

CHAPTER 214

REVENUE - ACTIVITIES REGULATION

HOUSE BILL 20-1399

BY REPRESENTATIVE(S) Esgar and McCluskie, Snyder;
also SENATOR(S) Moreno and Rankin, Zenzinger.**AN ACT****CONCERNING THE TEMPORARY SUSPENSION OF STATUTORY ALLOCATIONS OF LIMITED GAMING TAX REVENUES, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.***Be it enacted by the General Assembly of the State of Colorado:*

SECTION 1. In Colorado Revised Statutes, 44-30-701, **amend** (2)(a) introductory portion; and **add** (2)(c) as follows:

44-30-701. Limited gaming fund - created - repeal. (2) (a) Except as provided in subsection (2)(b) OR (2)(c) of this section, at the end of the 2012-13 state fiscal year and at the end of each state fiscal year thereafter, the state treasurer shall transfer the state share as follows:

(c) (I) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE STATE TREASURER SHALL NOT MAKE ANY OF THE TRANSFERS SPECIFIED IN SUBSECTIONS (2)(a)(I) TO (2)(a)(VI) OF THIS SECTION AT THE END OF THE 2019-20 AND 2020-21 STATE FISCAL YEARS.

(II) THIS SUBSECTION (2)(c) IS REPEALED, EFFECTIVE JULY 1, 2023.

SECTION 2. In Colorado Revised Statutes, 44-30-1301, **amend** (1) and (4) as follows:

44-30-1301. Local government limited gaming impact fund - rules - definitions - repeal. (1) ~~(a)~~ There is hereby created in the ~~office of the state treasurer~~ TREASURY the local government limited gaming impact fund, referred to in this part 13 as the "fund", and within the fund, there is created the limited gaming impact account and the gambling addiction account. THE FUND CONSISTS OF MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 44-30-701 (2)(a)(III) AND

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

MONEY APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY. Of the money transferred to IN the fund, pursuant to section 44-30-701 (2)(a)(III), ninety-eight percent shall be allocated to the limited gaming impact account and two percent shall be allocated to the gambling addiction account. Money in the limited gaming impact account shall be used to provide financial assistance to eligible local government entities for documented gaming impacts and except as provided in subsection (1)(b) of this section, money in the gambling addiction account shall be used to award grants for the provision of gambling addiction counseling, including prevention and education, to Colorado residents. For the purposes of this part 13, "documented gaming impacts" means the documented expenses, costs, and other impacts, and the provision of gambling addiction counseling, including prevention and education, to Colorado residents, incurred directly as a result of limited gaming permitted in the counties of Gilpin and Teller and on Indian lands.

(b) For the 2018-19 and 2019-20 state fiscal years, one hundred thousand dollars of the money allocated to the gambling addiction account shall be appropriated in each fiscal year as follows:

(I) Fifty thousand dollars to the department of local affairs to study and establish in policies and procedures what constitutes the "documented expenses, costs, and other impacts incurred directly as a result of limited gaming" described in subsection (1)(a) of this section; and

(II) Fifty thousand dollars to the department of human services to develop a plan, by no later than March 1, 2020, for a successful gambling addiction program in Colorado. The development of this program must involve the study of the magnitude of the gambling addiction problem in Colorado, the documentation of the existing financial resources and infrastructure to help address gambling addiction in the state, the study of best practices in other states for successful gambling addiction programs, and the documentation of any gaps in existing financial resources and infrastructure in Colorado, including the review of the need for increased addiction counselors.

(4) Notwithstanding any other provision of this section, money accruing to the fund on and after July 1, 2002 2019, and any previously transferred unencumbered money in the fund on July 1, 2003 2020, shall be transferred to the general fund. Transfers to the fund shall resume as otherwise provided in this section for any state fiscal year commencing on or after July 1, 2004 2021.

SECTION 3. Appropriation. (1) For the 2020-21 state fiscal year, \$12,150,000 is appropriated to the office of the governor for use by economic development programs. This appropriation is from the general fund. To implement this act, the office may use this appropriation as follows:

(a) \$310,331 for the Colorado office of film, television, and media;

(b) \$500,000 for Colorado promotion - Colorado welcome centers, which amount is based on an assumption that the program will require an additional 3.3 FTE;

(c) \$8,678,000 for Colorado promotion - other program costs;

- (d) \$600,000 for the destination development program;
- (e) \$1,226,000 for the council on creative industries;
- (f) \$398,000 for advanced industries; and
- (g) \$437,669 for indirect cost assessment.

(2) For the 2020-21 state fiscal year, \$1,875,000 is appropriated to the local government limited gaming impact fund created in section 44-30-1301 (1)(a), C.R.S. This appropriation is from the general fund. The department of local affairs is responsible for the accounting related to this appropriation.

(3) For the 2020-21 state fiscal year, \$33,272 is appropriated to the department of local affairs for use by the administration division of the executive director's office. This appropriation is from reappropriated funds from the local government limited gaming impact fund under subsection (2) of this section. To implement this act, the executive director's office may use this appropriation as follows:

- (a) \$17,160 for health, life, and dental;
- (b) \$779 for workers' compensation;
- (c) \$323 for payment to risk management and property funds;
- (d) \$4,227 for capitol complex leased space;
- (e) \$8,083 for payments to OIT; and
- (f) \$2,700 for CORE operations.

(4) For the 2020-21 state fiscal year, \$114,788 is appropriated to the department of local affairs for use by the division of local government. This appropriation is from reappropriated funds from the local government limited gaming impact fund under subsection (2) of this section. To implement this act, the division may use this appropriation for program costs related to field services. This amount is based on the assumption that the division will require an additional 1.0 FTE.

(5) The figure included in the annual general appropriation act for the 2020-21 state fiscal year for informational purposes only as reappropriated funds from the local government limited gaming impact fund under subsection (2) of this section to the department of local affairs for use by the division of local government for local government limited gaming impact grants is increased by \$1,710,192.

(6) For the 2020-21 state fiscal year, \$16,748 is appropriated to the department of local affairs for use by the division of local government. This appropriation is from reappropriated funds from the local government limited gaming impact fund under subsection (2) of this section. To implement this act, the division may use this appropriation for indirect cost assessment.

SECTION 4. Appropriation - adjustments to 2020 long bill. (1) To

implement this act, the cash funds appropriation from the Colorado travel and tourism promotion fund created in section 24-49.7-106 (1), C.R.S., made in the annual general appropriation act for the 2020-21 state fiscal year to the office of the governor for use by economic development programs for Colorado promotion - Colorado welcome centers is decreased by \$516,000 and the related FTE is decreased by 3.3 FTE.

(2) To implement this act, the cash funds appropriation from the Colorado travel and tourism promotion fund created in section 24-49.7-106 (1), C.R.S., made in the annual general appropriation act for the 2020-21 state fiscal year to the office of the governor for use by economic development programs for Colorado promotion - other program costs is decreased by \$10,579,623.

(3) The figure included in the annual general appropriation act for the 2020-21 state fiscal year for informational purposes only as cash funds from the advanced industries acceleration cash fund created in section 24-48.5-117 (7)(a), C.R.S., to the office of the governor for use by economic development programs for advanced industries is decreased by \$8,362,210.

(4) To implement this act, the cash funds appropriation from the creative industries cash fund created in section 24-48.5-301 (2)(a), C.R.S., made in the annual general appropriation act for the 2020-21 state fiscal year to the office of the governor for use by economic development programs for the council on creative industries is decreased by \$2,023,000.

(5) To implement this act, the cash funds appropriation from the innovative higher education research fund created in section 23-19.7-104 (1), C.R.S., made in the annual general appropriation act for the 2020-21 state fiscal year to the department of higher education for distribution to the higher education competitive research authority is decreased by \$800,000.

(6) To implement this act, the cash funds appropriation from various cash fund sources made in the annual general appropriation act for the 2020-21 state fiscal year to the department of local affairs for use by the administration division of the executive director's office is reduced by the following amounts:

- (a) \$17,160 for health, life, and dental;
- (b) \$779 for workers' compensation;
- (c) \$323 for payment to risk management and property funds;
- (d) \$4,227 for capitol complex leased space;
- (e) \$8,083 for payments to OIT; and
- (f) \$2,700 for CORE operations.

(7) To implement this act, the cash funds appropriation from the local government limited gaming impact fund created in section 44-30-1301 (1)(a), C.R.S., made in the annual general appropriation act for the 2020-21 state fiscal

year to the department of local affairs for use by the division of local government for program costs related to field services is decreased by \$114,788 and the related FTE is decreased by 1.0 FTE.

(8) The figure included in the annual general appropriation act for the 2020-21 state fiscal year for informational purposes only as cash funds from the local government limited gaming impact fund created in section 44-30-1301 (1)(a), C.R.S., to the department of local affairs for use by the division of local government for local government limited gaming impact grants is decreased by \$5,127,850.

(9) To implement this act, the cash funds appropriation from the local government limited gaming impact fund created in section 44-30-1301 (1)(a), C.R.S., made in the annual general appropriation act for the 2020-21 state fiscal year to the department of local affairs for use by the division of local government for indirect cost assessment is decreased by \$16,748.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 30, 2020