

HB1234_L.007

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, & Technology.

HB18-1234 be amended as follows:

1 Amend reengrossed bill, page 2, after line 1 insert:

2 "SECTION 1. In Colorado Revised Statutes, 16-13-303, amend
3 (2) as follows:

4 16-13-303. Class 1 public nuisance. (2) (a) EXCEPT AS
5 OTHERWISE PROVIDED IN SUBSECTION (2)(b) OF THIS SECTION, all fixtures
6 and contents of any building, structure, vehicle, or real property ~~which~~
7 THAT is a class 1 public nuisance under subsection (1) of this section and
8 all property ~~which~~ THAT is a class 1 public nuisance under subsection
9 (1.5) of this section are subject to seizure, confiscation, and forfeiture as
10 provided in this part 3. In addition, the personal property of every kind
11 and description, including currency and other negotiable instruments and
12 vehicles, used in conducting, maintaining, aiding, or abetting any class 1
13 public nuisance is subject to seizure, confiscation, and forfeiture, as
14 provided in this part 3.

15 (b) SUBSECTION (2)(a) OF THIS SECTION DOES NOT APPLY TO
16 AN OWNER, OPERATOR, EMPLOYEE, OR CUSTOMER OF A SIMULATED
17 GAMBLING DEVICE, OR OF A BUSINESS OFFERING SIMULATED GAMBLING
18 DEVICES, WHO:

19 (I) CEASED PARTICIPATING IN SUCH ACTIVITY ON OR BEFORE JULY
20 1, 2018; AND

21 (II) PROVIDES CLEAR DOCUMENTATION TO THE DISTRICT
22 ATTORNEY THAT:

23 (A) A LAWFUL CONTRACT HAS BEEN ENTERED INTO FOR THE SALE
24 OR TRANSFER OF ALL SIMULATED GAMBLING DEVICES CONNECTED WITH
25 THE ACTIVITY TO A PERSON BY WHOM, OR INTO A JURISDICTION WHERE,
26 THE ACTIVITY IS LAWFUL; AND

27 (B) CONSUMMATES THE CONTRACT BY ACTUALLY SELLING OR
28 TRANSFERRING THE SIMULATED GAMBLING DEVICES WITHIN ONE HUNDRED
29 EIGHTY DAYS AFTER THE CONTRACT WAS ENTERED INTO OR AFTER ANY
30 SIMULATED GAMBLING DEVICES THAT WERE SEIZED, CONFISCATED, OR
31 FORFEITED BY LAW ENFORCEMENT AUTHORITIES HAVE BEEN RETURNED,
32 WHICHEVER OCCURS LATER."

33 Renumber succeeding sections accordingly.

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