREWITH, ALLOWING**  
105             **BINGO-RAFFLE LICENSEES TO HIRE MANAGERS AND OPERATORS**  
106             **OF GAMES AND REDUCING THE REQUIRED PERIOD OF A**  
107             **CHARITABLE ORGANIZATION'S CONTINUOUS EXISTENCE BEFORE**  
108             **OBTAINING A CHARITABLE GAMING LICENSE, AND MAKING AN**  
109             **APPROPRIATION.**

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**Resolution Summary**

*(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution*

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.

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

The concurrent resolution amends section 2 of article XVIII of the Colorado constitution by repealing provisions that:

- ! Require a charitable organization to have five years' continuous existence before obtaining a charitable gaming license; and
- ! Prohibit the operation of charitable games by anyone other than a bona fide member of the organization, working as an unpaid volunteer.

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*Be It Resolved by the House of Representatives of the Seventy-second General Assembly of the State of Colorado, the Senate concurring herein:*

**SECTION 1.** At the election held on November 3, 2020, the secretary of state shall submit to the registered electors of the state the ballot title set forth in section 2 for the following amendment to the state constitution:

In the constitution of the state of Colorado, section 2 of article XVIII, **amend** (2) and (4) as follows:

**Section 2. Lotteries prohibited - exceptions.** (2) No game of chance pursuant to this subsection (2) and subsections (3) and (4) of this section shall be conducted by any person, firm, or organization, unless a license as provided for in this subsection (2) has been issued to the firm or organization conducting such games of chance. The secretary of state shall, upon application therefor on such forms as shall be prescribed by the secretary of state and upon the payment of an annual fee as determined by the general assembly, issue a license for the conducting of such games of chance to any bona fide chartered branch or lodge or chapter of a national or state organization or to any bona fide religious,

1 charitable, labor, fraternal, educational, voluntary firemen's or veterans'  
2 organization ~~which~~ THAT operates without profit to its members and  
3 ~~which~~ THAT IS REGISTERED WITH THE SECRETARY OF STATE AND has been  
4 in existence continuously for a period of ~~five~~ THREE years ~~immediately~~  
5 ~~prior to the making of said~~ BETWEEN THE EFFECTIVE DATE OF ITS INITIAL  
6 FILING WITH THE FEDERAL INTERNAL REVENUE SERVICE AND ITS  
7 application for such license OR, ON AND AFTER JANUARY 1, 2024, FOR  
8 SUCH DIFFERENT PERIOD AS THE GENERAL ASSEMBLY MAY ESTABLISH  
9 PURSUANT TO SUBSECTION (5) OF THIS SECTION, and has had during the  
10 entire ~~five-year~~ period OF ITS EXISTENCE a dues-paying membership  
11 engaged in carrying out the objects of said corporation or organization,  
12 such license to expire at the end of each calendar year in which it was  
13 issued.

14 (4) Such games of chance shall be subject to the following  
15 restrictions:

16 (a) The entire net proceeds of any game shall be exclusively  
17 devoted to the lawful purposes of organizations permitted to conduct such  
18 games.

19 (b) ~~No person except a bona fide member of any organization may~~  
20 ~~participate in the management or operation of any such game.~~

21 (c) No person may receive ~~any~~ remuneration or profit IN EXCESS  
22 OF THE APPLICABLE MINIMUM WAGE for participating in the management  
23 or operation of any such game.

24 **SECTION 2.** Each elector voting at the election may cast a vote  
25 either "Yes/For" or "No/Against" on the following ballot title: "Shall  
26 there be an amendment to the Colorado constitution concerning the  
27 conduct of charitable gaming activities, and, in connection therewith,

1 allowing bingo-raffle licensees to hire managers and operators of games  
2 and reducing the required period of a charitable organization's continuous  
3 existence before obtaining a charitable gaming license?"

4 **SECTION 3. Appropriation.** (1) For the 2020-21 state fiscal  
5 year, \$73,649 is appropriated to the department of state. This  
6 appropriation is from the department of state cash fund created in section  
7 24-21-104 (3)(b), C.R.S. To implement this act, the department may use  
8 this appropriation as follows:

9 (a) \$35,840 for use by the information technology division for  
10 personal services,

11 (b) \$30,799 for use by the business and licensing division for  
12 personal services, which amount is based on an assumption that the  
13 division will require an additional 0.6 FTE; and

14 (c) \$7,010 for use by the business and licensing division for  
15 operating expenses.

16 **SECTION 4.** Except as otherwise provided in section 1-40-123,  
17 Colorado Revised Statutes, if at least fifty-five percent of the electors  
18 voting on the ballot title vote "Yes/For", then the amendment will become  
19 part of the state constitution.