

CHAPTER 76

GOVERNMENT - STATE

HOUSE BILL 06-1320

BY REPRESENTATIVE(S) Hefley, McGihon, Carroll T., Clapp, Decker, Gardner, and Jahn;
also SENATOR(S) Grossman, and Taylor.

AN ACT**CONCERNING THE PROMOTION OF THE LOTTERY BY THE STATE LOTTERY DIVISION DIRECTOR.**

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

SECTION 1. 24-35-201 (5), Colorado Revised Statutes, is amended, and the said 24-35-201 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

24-35-201. Definitions. As used in this part 2, unless the context otherwise requires:

(5) "Lottery" means any and all lotteries created and operated pursuant to this part 2, including, without limitation, the game commonly known as lotto, in which prizes are awarded on the basis of designated numbers conforming to numbers selected at random, electronically or otherwise, by or at the direction of the commission, and any multistate lottery or game that is authorized by a multistate agreement to which the commission is party. All references in this article to "the lottery" shall be construed to include any or all lotteries within the meaning of this subsection (5). "LOTTERY" SHALL NOT INCLUDE A PROMOTIONAL DRAWING AS DEFINED IN SUBSECTION (8) OF THIS SECTION.

(8) "PROMOTIONAL DRAWING" MEANS A PRIZE PROMOTION INVOLVING THE CONDUCT OF GIVEAWAYS THROUGH THE USE OF FREE CHANCES, INCLUDING THE USE OF NONWINNING TICKETS FROM EXISTING OR PRIOR GAMES, FOR PURPOSES OF COMMERCIAL ADVERTISEMENT OF THE LOTTERY, THE CREATION OF GOODWILL, THE PROMOTION OF NEW LOTTERY PRODUCTS, OR THE COLLECTION OF NAMES.

SECTION 2. 24-35-204, Colorado Revised Statutes, is amended BY THE

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

ADDITION OF A NEW SUBSECTION to read:

24-35-204. Director - qualifications - powers and duties. (2.5) THE DIRECTOR MAY PROMOTE THE LOTTERY BY ESTABLISHING PROMOTIONAL DRAWINGS. THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT PROMOTIONAL DRAWINGS SHALL NOT BE SUBJECT TO REGULATION UNDER THIS PART 2. NO AWARD OF PRIZES THROUGH A PROMOTIONAL DRAWING SHALL BE DEEMED A LOTTERY OR GAME OF CHANCE.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 31, 2006