

## CHAPTER 58

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**PROFESSIONS AND OCCUPATIONS**


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**HOUSE BILL 01-1154**

BY REPRESENTATIVE(S) Spence, Crane, Sinclair, Weddig, Cadman, Daniel, Jahn, Boyd, Decker, Hodge, Hoppe, Kester, Lee, Miller, Stafford, Webster, and Williams S.;  
also SENATOR(S) Phillips, Epps, and Hernandez.

**AN ACT**

CONCERNING THE USE OF ELECTRONIC BINGO DEVICES.

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

**SECTION 1. Legislative declaration.** The general assembly hereby finds that bingo is important to the activities of nonprofit organizations in Colorado; that electronic aids that are currently used by bingo players have helped stabilize bingo revenues received by nonprofit entities; that electronic bingo aids provide numerous benefits, including accommodating disabled persons; and that section 2 (3) of article XVIII of the Colorado constitution does not prohibit the use of electronic devices as aids in the game of bingo. Therefore, the general assembly intends to amend the statutory definition of "bingo" to include the use of electronic aids consistent with section 2 (3) of article XVIII of the Colorado constitution.

**SECTION 2.** 12-9-102 (1), (1.3), (1.4), (1.6), (1.7), (5), (8), (13.3), and (20.3), Colorado Revised Statutes, are amended, and the said 12-9-102 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

**12-9-102. Definitions.** As used in this article, unless the context otherwise requires:

(1) "Bingo" means a game of chance played, WITH OR WITHOUT THE AID OF AN ELECTRONIC DEVICE, for prizes using cards or sheets containing five rows of five squares bearing numbers, except for the center square which is a free space. Traditional bingo also requires that the letters "B I N G O" appear in order over each column. The holder of a card or sheet ~~covers~~ MATCHES the numbers on such card or sheet ~~when objects similarly numbered are randomly drawn~~ TO NUMBERS RANDOMLY DRAWN. The game is won when a previously designated arrangement of numbers on

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

such card or sheet is covered.

(1.1) "BINGO AID COMPUTER SYSTEM" MEANS A COMPUTER SYSTEM THAT INTERFACES WITH AND CONTROLS THE USE OF ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO.

(1.3) "Bingo-raffle manufacturer" means a person, other than a bingo-raffle licensee, who makes, assembles, produces, or otherwise prepares pull tabs, bingo cards or sheets, ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, or other equipment or parts thereof for games of chance, as defined in subsection (7) of this section. "Bingo-raffle manufacturer" does not include a person who prints raffle tickets, other than pull tabs, for and at the request of a bingo-raffle licensee.

(1.4) "Bingo-raffle supplier" means a person, other than a bingo-raffle licensee, who sells, distributes, or otherwise furnishes pull tabs, bingo cards or sheets, ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, or other games of chance equipment, as defined in subsection (5) of this section. "Bingo-raffle supplier" does not include a person who prints raffle tickets, other than pull tabs, for and at the request of a bingo-raffle licensee.

(1.6) ~~"Charitable gaming" means bingo, pull tab games, and raffles, as defined in subsections (1), (18.1), and (19.3) of this section.~~ "CARD" MEANS EITHER A DISPOSABLE AND NONREUSABLE PAPER BINGO CARD IDENTIFIED BY COLOR, SERIAL NUMBER, AND CARD NUMBER, OR A REUSABLE BINGO CARD INTENDED FOR REPEATED USE, INCLUDING BUT NOT LIMITED TO A HARD CARD OR SHUTTER CARD. "CARD" DOES NOT INCLUDE AN ELECTRONIC REPRESENTATION OR ELECTRONIC IMAGE OF A BINGO CARD.

(1.7) ~~"Charitable organization" means any organization, not for pecuniary profit, that is operated for the relief of poverty, distress, or other condition of public concern within this state and that has been so engaged for five years prior to making application for a license under this article.~~ "CHARITABLE GAMING" MEANS BINGO, PULL TAB GAMES, AND RAFFLES, AS DEFINED IN SUBSECTIONS (1), (18.1), AND (19.3) OF THIS SECTION.

(1.8) "CHARITABLE ORGANIZATION" MEANS ANY ORGANIZATION, NOT FOR PECUNIARY PROFIT, THAT IS OPERATED FOR THE RELIEF OF POVERTY, DISTRESS, OR OTHER CONDITION OF PUBLIC CONCERN WITHIN THIS STATE AND THAT HAS BEEN SO ENGAGED FOR FIVE YEARS PRIOR TO MAKING APPLICATION FOR A LICENSE UNDER THIS ARTICLE.

(5) "Equipment" means: With respect to bingo or lotto, the receptacle and numbered objects drawn from it, the master board upon which such objects are placed as drawn, the cards or sheets bearing numbers or other designations to be covered and the objects used to cover them, the board or signs, however operated, used to announce or display the numbers or designations as they are drawn, public address system, and all other articles essential to the operation, conduct, and playing of bingo or lotto; or, with respect to raffles, implements, devices, and machines designed, intended, or used for the conduct of raffles and the identification of the winning number or unit and the ticket or other evidence or right to participate in raffles. "EQUIPMENT" DOES NOT INCLUDE ELECTRONIC DEVICES USED AS AIDS IN THE GAME

OF BINGO.

(8) "Gross receipts" means receipts from the sale of shares, tickets, or rights in any manner connected with participation in a game of chance or the right to participate therein, including any admission fee or charge, the sale of equipment or supplies, THE SALE OR LEASE OF ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, and all other miscellaneous receipts.

(13.3) "Manufacturer's agent" means an individual who represents a manufacturer in any of its activities in connection with the presales, driver sales, or distribution with excess stock of pull tabs, bingo cards or sheets, ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, or other games of chance equipment; except employees of commercial delivery services.

(20.1) "SHEET" MEANS A LEAF OF PAPER UPON WHICH IS PRINTED ONE OR MORE DISPOSABLE BINGO CARDS.

(20.3) "Supplier's agent" means an individual who represents a bingo-raffle supplier in the course of the bingo-raffle supplier's presales, driver sales, or distribution with excess bingo-supplier stock, ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, or chance equipment on hand; except employees of commercial delivery services.

**SECTION 3.** 12-9-107 (9) and (22), Colorado Revised Statutes, are amended, and the said 12-9-107 is further amended, BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

**12-9-107. Persons permitted to conduct games of chance - premises - equipment - expenses.** (9) (a) Equipment, prizes, and supplies for games of bingo shall not be purchased or sold at prices in excess of the usual price thereof.

(b) CARDS AND SHEETS THAT ARE DESIGNED OR INTENDED FOR USE WITH ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO SHALL NOT BE PURCHASED OR SOLD AT PRICES IN EXCESS OF THE USUAL PRICE OF CARDS AND SHEETS THAT ARE NOT SO DESIGNED OR INTENDED. CHARGES IMPOSED BY ANY MANUFACTURER, SUPPLIER, AGENT THEREOF, OR BINGO-RAFFLE LICENSEE FOR CARDS AND SHEETS THAT ARE DESIGNED OR INTENDED FOR USE WITH ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO SHALL BE STATED AND IMPOSED SEPARATELY FROM ANY CHARGES IMPOSED BY SUCH MANUFACTURER, SUPPLIER, AGENT THEREOF, OR BINGO-RAFFLE LICENSEE FOR THE PURCHASE, LEASE, OR USE OF ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO. MANUFACTURERS, SUPPLIERS, AND AGENTS THEREOF SHALL NOT INCLUDE COSTS ATTRIBUTABLE TO THE MANUFACTURE OR DISTRIBUTION OF ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO IN CHARGES IMPOSED FOR THE PURCHASE OR LEASE OF EQUIPMENT, INCLUDING CARDS AND SHEETS.

(22) No licensee shall possess, use, sell, offer for sale, or put into play any bingo or pull tab game, ticket, card, or sheet unless it conforms to the definitions and requirements of this article, and was purchased by the licensee from a licensed bingo-raffle manufacturer or supplier or licensed agent thereof. NO LICENSEE SHALL POSSESS, USE, SELL, OFFER FOR SALE, OR PUT INTO PLAY ANY ELECTRONIC DEVICE USED AS AN AID IN THE GAME OF BINGO UNLESS IT CONFORMS TO THE REQUIREMENTS

OF THIS ARTICLE AND WAS PURCHASED OR LEASED BY THE LICENSEE FROM A LICENSED BINGO-RAFFLE MANUFACTURER OR SUPPLIER OR LICENSED AGENT THEREOF.

(28) (a) IF A CARD OR SHEET IS PLAYED WITH THE AID OF AN ELECTRONIC DEVICE, A WINNING BINGO SHALL BE DETERMINED AND VERIFIED BY REFERENCE TO SUCH CARD OR SHEET, NOT THE ELECTRONIC DEVICE. NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO AUTHORIZE THE PLAYING OF BINGO SOLELY BY MEANS OF AN ELECTRONIC DEVICE.

(b) A BINGO-RAFFLE LICENSEE SHALL ADEQUATELY MARK, DESTROY, OR DISPOSE OF CARDS OR SHEETS PLAYED WITH THE AID OF AN ELECTRONIC DEVICE IN ORDER TO PREVENT THE REUSE OF SUCH CARDS OR SHEETS.

(c) A BINGO PLAYER WHO PLAYS USING THE AID OF AN ELECTRONIC DEVICE SHALL BE PERMITTED TO USE UP TO THIRTY-SIX BINGO CARDS WITH THE AID OF SUCH A DEVICE PER GAME, AND A BINGO PLAYER SHALL NOT USE MORE THAN THIRTY-SIX BINGO CARDS WITH THE AID OF AN ELECTRONIC DEVICE PER BINGO GAME.

(d) A BINGO-RAFFLE LICENSEE SHALL NOT BE REQUIRED TO USE OR OFFER THE USE OF ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO DURING A BINGO SESSION.

(29) (a) WITH THE APPLICATION FOR A LETTER RULING PURSUANT TO 12-9-103 (1) (d) FOR THE APPROVAL OF A NEW TYPE OF ELECTRONIC DEVICE USED IN THE AID OF BINGO, THE MANUFACTURER OF SUCH DEVICE SHALL PROVIDE THE FOLLOWING TO THE LICENSING AUTHORITY:

(I) PROTOTYPE OF THE NEW TYPE OF ELECTRONIC DEVICE USED IN THE AID OF BINGO WITH A PROTOTYPE BINGO AID COMPUTER SYSTEM AND A USER'S MANUAL USED FOR SUCH ELECTRONIC DEVICE; AND

(II) A CERTIFICATION BY THE MANUFACTURER THAT THE NEW TYPE OF ELECTRONIC DEVICE USED IN THE AID OF BINGO AND ALL SUCH ELECTRONIC DEVICES USED IN THE STATE MEET THE FOLLOWING STANDARDS:

(A) THE ELECTRONIC DEVICE PROVIDES A MEANS FOR THE INPUT OF NUMBERS ANNOUNCED BY A BINGO CALLER;

(B) THE ELECTRONIC DEVICE COMPARES THE NUMBERS ENTERED TO THE NUMBERS CONTAINED ON BINGO CARDS PREVIOUSLY STORED IN THE ELECTRONIC DATA BASE OF SUCH ELECTRONIC DEVICE;

(C) THE ELECTRONIC DEVICE IDENTIFIES WINNING BINGO PATTERNS; AND

(D) THE ELECTRONIC DEVICE SIGNALS WHEN A WINNING BINGO PATTERN IS ACHIEVED.

(b) THE LICENSING AUTHORITY SHALL RETURN THE PROTOTYPE ELECTRONIC DEVICE USED IN THE AID OF BINGO, THE PROTOTYPE BINGO AID COMPUTER SYSTEM, AND THE USER'S MANUAL SUBMITTED PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (29) NO LATER THAN FORTY-FIVE DAYS AFTER

## RECEIVING SUCH ITEMS.

(c) WHEN A COMPLAINT REGARDING AN ELECTRONIC DEVICE USED IN THE AID OF BINGO THAT IS IN USE IN THE STATE OF COLORADO HAS BEEN FILED WITH THE LICENSING AUTHORITY, THE MANUFACTURER OF SUCH DEVICE SHALL PROVIDE TO THE LICENSING AUTHORITY A SAMPLE OF SUCH DEVICE AND BINGO AID COMPUTER SYSTEM TO ASSIST THE INVESTIGATION BY THE LICENSING AUTHORITY. THE LICENSING AUTHORITY SHALL RETURN SUCH ELECTRONIC DEVICE AND BINGO AID COMPUTER SYSTEM NO LATER THAN FORTY-FIVE DAYS AFTER RECEIVING SUCH ITEMS, UNLESS THE LICENSING AUTHORITY NEEDS SUCH ELECTRONIC DEVICE LONGER TO COMPLETE THE INVESTIGATION.

(d) ANY ELECTRONIC DEVICE USED IN THE AID OF BINGO, ANY BINGO AID COMPUTER SYSTEM, AND ANY USER'S MANUAL FOR SUCH A DEVICE THAT IS IN THE CUSTODY OF THE LICENSING AUTHORITY PURSUANT TO THIS SECTION SHALL NOT BE CONSTRUED TO BE PUBLIC RECORDS.

(30) A BINGO AID COMPUTER SYSTEM USED BY A BINGO-RAFFLE LICENSEE FOR BINGO SESSIONS SHALL MEET THE FOLLOWING STANDARDS:

(a) SUCH SYSTEM SHALL CONTAIN A RECORD OF ALL TRANSACTIONS OCCURRING DURING A BINGO-RAFFLE SESSION. SUCH RECORD SHALL BE RETAINED IN MEMORY UNTIL THE TRANSACTIONS HAVE BEEN TOTALED, PRINTED, AND CLEARED BY THE BINGO-RAFFLE LICENSEE, REGARDLESS OF WHETHER THE POWER SUPPLY HAS BEEN INTERRUPTED.

(b) SUCH SYSTEM SHALL BE ABLE TO COMPUTE AND TOTAL ALL TRANSACTIONS PROCESSED BY THE SYSTEM DURING A BINGO-RAFFLE SESSION AND TO PRINT ALL INFORMATION REQUIRED BY THE SECRETARY OF STATE, IN THE FORM PRESCRIBED BY THE SECRETARY OF STATE.

(c) SUCH SYSTEM SHALL MAINTAIN AND CONTROL THE TRANSACTION NUMBER, TIME, AND DATE OF SALE. SUCH INFORMATION SHALL BE SECURE ENOUGH THAT ONLY A MANUFACTURER'S QUALIFIED PERSONNEL CAN CHANGE OR RESET SUCH INFORMATION. A DETAILED RECORD, SUPPORTED BY SERVICE DOCUMENTS, SHALL BE RETAINED BY SUCH PERSONNEL FOR EACH SERVICE CALL THAT INVOLVES A CHANGE OF THE TIME, DATE OF SALE, OR TRANSACTION NUMBER.

(31) IF AN ELECTRONIC DEVICE USED AS AN AID IN THE GAME OF BINGO COMPLIES WITH SUB-SUBPARAGRAPHS (A) TO (D) OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (29) OF THIS SECTION, AND IF THE BINGO AID COMPUTER SYSTEM FOR SUCH ELECTRONIC DEVICE SUBSTANTIALLY COMPLIES WITH THE REQUIREMENTS OF SUBSECTION (30) OF THIS SECTION, THE LICENSING AUTHORITY SHALL APPROVE SUCH ELECTRONIC DEVICE AND COMPUTER SYSTEM FOR USE BY A LETTER RULING PURSUANT TO SECTION 12-9-103 (1) (d).

**SECTION 4.** 12-9-107.5 (1), the introductory portion to 12-9-107.5 (4), and 12-9-107.5 (4) (a), (5), and (6), Colorado Revised Statutes, are amended to read:

**12-9-107.5. Persons permitted to manufacture and distribute games of chance equipment - reporting requirements.** (1) No person other than a

manufacturer licensee or licensed agent shall act as a bingo-raffle manufacturer within Colorado. ~~Printing of raffle tickets other than pull tabs, as designed and requested by a licensee, does not constitute the manufacture of games of chance equipment.~~ THE MANUFACTURE OF ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, AND THE PRINTING OF RAFFLE TICKETS OTHER THAN PULL TABS, AS DESIGNED AND REQUESTED BY A LICENSEE, DOES NOT CONSTITUTE THE MANUFACTURE OF GAMES OF CHANCE EQUIPMENT; EXCEPT THAT SUCH ELECTRONIC DEVICES SHALL BE SUBJECT TO THE REPORTING REQUIREMENTS OF SUBSECTIONS (5) AND (6) OF THIS SECTION, AND THE FEES ESTABLISHED BY THE LICENSING AUTHORITY IN ACCORDANCE WITH SECTION 12-9-103.5 (3) AND SUBSECTION (5) OF THIS SECTION.

(4) Except to the extent otherwise provided in section 12-9-107 (1), no manufacturer or supplier licensee or licensed agent shall buy, receive, sell, lease, furnish, or distribute any pull tabs, bingo cards or sheets, ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, or other games of chance equipment from or to any person within Colorado other than manufacturer or supplier licensees or agents and bingo-raffle licensees; except that:

(a) A landlord licensee, supplier, or manufacturer or its agent may sell or distribute cards, sheets, ~~and~~ equipment, OR ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO for the playing of bingo not for resale to nursing homes and other entities that distribute the cards, ~~or~~ sheets, OR ELECTRONIC DEVICES and allow playing of the game free of charge, without consideration given or received by any person for the privilege of playing; and

(5) Every manufacturer and supplier licensee shall file, upon forms prescribed by the licensing authority, quarterly reports on its licensed activities within Colorado. Such reports shall be accompanied by quarterly fees established by the licensing authority in accordance with section 12-9-103.5 (3) and deposited in the bingo-raffle cash fund. Such reports shall be filed with the licensing authority no later than April 30, July 31, October 31, and January 31 of each year licensed, and each report shall cover the preceding calendar quarter. Reports shall enumerate by quantity, purchaser OR LESSEE, and price the pull tabs, bingo cards or sheets, ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, and other games of chance equipment manufactured, conveyed, or distributed within Colorado or for use or distribution in Colorado and shall include the licensee's total sales, including amounts realized from leases, of equipment as defined in section 12-9-102 (5) AND ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO and the names and addresses of all Colorado suppliers or agents of the licensee and shall be signed and verified by the owner or the chief executive officer of the licensee. These quarterly reports shall not be public records as defined in section 24-72-202, C.R.S.

(6) Every manufacturer or supplier licensee, and every licensed agent for such licensee, shall keep and maintain complete and accurate records, in accord with generally accepted accounting principles, of all licensed activities. The records shall include invoices for all games of chance equipment OR ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO conveyed or distributed within Colorado, or for use or distribution in Colorado, which invoices are specific as to the nature, description, quantity, and serial numbers of the pull tabs, bingo cards or sheets, ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, and other equipment so conveyed or distributed. The records shall also show all receipts and expenditures made in

connection with licensed activities, including, but not limited to, records of sales by dates, purchasers, and items sold OR LEASED, monthly bank account reconciliations, disbursement records, and credit memos for any returned items. These records shall be maintained for a period of at least three years.

**SECTION 5.** 12-9-104.5 (3), Colorado Revised Statutes, is amended to read:

**12-9-104.5. Landlord licensees - stipulations.** (3) No landlord licensee or any employee of a landlord licensee shall require, induce, or coerce a bingo-raffle licensee to purchase supplies or equipment, OR TO PURCHASE OR LEASE ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, from a particular supplier, distributor, or manufacturer as a condition of conducting games of chance at a commercial bingo facility.

**SECTION 6.** 12-9-105.5 (1) (c), Colorado Revised Statutes, is amended to read:

**12-9-105.5. Application for manufacturer license.** (1) Each application for a manufacturer license shall include, but not be limited to, the following information:

(c) A description of the equipment AND THE ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO manufactured in connection with games of chance activities in Colorado;

**SECTION 7.** 12-9-105.7 (1) (c), Colorado Revised Statutes, is amended to read:

**12-9-105.7. Application for supplier license.** (1) Each application for a supplier license shall include, but not be limited to, the following information:

(c) A description of the equipment, ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, and supplies sold or distributed in connection with games of chance activities in Colorado;

**SECTION 8.** 12-9-105.9 (1) (e), Colorado Revised Statutes, is amended to read:

**12-9-105.9. Application for manufacturer's agent license or supplier's agent license.** (1) Each application for a manufacturer's agent license or supplier's agent license shall include, but not be limited to, the following information:

(e) The location in Colorado where the agent's records of sales and distributions of bingo and raffle equipment, ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, and supplies will be available to the licensing authority.

**SECTION 9.** 12-9-108 (5) and (6), Colorado Revised Statutes, are amended to read:

**12-9-108. Bingo-raffle licensee's statement of receipts - expenses - fee.** (5) No item of expense shall be incurred or paid in connection with holding, operating, or conducting any game of chance pursuant to any bingo-raffle license except bona fide expenses of a reasonable amount. Such expenses include those incurred in connection with all games of chance, for the following purposes: The purchase of goods, wares, and merchandise furnished; THE PURCHASE OR LEASE OF

ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO; payment for services rendered that are reasonably necessary for repairs of equipment and operating or conducting games of chance; ~~for~~ rent if the premises are rented or for janitorial services if not rented; ~~for~~ accountant's fees; and license fees.

(6) For the purposes enumerated in subsection (5) of this section, the following terms shall have the following meanings: "Goods, wares, and merchandise" means prizes, equipment as defined in section 12-9-102 (5), ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, and articles of a minor nature; "services rendered" means repair to equipment AND ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, compensation to bookkeepers or accountants, not more than two in the aggregate, for services in preparing financial reports for a reasonable amount as determined by the licensing authority in rules for each occasion, rental of premises in a reasonable amount as determined by the licensing authority in rules for each occasion, a reasonable amount for janitorial service as determined by the licensing authority in rules for each occasion, and a reasonable amount for security expense based on established need as determined by the licensing authority in rules for each occasion. There shall be paid to the licensing authority an administrative fee, established in accordance with section 12-9-103.5 (3), upon the gross receipts of any game of chance held, operated, or conducted under the provisions of this article; except that an exempt organization shall not be charged more than twenty dollars per year. All administrative fees collected by the licensing authority under this article shall be deposited in the bingo-raffle cash fund created in section 12-9-103.5.

**SECTION 10. Effective date.** This act shall take effect October 1, 2001, unless a referendum petition is filed during the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution. If such a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 23, 2001