

SB232_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.SB17-232 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 24-34-104, amend
4 (27)(a) introductory portion; repeal (12)(a)(IV) and (12)(a)(V); and add
5 (27)(a)(V) and (27)(a)(VI) as follows:

6 **24-34-104. General assembly review of regulatory agencies
7 and functions for repeal, continuation, or reestablishment - legislative
8 declaration - repeal.** (12) (a) The following agencies, functions, or both,
9 will repeal on July 1, 2017:

10 ~~(IV) The licensing of bingo and other games of chance through
11 the secretary of state in accordance with article 9 of title 12, C.R.S.;~~

12 ~~(V) The Colorado bingo-raffle advisory board created in section
13 12-9-201, C.R.S.;~~

14 (27) (a) The following agencies, functions, or both, will ARE
15 SCHEDULED FOR repeal on September 1, 2026:

16 (V) THE LICENSING OF BINGO AND OTHER GAMES OF CHANCE
17 THROUGH THE SECRETARY OF STATE IN ACCORDANCE WITH PART 5 OF
18 ARTICLE 21 OF THIS TITLE 24;

19 (VI) THE COLORADO BINGO-RAFFLE ADVISORY BOARD CREATED
20 IN SECTION 24-21-530.

21 **SECTION 2.** In Colorado Revised Statutes, **add with amended
22 and relocated provisions** part 5 to article 21 of title 24 as follows:

PART 5

BINGO AND RAFFLES LAW

25 **24-21-501. [Formerly 12-9-101] Short title.** This article shall be
26 ~~known and may be cited as~~ THE SHORT TITLE OF THIS PART 5 IS the "Bingo
27 and Raffles Law".

28 **24-21-502. [Formerly 12-9-102] Definitions.** As used in this
29 ~~article~~ PART 5, unless the context otherwise requires:

30 (1) "Bingo" means a game of chance played, with or without the
31 aid of an electronic device, for prizes using cards or sheets containing five
32 rows of five squares bearing numbers, except for the center square which
33 is a free space. Traditional bingo also requires that the letters "B I N G O"
34 appear in order over each column. The holder of a card or sheet matches
35 the numbers on such card or sheet to numbers randomly drawn. The game
36 is won when a previously designated arrangement of numbers on such
37 card or sheet is covered.

1 (1.1) (2) "Bingo aid computer system" means a computer system
2 that interfaces with and controls the use of electronic devices used as aids
3 in the game of bingo.

4 (1.2) (3) "Bingo-raffle licensee" means any qualified organization
5 to which a bingo-raffle license has been issued by the licensing authority.

6 (1.3) (4) "Bingo-raffle manufacturer" means a person, other than
7 a bingo-raffle licensee, who makes, assembles, produces, or otherwise
8 prepares pull tabs, bingo cards or sheets, electronic devices used as aids
9 in the game of bingo, or other equipment or parts thereof for games of
10 chance. ~~as defined in subsection (7) of this section.~~ "Bingo-raffle
11 manufacturer" does not include a person who prints raffle tickets, other
12 than pull tabs, for and at the request of a bingo-raffle licensee.

13 (1.4) (5) "Bingo-raffle supplier" means a person, other than a
14 bingo-raffle licensee, who sells, distributes, or otherwise furnishes pull
15 tabs, bingo cards or sheets, electronic devices used as aids in the game of
16 bingo, or other games of chance equipment. ~~as defined in subsection (5)~~
17 ~~of this section.~~ "Bingo-raffle supplier" does not include a person who
18 prints raffle tickets, other than pull tabs, for and at the request of a
19 bingo-raffle licensee.

20 (1.5) (6) "Board" means the Colorado bingo-raffle advisory board
21 created in section ~~12-9-201~~ 24-21-530.

22 (1.6) (7) "Card" means either a disposable and nonreusable paper
23 bingo card identified by color, serial number, and card number, or a
24 reusable bingo card intended for repeated use, including but not limited
25 to a hard card or shutter card. "Card" does not include an electronic
26 representation or electronic image of a bingo card.

27 (1.7) (8) "Charitable gaming" means bingo, pull tab games, and
28 raffles. ~~as defined in subsections (1), (18.1), and (19.3) of this section.~~

29 (1.8) (9) "Charitable organization" means any organization, not
30 for pecuniary profit, that is operated for the relief of poverty, distress, or
31 other condition of public concern within this state and that has been so
32 engaged for five years prior to making application for a license under this
33 article PART 5.

34 (2) (10) "Chartered branch or lodge or chapter of a national or
35 state organization" means any such branch or lodge or chapter that is a
36 civic or service organization, not for pecuniary profit, and authorized by
37 its written constitution, charter, articles of incorporation, or bylaws to
38 engage in a fraternal, civic, or service purpose within this state and that
39 has been so engaged for five years prior to making application for a
40 license under this article PART 5.

41 (2.3) (11) "Commercial bingo facility" means premises rented by



1 a bingo-raffle licensee for the purpose of conducting games of chance.
2 ~~(2.5)~~ (12) "Commercial landlord" means any person renting or
3 offering to rent a commercial bingo facility to any bingo-raffle licensee.
4 ~~(2.7)~~ (13) "Deal" means each separate package or series of
5 packages of pull tabs with the same name, form number, serial number,
6 and color code.
7 ~~(3)~~ (14) "Dues-paying membership" means those members of an
8 organization who pay regular monthly, annual, or other periodic dues or
9 who are excused from paying such dues by the bylaws, articles of
10 incorporation, or charter of the organization and those who contribute
11 voluntarily to the corporation or organization to which they belong for the
12 support of such corporation or organization.
13 ~~(4)~~ (15) "Educational organization" means any organization within
14 this state, not organized for pecuniary profit, whose primary purpose is
15 educational in nature and designed to develop the capabilities of
16 individuals by instruction and that has been in existence for five years
17 prior to making application for a license under this ~~article~~ PART 5.
18 ~~(5)~~ (16) "Equipment" means: With respect to bingo or lotto, the
19 receptacle and numbered objects drawn from it, the master board upon
20 which such objects are placed as drawn, the cards or sheets bearing
21 numbers or other designations to be covered and the objects used to cover
22 them, the board or signs, however operated, used to announce or display
23 the numbers or designations as they are drawn, public address system, and
24 all other articles essential to the operation, conduct, and playing of bingo
25 or lotto; or, with respect to raffles, implements, devices, and machines
26 designed, intended, or used for the conduct of raffles and the
27 identification of the winning number or unit and the ticket or other
28 evidence or right to participate in raffles. "Equipment" includes electronic
29 devices used as aids in the game of bingo.
30 ~~(5.5)~~ (17) "Exempt organization" means an organization: that
31 ~~complies with each of the following criteria:~~
32 (a) That is exempt from taxation under section 501 (c)(3) of the
33 federal "Internal Revenue Code of 1954", as amended; ~~through December~~
34 ~~31, 1984;~~
35 (b) Of the type commonly known as a community chest, which
36 organizes and carries out intensive, limited-time, and community-wide
37 fund drive campaigns by volunteer workers soliciting charitable
38 contributions from a broad base of citizens and businesses in the
39 community with the objective of providing financial support to other
40 organizations that are exempt from taxation under section 501 (c)(3) of
41 the federal "Internal Revenue Code of 1954", as amended, through



1 ~~December 31, 1984~~, and that provides charitable, educational, civic,
2 health, or human services within the same community and that has the
3 further objective of minimizing the necessity for multiple, overlapping,
4 and competing fund drives by such recipient organizations to enable them
5 to deliver such services;

6 (c) That assists in acquiring noncash prizes donated by
7 participating private businesses or government agencies as an ancillary
8 means of creating interest in a charitable fund-raising drive held by such
9 business or agency;

10 (d) That collects voluntary contributions and distributes more than
11 eighty percent of such contributions to other organizations that are
12 exempt from taxation under section 501 (c)(3) of the federal "Internal
13 Revenue Code of 1954", as amended, ~~through December 31, 1984~~, and
14 that provide charitable, educational, civic, health, or human services;

15 (e) On behalf of whose fund-raising drives drawings are held by
16 participating private businesses or government agencies, which drawings
17 are open only to the employees of such businesses or agencies and are not
18 open to the general public;

19 (f) Whose fund-raising drives are jointly planned and managed by
20 the participating private businesses and government agencies; and

21 (g) Whose fund-raising drives include only the awarding of
22 noncash prizes by the participating private businesses or government
23 agencies.

24 ~~(6)~~ (18) "Fraternal organization" means any organization within
25 this state, including college and high school fraternities, not for pecuniary
26 profit, that is a branch, lodge, or chapter of a national or state
27 organization and exists for the common business, brotherhood, or other
28 interests of its members and that has so existed for five years prior to
29 making application for a license under this article PART 5. "Fraternal
30 organization" also includes a graduate or alumni division or branch of a
31 college fraternity, which division or branch holds a charter issued by the
32 state of Colorado and that meets all other criteria set forth in this
33 subsection ~~(6)~~ (18). As used in this subsection ~~(6)~~ (18), "fraternity"
34 includes a sorority.

35 ~~(7)~~ (19) "Game of chance" means that specific kind of game of
36 chance commonly known as bingo or lotto in which prizes are awarded
37 on the basis of designated numbers or symbols on a card conforming to
38 numbers or symbols selected at random and that specific kind of game of
39 chance commonly known as raffles that is conducted by drawing for
40 prizes or the allotment of prizes by chance, by the selling of shares or
41 tickets or rights to participate in such a game.



1 ~~(8)~~ (20) "Gross receipts" means receipts from the sale of shares,
2 tickets, or rights in any manner connected with participation in a game of
3 chance or the right to participate therein, including any admission fee or
4 charge, the sale of equipment or supplies, the sale or lease of electronic
5 devices used as aids in the game of bingo, and all other miscellaneous
6 receipts.

7 ~~(9)~~ (21) "Labor organization" means any organization, not for
8 pecuniary profit, within this state that exists for the purpose, in whole or
9 in part, of dealing with employers concerning grievances, labor disputes,
10 wages, rates of pay, hours of employment, or conditions of work and that
11 has existed for such purpose and has been so engaged for five years prior
12 to making application for a license under this article PART 5.

13 ~~(9.5)~~ (22) "Landlord licensee" means the holder of a current, valid
14 commercial landlord license.

15 ~~(10)~~ (23) "Lawful purposes" means the lawful purposes of
16 organizations permitted to conduct games of chance, as provided in
17 section 2 of article XVIII of the state constitution.

18 ~~(11)~~ (24) "Lawful use" means the devotion of the entire net
19 proceeds of a game of chance exclusively to lawful purposes.

20 ~~(11.5)~~ (25) "License" means any license or certification issued by
21 the licensing authority pursuant to this article PART 5, including, without
22 limitation, the certification of a games manager pursuant to section
23 ~~12-9-105.1~~ 24-21-510.

24 ~~(12)~~ (26) "Licensed agent" means an individual who holds a
25 current, valid agent's license for a bingo-raffle manufacturer or supplier.

26 ~~(12.5)~~ (27) "Licensee" means the holder of any license or
27 certification issued by the licensing authority pursuant to this article PART
28 5. "Licensee" includes the former holder of such license or certification
29 for purposes of investigation of activities that took place during the period
30 in which such license or certification was effective.

31 ~~(13)~~ (28) "Licensing authority" means the secretary of state or his
32 or her duly authorized deputy.

33 ~~(13.3)~~ (29) "Manufacturer's agent" means an individual who
34 represents a manufacturer in any of its activities in connection with the
35 presales, driver sales, or distribution with excess stock of pull tabs, bingo
36 cards or sheets, electronic devices used as aids in the game of bingo, or
37 other games of chance equipment; except employees of commercial
38 delivery services.

39 ~~(13.5)~~ (30) "Manufacturer licensee" means the holder of a current,
40 valid Colorado manufacturer license.

41 ~~(14)~~ (31) "Member" means an individual who has qualified for

1 membership in a qualified organization pursuant to its bylaws, articles of
2 incorporation, charter, rules, or other written statement.

3 ~~(15)~~ (32) "Net proceeds" means the receipts less such expenses,
4 charges, fees, and deductions as are specifically authorized under this
5 article PART 5.

6 ~~(16)~~ (33) "Occasion" means a single gathering or session at which
7 a series of successive bingo games is played.

8 ~~(17)~~ (34) "Person" means a natural person, firm, association,
9 corporation, or other legal entity.

10 ~~(18)~~ (35) "Premises" means any room, hall, enclosure, or outdoor
11 area used for the purpose of playing a game of chance.

12 ~~(18.1)~~ (36) "Pull tab game" means a type of game of chance
13 commonly known as a pickle, break-open, jar raffle, last sale ticket, or
14 seal card for which tickets are preprinted with markings distinguishing
15 winners and nonwinners, each ticket so made that its markings and
16 winning or nonwinning status cannot be known or revealed until the
17 ticket is broken or torn apart.

18 ~~(19)~~ (37) (a) "Qualified organization" means any bona fide
19 chartered branch, lodge, or chapter of a national or state organization or
20 any bona fide religious, charitable, labor, fraternal, educational, voluntary
21 firefighters', or veterans' organization operating without profit to its
22 members that has been in existence continuously for a period of five years
23 immediately prior to the making of an application for a license under this
24 article PART 5 and that has had, during the entire five-year period, a
25 dues-paying membership engaged in carrying out the objects of said
26 corporation or organization.

27 (b) "Qualified organization" includes, without limitation:

28 (I) A political party; and

29 (II) The Colorado state fair authority.

30 ~~(19.3)~~ (38) "Raffle" means a game in which a participant buys a
31 ticket for a chance at a prize with the winner determined by a random
32 method as determined by rules of the licensing authority, or a pull tab
33 ticket as described in subsection ~~(18.1)~~ (36) of this section. The term
34 "raffle" does not include any activity that is authorized or regulated by the
35 state lottery division pursuant to part 2 of article 35 of THIS title 24
36 ~~C.R.S.~~, or the "Limited Gaming Act of 1991", article 47.1 of this title
37 TITLE 12.

38 ~~(20)~~ (39) "Religious organization" means any organization,
39 church, body of communicants, or group, not for pecuniary profit,
40 gathered in common membership for mutual support and edification in
41 piety, worship, and religious observances or a society, not for pecuniary



1 profit, of individuals united for religious purposes at a definite place, that
2 WHICH organization, church, body of communicants, group, or society has
3 been so gathered or united for five years prior to making application for
4 a license under this article PART 5.

5 ~~(20.1)~~ (40) "Sheet" means a leaf of paper upon which is printed
6 one or more disposable bingo cards.

7 ~~(20.3)~~ (41) "Supplier's agent" means an individual who represents
8 a bingo-raffle supplier in the course of the bingo-raffle supplier's presales,
9 driver sales, or distribution with excess bingo-supplier stock, electronic
10 devices used as aids in the game of bingo, or chance equipment on hand;
11 except THAT THE TERM DOES NOT INCLUDE employees of commercial
12 delivery services.

13 ~~(20.5)~~ (42) "Supplier licensee" means the holder of a current,
14 valid Colorado supplier license.

15 ~~(21)~~ (43) "Veterans' organization" means any organization within
16 this state or any branch, lodge, or chapter of a national or state
17 organization within this state, not for pecuniary profit, the membership of
18 which consists of individuals who were members of the armed services
19 or forces of the United States, that has been in existence for five years
20 prior to making application for a license under this article PART 5.

21 ~~(22)~~ (44) "Voluntary firefighters' organization" means any
22 organization within this state, not for pecuniary profit, established by the
23 state or any of its political subdivisions that has been in existence for five
24 years prior to making application for a license under this article PART 5.

25 **24-21-503. [Formerly 12-9-102.3] Fraud and deception**
26 **prohibited.** (1) No A bingo-raffle licensee, landlord licensee,
27 bingo-raffle supplier bingo-raffle LICENSEE, manufacturer LICENSEE, or
28 any member or agent thereof engaged in any charitable gaming activity
29 shall NOT, directly or indirectly:

30 (a) Employ any device, scheme, or artifice to defraud or deceive;

31 (b) Intentionally make any untrue or misleading statement of fact;

32 or

33 (c) Engage in any act, practice, or course of conduct constituting
34 fraud or deceit.

35 **24-21-504. [Formerly 12-9-102.5] Legislative declaration -**
36 **consideration for tickets - conditions - rules.** (1) The general assembly
37 hereby finds and declares that prize promotions involving the conduct of
38 free product giveaways through the use of free chances for purposes of
39 commercial advertisement, the creation of goodwill, the promotion of
40 new products or services, or the collection of names should not be subject
41 to regulation under this article PART 5. The giveaways described in this

1 subsection (1) are exempt from regulation under this article PART 5 when
2 all of the conditions set forth in this section are satisfied.

3 (2) No award of prizes by chance for a purpose set forth in
4 subsection (1) of this section is a lottery or game of chance, nor is any
5 share, ticket, or right to participate in an award of prizes deemed to have
6 been sold or charged for, notwithstanding that the award is made to
7 persons who have paid a fee entitling them to general admission to the
8 grounds or premises on which the award is made, if each share or ticket
9 by means of which the award is made is given away free of charge and
10 without any obligation on the part of the person receiving it.

11 ~~(3) (Deleted by amendment, L. 99, p. 1411, § 1, effective June 5,~~
12 ~~1999.)~~

13 ~~(4) (3) (a) (I) A licensee may conduct a prize promotion on the~~
14 ~~licensed premises, whether the premises are rented or owned by the~~
15 ~~licensee. A licensee shall clearly disclose, in the rental agreement or~~
16 ~~otherwise, the promotion and its cost, if any, to the licensee, pursuant to~~
17 ~~rules adopted by the licensing authority.~~

18 ~~(II) A landlord licensee shall not require a bingo-raffle licensee to~~
19 ~~participate in or conduct a promotion under this section, nor may a games~~
20 ~~manager for any occasion assist in any promotion conducted during an~~
21 ~~occasion by a landlord licensee. Prizes offered as part of a promotion are~~
22 ~~not prizes subject to limitation under section ~~12-9-107~~ 24-21-517 (5).~~

23 ~~(b) Before conducting a promotion under this section, the licensee~~
24 ~~shall provide evidence of ownership, free and clear, of the prizes to be~~
25 ~~offered unless all of the prizes are available for viewing on the premises~~
26 ~~on the day they are to be awarded. The licensee offering any promotional~~
27 ~~prize shall disclose, at the beginning of the promotion, full and complete~~
28 ~~information identifying the prizes to be awarded and the method by which~~
29 ~~the prizes may be won. This disclosure need not be made separately or~~
30 ~~personally to each participant, but may be made by conspicuously posting~~
31 ~~or displaying, at the premises where the promotion is being conducted,~~
32 ~~either the available prizes themselves or a list and complete description~~
33 ~~of the prizes and the method by which they may be won.~~

34 ~~(c) Within ten days after the award of any prize, the licensee shall~~
35 ~~file with the licensing authority a written report containing a description~~
36 ~~of the prize, the value of the prize, and such other information as the~~
37 ~~licensing authority may require by rule. Any prize offered pursuant to this~~
38 ~~section must be awarded by the end of the calendar quarter in which it~~
39 ~~was offered.~~

40 ~~(d) The licensing authority may establish by rule the maximum~~
41 ~~amount or value of a cash prize or a prize of a product or service that may~~



1 be awarded; except that such maximum amount must be at least one
2 thousand dollars.

3 **24-21-505. [Formerly 12-9-103] Licensing and enforcement**
4 **authority - powers - rules - duties - license suspension or revocation**
5 **proceedings - definitions.** (1) The secretary of state is hereby designated
6 as the "licensing authority" of this ~~article~~ PART 5. As licensing authority,
7 the secretary of state's powers and duties are as follows:

8 (a) (I) To grant or refuse to grant bingo-raffle licenses under this
9 ~~article~~ PART 5 and to grant or refuse to grant licenses to landlords,
10 manufacturers, manufacturers' agents, suppliers, and suppliers' agents. If
11 any such license application has not been approved or disapproved within
12 forty-five days after the licensing authority has received all information
13 that constitutes a complete application, the license shall be deemed to be
14 approved. The licensing authority shall notify the applicant upon receipt
15 of all information that the licensing authority deems a complete
16 application. Such notification shall be the start of the forty-five-day
17 period in which the licensing authority shall affirmatively act upon the
18 application. The licensing authority's failure to act upon an application
19 within forty-five days after receipt shall not preclude the licensing
20 authority from later filing a complaint challenging the application on the
21 ground that it is in conflict with the Colorado constitution or this ~~article~~
22 PART 5. All such licenses and applications for such licenses shall be made
23 available for inspection by the public. In addition, the licensing authority
24 has the power and the responsibility, after investigation and hearing
25 before an administrative law judge, to suspend or revoke any license
26 issued by the licensing authority, in accordance with any order of such
27 administrative law judge. When a license is ordered suspended or
28 revoked, the licensee shall surrender the license to the licensing authority
29 on or before the effective date of the suspension or revocation. No license
30 is valid beyond the effective date of the suspension or revocation, whether
31 surrendered or not. Any bingo-raffle license may be temporarily
32 suspended for a period not to exceed ten days pending any prosecution,
33 investigation, or public hearing.

34 (II) In lieu of seeking a suspension or revocation of any license
35 issued by the licensing authority, the licensing authority may impose a
36 reasonable fine for any violation of this ~~article~~ PART 5 or any rule adopted
37 pursuant to this ~~article~~ PART 5, not to exceed one hundred dollars per
38 citation. The imposition of any such fine may be appealed to an
39 administrative law judge.

40 (III) An applicant may request administrative review of a refusal
41 by the licensing authority to grant or renew a license in accordance with

1 subsection (2) (3) of this section. To be entitled to administrative review,
2 the applicant must request the review in writing within sixty days after the
3 date of the licensing authority's refusal.

4 (IV) If a licensee or bingo-raffle affiliate fails within forty-five
5 days after a written request by the licensing authority to voluntarily
6 produce records at the office of the licensing authority, or if a licensee
7 fails to file a report within the time required by this article PART 5, or if
8 such report is not properly verified or is not fully, accurately, and
9 truthfully completed on its face, the licensing authority may refuse to
10 renew the licensee's license until the licensee has corrected such failure
11 or deficiency. If the licensing authority refuses to renew a license
12 pursuant to this subparagraph (IV) SUBSECTION (1)(a)(IV), the licensee
13 shall not engage in activity authorized by such license until such license
14 is renewed.

15 (b) To supervise the administration and enforcement of this article
16 PART 5 and, in consultation with the board, to adopt, amend, and repeal
17 rules governing the holding, operating, and conducting of games of
18 chance, the purchase of equipment, the establishment of a schedule of
19 reasonable fines, not to exceed one hundred dollars per citation, for
20 violation by licensees of this article PART 5 or of rules adopted pursuant
21 to this article PART 5, to the end that games of chance shall be held,
22 operated, and conducted only by licensees for the purposes and in
23 conformity with the state constitution and the provisions of this article
24 PART 5;

25 (c) To provide forms for and supervise the filing of any reports
26 made by mail, computer, electronic mail, or any other electronic device
27 by any licensee. As soon as possible after July 1, 2006, the licensing
28 authority shall ensure that delivery of a document subject to this article
29 PART 5 by an applicant or a licensee may be accomplished electronically
30 without the necessity for presentation of a physical original document,
31 report, or image, if all required information is included and is readily
32 retrievable from the data transmitted. The licensing authority may, by
33 rule, require certain organizations to file reports and other documents
34 electronically. All electronically filed documents shall be stored by the
35 licensing authority in an electronic or other medium and shall be
36 retrievable by the licensing authority in an understandable and readable
37 form. Notwithstanding any other provision of law requiring the signature
38 of, or execution by, a person on a document, no such signature shall be
39 required when the document is submitted electronically. Causing a
40 document to be delivered to the licensing authority by an applicant or a
41 licensee shall constitute the affirmation or acknowledgment of the



1 individual causing the delivery, under penalty of perjury, that the
2 document is the individual's act and deed or the act and deed of the
3 organization or entity on whose behalf the document was delivered and
4 that the facts stated in the document are true.

5 (d) Upon application by any licensee, to issue a letter ruling
6 granting approval for any new concept, method, technology, practice, or
7 procedure that may be applied to, or used in the conduct of, games of
8 chance that are not in conflict with the constitution or this article PART 5.
9 Application for such approval shall be submitted in a form prescribed by
10 the licensing authority. If an application is not acted upon within
11 forty-five days after receipt by the licensing authority, the licensee may
12 implement such concept, method, technology, practice, or procedure so
13 long as it is not in conflict with the constitution or this article PART 5;
14 except that the licensing authority's failure to act upon an application
15 within forty-five days after receipt shall not preclude the licensing
16 authority from later filing a complaint challenging such concept, method,
17 technology, practice, or procedure on the ground that it is in conflict with
18 the constitution or this article PART 5. An adverse ruling on such
19 application may be appealed to an administrative law judge.

20 (e) To keep records of all actions and transactions relating to
21 licensing and enforcement activity;

22 (f) To prepare and transmit annually, in the form and manner
23 prescribed by the heads of the principal departments pursuant to the
24 provisions of section 24-1-136, ~~C.R.S.~~, a report accounting to the
25 governor for the efficient discharge of all responsibilities assigned by law
26 or directive to the authority, and to issue publications of the authority
27 intended for circulation in quantity outside the executive branch in
28 accordance with the provisions of section 24-1-136; ~~C.R.S.~~

29 (g) To license devices for reading pull tabs as provided in section
30 ~~12-9-107.2~~ 24-21-519; except that the licensing authority shall not impose
31 or collect any fee for the issuance of such a license.

32 ~~(1.5)~~ (2) For the purpose of any investigation or examination of
33 records, the licensing authority or any officer designated by the licensing
34 authority may require, at the office of the licensing authority, the
35 production of any books, papers, correspondence, memoranda,
36 agreements, or other documents or records that the licensing authority
37 deems relevant or material to the inquiry. In case of refusal to obey a
38 request for the production of documents issued to any licensee or an
39 affiliate of a licensee; the district court of the city and county of Denver,
40 upon application by the licensing authority, may issue an order requiring
41 that person to appear before the licensing authority or the officer

1 designated by the licensing authority to produce documents or to give
2 evidence touching upon the matter under investigation or in question.
3 Failure to obey the order of the court may be punished by the court as a
4 contempt of court.

5 ~~(2)~~ (3) The licensing authority may revoke, suspend, annul, limit,
6 modify, or refuse to grant or renew a license in accordance with section
7 24-4-104. ~~C.R.S.~~ Hearings that are held to administratively review the
8 licensing authority's decision to refuse to grant or renew a license or to
9 determine whether a licensee's license should be revoked, suspended,
10 annulled, limited, or modified shall be conducted by an administrative
11 law judge appointed pursuant to part 10 of article 30 of THIS title 24
12 ~~C.R.S.~~ and shall be held in the manner and pursuant to the rules and
13 procedures described in sections 24-4-104, 24-4-105, and 24-4-106.
14 ~~C.R.S.~~ An administrative law judge shall hold and conclude hearings in
15 accordance with the rules, with reasonable dispatch and without
16 unnecessary delay, and shall issue a decision within ten days after the
17 hearing.

18 ~~(3)~~ (4) (a) Upon a finding by an administrative law judge of a
19 violation of this article PART 5, the rules adopted pursuant to this article
20 PART 5, or any other provision of law, such as would warrant the
21 revocation, suspension, annulment, limitation, or modification of a
22 license, in addition to any other penalties that may be imposed, the
23 licensing authority may declare the violator ineligible to conduct a game
24 of bingo and to apply for a license pursuant to this article PART 5 for a
25 period not exceeding ~~five~~ THREE years after the date of ~~such~~ THE
26 declaration or a shorter period designated by the licensing authority
27 pursuant to this subsection ~~(3)~~ (4). The licensing authority shall designate
28 a shorter period of license ineligibility only in the absence of aggravating
29 factors associated with the violation for which the revocation was
30 imposed. Aggravating factors ~~shall~~ include willfulness, intent, a previous
31 intentional violation of this article PART 5, and violations involving theft
32 or fraud. ~~Such~~ THE declaration of ineligibility may be extended to
33 include, in addition to the violator, any of its subsidiary organizations, its
34 parent organization, or otherwise, affiliated with the violator when, in the
35 opinion of the licensing authority, the circumstances of the violation
36 warrant such action.

37 (b) The decision of the administrative law judge in any
38 controversy concerning licensing, the imposition of a fine, or the approval
39 of any proposed new concept, method, technology, practice, or procedure
40 ~~shall be~~ IS final and subject to review by the court of appeals, pursuant to
41 ~~the provisions of section 24-4-106 (11). C.R.S.~~



1 ~~(4) (Deleted by amendment, L. 2006, p. 986, § 3, effective May~~
2 ~~25, 2006.)~~

3 (5) Upon an administrative or judicial finding of a violation of this
4 article PART 5, the rules adopted pursuant to this article PART 5, or any
5 other provision of law, such as would warrant the suspension or
6 revocation of a license, the licensing authority, in addition to any other
7 penalties that may be imposed, may issue an order excluding the violator
8 or any owner, officer, director, or games manager of the violator from the
9 licensed premises during the conduct of games of chance.

10 ~~(6) (a) The secretary of state shall confer with the executive~~
11 ~~director of the department of revenue or his or her designee concerning:~~

12 ~~(I) The desirability and practicability of transferring the~~
13 ~~responsibility for enforcement, licensing, or both under this article from~~
14 ~~the secretary of state to the department of revenue;~~

15 ~~(II) The constitutional and statutory changes that would be~~
16 ~~necessary to effectuate such transfer; and~~

17 ~~(III) The recommendations of the secretary of state and the~~
18 ~~executive director of the department of revenue for any other or~~
19 ~~additional constitutional or statutory changes to improve the regulation of~~
20 ~~bingo and raffles in Colorado.~~

21 ~~(b) On or before December 31, 2008, the secretary of state and the~~
22 ~~executive director of the department of revenue shall jointly prepare and~~
23 ~~transmit a report of their findings and recommendations to the house and~~
24 ~~senate committees on finance and the house and senate committees on~~
25 ~~state, veterans, and military affairs, or their successor committees.~~

26 **24-21-506. [Formerly 12-9-103.5] Fees - department of state**
27 **cash fund.** (1) All fees collected by the licensing authority pursuant to
28 this article PART 5 shall be transmitted to the state treasurer, who shall
29 credit the same THEM to the department of state cash fund created in
30 section 24-21-104 (3)(b), C.R.S. also referred to in this section as the
31 "fund". The moneys MONEY in the fund shall be IS subject to annual
32 appropriation by the general assembly for the purposes of financing the
33 licensing and enforcement activities of the secretary of state as specified
34 in this article PART 5.

35 ~~(2) (Deleted by amendment, L. 2002, p. 1648, § 5, effective~~
36 ~~August 7, 2002.)~~

37 ~~(3) (2) (a) Fees authorized by this article PART 5 shall be~~
38 ~~established by the licensing authority, in consultation with the board, in~~
39 ~~amounts sufficient to ensure that the total revenue generated by the~~
40 ~~collection of such fees approximates the direct and indirect costs incurred~~
41 ~~by the licensing authority in carrying out its duties under this article PART~~

1 5. The amounts of all fees shall be reviewed annually. The licensing
2 authority shall furnish to the board both an annual and a quarterly
3 accounting of all fee and fine revenues received and expenditures made
4 pursuant to this ~~article~~ PART 5, together with a list of all fees in effect.

5 (b) The cost of implementing the electronic application and report
6 filing system required by section ~~12-9-103~~ 24-21-505 (1)(c), including the
7 cost of promulgating any new or amended rules for use of the system,
8 shall be recovered through a temporary fee increase or surcharge assessed
9 on licensees during the first five years of operation of the system. The
10 licensing authority shall establish the temporary fee or surcharge on a
11 sliding or graduated scale, based on the quarterly gross receipts of each
12 licensee that is required to file quarterly reports or pay fees under section
13 ~~12-9-107.5 (5)~~ 24-21-521 (4) or section ~~12-9-108~~ 24-21-522 (6)(b), and
14 in an amount sufficient to recover all of such costs within the five-year
15 period.

16 (4) (3) All fines assessed pursuant to this ~~article~~ PART 5 shall be
17 paid to the state treasurer who shall credit the same to the general fund of
18 the state.

19 **24-21-507. [Formerly 12-9-104] Bingo-affle license - fee.**

20 (1) A bona fide chartered branch, lodge, or chapter of a national or state
21 organization or any bona fide religious, charitable, labor, fraternal,
22 educational, voluntary firefighters', or veterans' organization or any
23 association, successor, or combination of association and successor of any
24 of ~~the said~~ THESE organizations that operates without profit to its
25 members, and that has been in existence continuously for a period of five
26 years immediately prior to the making of application for a bingo-affle
27 license under this ~~article~~ PART 5, and has had during the entire five-year
28 period dues-paying members engaged in carrying out the objects of said
29 THE corporation or organization is eligible for a bingo-affle license to be
30 issued by the licensing authority under this ~~article~~ PART 5. If a license is
31 revoked, the bingo-affle licensee and holder thereof is not eligible to
32 apply for another license under subsection (2) of this section until ~~after~~
33 ~~the expiration of the period of five~~ THREE years after the date of ~~such~~ THE
34 revocation.

35 (2) The bingo-affle licenses provided by this ~~article~~ PART 5 shall
36 be issued by the licensing authority to applicants qualified under this
37 ~~article~~ PART 5 upon payment of a fee established in accordance with
38 section ~~12-9-103.5 (3)~~ 24-21-506 (2). Licenses shall expire at the end of
39 the calendar year in which they were issued by the licensing authority and
40 may be renewed by the licensing authority upon the filing of an
41 application for renewal thereof provided by the licensing authority and



1 the payment of the fee established for such THE renewal. No license
2 granted under this article PART 5 or any renewal thereof shall be IS
3 transferable. The fees required to be paid for a new or renewal license
4 shall be deposited in the bingo-raffle DEPARTMENT OF STATE cash fund
5 CREATED IN SECTION 24-21-104 (3)(b).

6 **24-21-508. [Formerly 12-9-104.5] Landlord licensees -**
7 **stipulations.** (1) No A person except OTHER THAN a landlord licensee
8 shall NOT rent or offer to rent to any bingo-raffle licensee any premises
9 to be used to conduct games of chance. A lease of the premises for a
10 bingo occasion shall MUST be for a period of at least five consecutive
11 hours unless the landlord licensee and bingo-raffle licensee agree to a
12 shorter or longer period. The amount of rent to be charged, and the
13 method used to calculate such rent, shall be established by agreement
14 between the parties.

15 (2) No landlord licensee or any employee of a landlord licensee
16 shall require, induce, or coerce a bingo-raffle licensee to enter into any
17 contract, agreement, or lease contrary to the provisions of this article
18 PART 5.

19 (3) No landlord licensee or any employee of a landlord licensee
20 shall require, induce, or coerce a bingo-raffle licensee to purchase
21 supplies or equipment, or to purchase or lease electronic devices used as
22 aids in the game of bingo, from a particular supplier, distributor, or
23 manufacturer as a condition of conducting games of chance at a
24 commercial bingo facility.

25 (4) Rent charged to a bingo-raffle licensee by a landlord licensee
26 for the use of a commercial bingo facility shall cover all expenses and
27 items reasonably necessary for the use of the commercial bingo facility
28 for a bingo occasion including, but not limited to, insurance and
29 maintenance for such facility, adequate and secure storage space,
30 restrooms, janitorial services, and utilities.

31 (5) No activity or business other than licensed games of chance
32 may be conducted in a commercial bingo facility within space leased to
33 a bingo-raffle licensee during the time allocated to the bingo-raffle
34 licensee with the exception of the sale of food, beverages, bingo-related
35 merchandise and supplies, the operation of an automated cash service
36 device, and such other activities and businesses as the bingo-raffle
37 licensee may agree to. A landlord licensee may conduct other businesses
38 and activities in space not included in the bingo-raffle licensee's rental
39 agreement and in which games of chance are not held.

40 (6) No A landlord licensee or any employee or agent of a landlord
41 licensee shall NOT be a party responsible for or assisting with the conduct,

1 management, or operation of any game of chance within Colorado; except
2 that a landlord licensee that is also a bingo-raffle licensee may conduct
3 such activities as its bingo-raffle license allows exclusively on its own
4 behalf.

5 (7) Notwithstanding subsection (6) of this section, a landlord,
6 supplier, or manufacturer licensee may instruct and train a bingo-raffle
7 licensee in the repair, operation, and maintenance of bingo-raffle
8 equipment, subject to specific criteria established by rule.

9 (8) Every landlord licensee shall file with the licensing authority
10 all leases, agreements, and other documents required in order for a
11 bingo-raffle licensee to lease its commercial bingo facility.

12 **24-21-509. [Formerly 12-9-105] Application for bingo-raffle**
13 **license.** (1) Each applicant for a bingo-raffle license to be issued under
14 ~~the provisions of~~ this section shall file with the licensing authority a
15 written application in the form prescribed by the licensing authority, duly
16 executed and verified, and in which shall be stated:

17 (a) The name and address of the applicant;

18 (b) Sufficient facts relating to its incorporation and organization
19 to enable the licensing authority to determine whether or not it is a bona
20 fide chartered branch, lodge, or chapter of a national or state organization
21 or a bona fide religious, charitable, labor, fraternal, educational, voluntary
22 firefighters', or veterans' organization that operates without profit to its
23 members, has been in existence continuously for a period of five years
24 immediately prior to the making of said application for such license, and
25 has had during the entire five-year period dues-paying members engaged
26 in carrying out the objectives of said applicant;

27 (c) The names and addresses of its officers;

28 (d) The specific kind of games of chance intended to be held,
29 operated, and conducted by the applicant;

30 (e) (I) The place where such games of chance are intended to be
31 held, operated, and conducted by the applicant under the license applied
32 for; or

33 (II) In the case of the application of an exempt organization, the
34 place or places where drawings are intended to be held, operated, and
35 conducted by the organization under the license applied for;

36 (f) A statement that no commission, salary, compensation, reward,
37 or recompense will be paid to any person for holding, operating, or
38 conducting such games of chance or for assisting therein except as
39 otherwise provided in this article PART 5;

40 (g) Such other information deemed advisable by the licensing
41 authority to insure ENSURE that the applicant falls within the restrictions

1 set forth by the state constitution.

2 (2) (a) In each application there shall be designated active
3 members of the applicant organization under whom the games of chance
4 described in the application are to be held, operated, and conducted, and
5 to the application shall be appended a statement executed by the applicant
6 and by the members so designated that they will be responsible for the
7 holding, operation, and conduct of such games of chance in accordance
8 with the terms of the license and the provisions of this article PART 5.

9 (b) Each designated games manager shall MUST have been an
10 active member of the applicant for at least the six months immediately
11 preceding his or her designation and shall be certified by the licensing
12 authority pursuant to section ~~12-9-105.1~~ 24-21-510 before assuming
13 games management duties.

14 (3) In the event any premises are to be leased or rented in
15 connection with the holding, operating, or conducting of any game of
16 chance under this article PART 5, a written statement shall accompany the
17 application signed and verified by the applicant, which shall MUST state
18 the address of the leased or rented premises and the amount of rent that
19 will be paid for said premises and which shall MUST certify that the
20 premises are to be rented from a landlord licensee.

21 **24-21-510. [Formerly 12-9-105.1] Games managers -**
22 **certification.** (1) The licensing authority shall issue a games manager
23 certification to any qualified applicant who has demonstrated sufficient
24 knowledge of this article PART 5, as determined by the licensing authority,
25 and who has paid the fee established in accordance with section
26 ~~12-9-103.5 (3)~~ 24-21-506 (2). A games manager certification shall be
27 valid for a time period to be determined by the licensing authority by rule,
28 and may be denied, suspended, or revoked for any violation of this article
29 PART 5 or any rule or order of the licensing authority promulgated or
30 issued pursuant to this article PART 5.

31 ~~(1.5)~~ (2) A person shall IS not be eligible for certification or TO act
32 as a games manager in the conduct of a game of chance pursuant to this
33 article PART 5 unless the person is eighteen years of age or older.

34 ~~(2)~~ (3) A person shall IS not be eligible for certification or TO act
35 as a games manager in the conduct of any game of chance pursuant to this
36 article PART 5 if such THE person has been convicted of any
37 MISDEMEANOR INVOLVING GAMBLING OR ANY felony. or any offense
38 involving gambling.

39 ~~(3)~~ (4) Unless authorized by the licensing authority in accordance
40 with the rules of the licensing authority, a person shall not be designated
41 or serve as a games manager for more than three bingo-raffle licensees



1 simultaneously. The licensing authority may promulgate rules establishing
2 the circumstances under which a person may be designated and serve as
3 games manager for more than three bingo-raffle licensees.

4 **24-21-511. [Formerly 12-9-105.3] Application for landlord**
5 **license - fee.** (1) Each applicant for a landlord license shall file with the
6 licensing authority a written application, duly executed and verified, in
7 the form presented by the licensing authority, which application shall
8 include, but not be limited to, the following information:

9 (a) The name and address of the landlord and, if such commercial
10 landlord is a corporation, partnership, association, or other business
11 entity, the names and addresses of all partners, associates, and persons
12 holding an ownership interest of ten percent or more;

13 (b) The name and address of the landlord's resident agent if the
14 commercial landlord does not reside in Colorado and the location in
15 Colorado where its records will be available to the licensing authority;

16 (c) The location of the premises for which the applicant is seeking
17 such license;

18 (d) A statement by the landlord or the chief executive officer of
19 the landlord that the landlord is familiar with the provisions of this article
20 PART 5 as to commercial bingo facilities and landlords thereof and accepts
21 responsibility for compliance with such provisions;

22 ~~(e) Repeated.~~

23 ~~(f)~~ (e) A statement by the landlord or the chief executive of the
24 landlord that the primary purpose of the premises described in paragraph
25 ~~(e) of this subsection (f)~~ SUBSECTION (1)(c) OF THIS SECTION is the
26 conduct of bingo occasions.

27 (2) Each application shall designate an individual who shall act as
28 agent for the landlord and who shall receive all communications
29 concerning the license.

30 ~~(3) There shall be attached to~~ Each application MUST INCLUDE an
31 affidavit signed by the applicant stating ~~that~~ WHETHER the landlord has
32 ~~not~~ been convicted of any felony, THEFT BY DECEPTION, or any
33 gambling-related offense as defined in article 10 of title 18 C.R.S. WITHIN
34 THE PREVIOUS TEN YEARS. If the landlord is a corporation, limited liability
35 company, or partnership, ~~such~~ THE affidavit ~~shall~~ MUST make ~~such~~ THE
36 verification as to each officer and director of ~~such~~ THE corporation, each
37 member and manager of ~~such~~ THE limited liability company, or each
38 partner and associate of ~~such~~ THE partnership. A PERSON THAT HAS BEEN
39 CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR
40 GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18
41 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED



1 PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF
2 ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS
3 DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN
4 YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION
5 REQUIRED BY THE LICENSING AUTHORITY.

6 (4) A landlord license ~~shall expire~~ EXPIRES at the end of the
7 calendar year in which it was issued. Each license issued shall be
8 conspicuously displayed at the premises for which the license has been
9 issued. No landlord license is transferable. The annual fee for each
10 landlord license shall be established in accordance with section
11 ~~12-9-103.5(3)~~ 24-21-506 (2).

12 **24-21-512. [Formerly 12-9-105.5] Application for**
13 **manufacturer license.** (1) Each application for a manufacturer license
14 shall MUST include, but not be limited to, the following information:

15 (a) The name and address of the applicant;

16 (b) The name and address of the manufacturer and, if the
17 manufacturer is a corporation, the name and address of each officer,
18 director, and shareholder holding an ownership interest of ten percent or
19 more;

20 (c) A description of the equipment manufactured in connection
21 with games of chance activities in Colorado;

22 (d) The name and address of the resident agent of the
23 manufacturer if the applicant does not reside in Colorado and the location
24 in Colorado where the records of the manufacturer will be available to the
25 licensing authority;

26 (e) The names and addresses of the Colorado suppliers and agents
27 of the manufacturer; and

28 (f) A statement by the manufacturer or the chief executive officer
29 of the manufacturer that such manufacturer is familiar with the provisions
30 of this article PART 5 as to bingo-raffle manufacturers and accepts
31 responsibility for compliance with such provisions.

32 (2) ~~To~~ Each application for a manufacturer license shall be
33 attached MUST INCLUDE a statement that REGARDING WHETHER the
34 applicant; or its owners; or its officers or directors if a corporation; or its
35 members, managers, partners, or associates if another business entity, has
36 not been convicted of any felony, THEFT BY DECEPTION, or any
37 GAMBLING-RELATED offense involving gambling as defined in article 10
38 of title 18. ~~C.R.S.~~ A PERSON THAT HAS BEEN CONVICTED OF ANY FELONY,
39 THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS DEFINED IN
40 ARTICLE 10 OF TITLE 18 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE
41 FOR A LICENSE ISSUED PURSUANT TO THIS SECTION. A PERSON THAT HAS

1 BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR
2 GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18
3 WITHIN MORE THAN THE PREVIOUS TEN YEARS SHALL DISCLOSE THE
4 INFORMATION RELATED TO THE CONVICTION REQUIRED BY THE LICENSING
5 AUTHORITY.

6 (3) Any bingo-raffle manufacturer, as defined in section 12-9-102
7 (~~1.3~~), upon filing a true, complete, written, verified application in the
8 form presented by the licensing authority, together with the fee for the
9 license, is eligible for a manufacturer license. A manufacturer license
10 shall be renewed annually, on or before March 31 of each year in which
11 such licensee engages in or anticipates engaging in a licensed activity. A
12 manufacturer license is nontransferable. The annual fee for each license
13 shall be established in accordance with section ~~12-9-103.5(3)~~ 24-21-506
14 (2).

15 **24-21-513. [Formerly 12-9-105.7] Application for supplier**
16 **license.** (1) Each application for a supplier license shall MUST include,
17 but not be limited to, the following information:

18 (a) The name and address of the applicant;

19 (b) The name and address of the supplier and, if the supplier is a
20 corporation, the name and address of each officer, director, and
21 shareholder holding an ownership interest of ten percent or more;

22 (c) A description of the equipment and supplies sold or distributed
23 in connection with games of chance activities in Colorado;

24 (d) The name and address of the resident agent of the supplier if
25 the applicant does not reside in Colorado and the location in Colorado
26 where the records of the supplier will be available to the licensing
27 authority;

28 (e) The names and addresses of the Colorado MANUFACTURERS
29 AND COLORADO agents of the supplier; and

30 (f) A statement by the supplier or the chief executive officer of the
31 supplier that such supplier is familiar with the provisions of this article
32 PART 5 as to bingo-raffle suppliers and accepts responsibility for
33 compliance with such provisions.

34 (2) ~~To~~ Each application for a supplier license ~~shall be attached~~
35 MUST INCLUDE a statement ~~that~~ REGARDING WHETHER the applicant; or its
36 owners; or its officers or directors if a corporation; or its members,
37 managers, partners, or associates if another business entity, has not been
38 convicted of any felony, THEFT BY DECEPTION, or any offense involving
39 gambling as defined in article 10 of title 18. ~~C.R.S.~~ A PERSON THAT HAS
40 BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR
41 GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18



1 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED
2 PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF
3 ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS
4 DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN
5 YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION
6 REQUIRED BY THE LICENSING AUTHORITY.

7 (3) Any bingo-raffle supplier, as defined in section ~~12-9-102(1.4)~~,
8 upon filing a true, complete, written, verified application in the form
9 presented by the licensing authority, together with the fee for the license,
10 is eligible for a supplier license. A supplier license shall be renewed
11 annually, on or before March 31 of each year in which such licensee
12 engages in or anticipates engaging in a licensed activity. A supplier
13 license is nontransferable. The annual fee for each license shall be
14 established in accordance with section ~~12-9-103.5(3)~~ 24-21-506 (2).

15 **24-21-514. [Formerly 12-9-105.9] Application for**
16 **manufacturer's agent license or supplier's agent license.** (1) Each
17 application for a manufacturer's agent license or supplier's agent license
18 shall MUST include, but not be limited to, the following information:

- 19 (a) The name and address of the applicant;
20 (b) The name and address of the supplier or manufacturer
21 represented by the applicant;
22 (c) A statement by the applicant that he or she has read,
23 understands, and will comply with the provisions of this article PART 5 as
24 to manufacturer's and supplier's agents and the conditions of the agent's
25 license;
26 (d) A statement by the chief executive officer of the manufacturer
27 or supplier represented by the agent, which statement acknowledges
28 consent to representation by the applicant; and
29 (e) The location in Colorado where the agent's records of sales
30 and distributions of bingo and raffle equipment and supplies will be
31 available to the licensing authority.

32 (2) ~~To~~ Each agent's application shall be attached MUST INCLUDE
33 a statement that REGARDING WHETHER the applicant has not been
34 convicted of any felony, THEFT BY DECEPTION, or any offense involving
35 gambling as defined in article 10 of title 18. ~~C.R.S.~~ A PERSON THAT HAS
36 BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR
37 GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18
38 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED
39 PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF
40 ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS
41 DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN



1 YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION
2 REQUIRED BY THE LICENSING AUTHORITY.

3 (3) Any supplier's agent or manufacturer's agent, as defined in
4 ~~section 12-9-102 (13.3) and (20.3)~~, upon filing a complete, written,
5 verified application in the form presented by the licensing authority,
6 together with the fee for the license, is eligible for a manufacturer's or
7 supplier's agent license. A manufacturer's or supplier's agent license shall
8 be renewed annually, on or before March 31 of each year in which such
9 licensee engages in or anticipates engaging in a licensed activity. Neither
10 a manufacturer's agent license nor a supplier's agent license is
11 transferable. The annual fee for each license shall be established in
12 accordance with ~~section 12-9-103.5 (3)~~ 24-21-506 (2).

13 **24-21-515. [Formerly 12-9-106] Persons permitted to conduct**
14 **games of chance - form of bingo-raffle licenses - display.** (1) A person,
15 firm, or organization within this state shall not conduct a game of chance
16 without a bingo-raffle license issued by the licensing authority. Only an
17 active member of the organization to which the bingo-raffle license is
18 issued may hold, operate, or conduct games of chance under a license
19 issued under this article PART 5, and a person shall not assist in the
20 holding, operating, or conducting of any games of chance under a
21 bingo-raffle license except an active member or a member of an
22 organization or association that is an auxiliary to the licensee, a member
23 of an organization or association of which the licensee is an auxiliary, or
24 a member of an organization or association that is affiliated with the
25 licensee by being, with it, auxiliary to another organization or association.
26 A licensee shall incur or pay only bona fide expenses in a reasonable
27 amount for goods, wares, and merchandise furnished or services rendered
28 that are reasonably necessary for the holding, operating, or conducting of
29 a game of chance.

30 (2) Each bingo-raffle license must contain a statement of the name
31 and address of the licensee and the place where bingo or lotto games or
32 the drawing of the raffles is to be held. If the bingo-raffle licensee moves
33 from the games or drawing location listed on its license, the bingo-raffle
34 licensee must notify the licensing authority in writing prior to
35 commencing bingo or conducting a raffle drawing at the new location.
36 The licensing authority may issue a letter of authorization to move the
37 location of the bingo or lotto games or the drawing of the raffles. The
38 letter of authorization must remain with the original license and must be
39 available for inspection at the place where games or drawings are to be
40 held. A license issued for an exempt organization must include the place
41 or places where drawings are to be held. EXCEPT AS SPECIFIED IN

1 SUBSECTION (4) OF THIS SECTION, each bingo-raffle license issued for the
2 conduct of any games of chance must be conspicuously displayed at the
3 place where the game is to be conducted or the drawings held at all times
4 during the conduct thereof. An exempt organization may comply with this
5 section by providing written notice of a license to all employees of a
6 participating private business or government agency holding a
7 fund-raising drive that includes a drawing on behalf of the organization.
8 The notice must state that the license is available for public inspection
9 during reasonable business hours and must specify where the license is
10 maintained for inspection.

11 (3) A licensee shall conspicuously display, at the place where a
12 game is being conducted, its license issued for the conduct of games of
13 chance at all times during the conduct of the game and for at least thirty
14 minutes after the last game has been concluded.

15 (4) Notwithstanding subsection (2) of this section, a bingo-raffle
16 licensee conducting a pull tab game for the benefit of its members and
17 guests on premises that are owned by it, or leased by it for purposes other
18 than the conduct of a bingo occasion, may display a copy of its license,
19 in a format approved by the licensing authority, on the premises during
20 any time the licensee is also conducting a bingo or raffle occasion at a
21 separate location.

22 **24-21-516. [Formerly 12-9-106.5] Form of landlord license -**
23 **display - fee.** (1) Each landlord license shall MUST contain a statement
24 of the name and address of the licensee and the location of the premises.
25 Each license issued shall be conspicuously displayed at the premises for
26 which the license has been issued.

27 (2) A landlord license shall be issued to qualified applicants by the
28 licensing authority upon payment of a fee and completion and approval
29 of the landlord license application pursuant to section ~~12-9-105.3~~. Such
30 24-21-511. THE license shall ~~expire~~ EXPIRES at the end of the calendar
31 year in which it was issued by the licensing authority and may be renewed
32 upon the filing and approval of an application for renewal provided by the
33 licensing authority and the payment of a fee. No landlord license is
34 transferable. The fees required to be paid for new and renewed licenses
35 shall be established in accordance with section ~~12-9-103.5~~ (3) 24-21-506
36 (2).

37 **24-21-517. [Formerly 12-9-107] General conduct games of**
38 **chance - premises - equipment - expenses - rules.** (1) A licensee shall
39 not hold, operate, or conduct a game of bingo or lotto more often than as
40 specified by the licensing authority by rule, after consultation with the
41 board.

- 1 (2) A person or licensee shall not permit any person under
2 eighteen years of age to purchase the opportunity to participate in any
3 game of chance or purchase pull tab games.
- 4 (3) A person or licensee shall not permit any person under
5 fourteen years of age to assist in the conduct of bingo or pull tabs.
- 6 (4) A licensee shall not offer or give an alcoholic beverage as a
7 prize in a game of chance.
- 8 (5) The licensing authority shall establish by rule the method of
9 play and amount of prizes that may be awarded; except that the maximum
10 prize that may be awarded must be at least five hundred dollars.
- 11 (6) Food offered in the course of a volunteer duty shift and
12 consumed on the premises where the game of chance is being conducted
13 is not remuneration if the retail value of the food offered does not exceed
14 the maximum amount per volunteer set by rule.
- 15 (7) (a) The officers of a bingo-raffle licensee shall designate one
16 or more bona fide, active members of the licensee as its games managers
17 to be in charge of and primarily responsible for the conduct of the games
18 of bingo or lotto on each occasion. The games managers shall supervise
19 all activities on the occasion for which they are in charge and are
20 responsible for making all required reports. The games managers,
21 governing board of the licensee, and the individual acting in the role of
22 a treasurer on behalf of the licensee must be familiar with all applicable
23 provisions of state law, the rules of the licensing authority, and the
24 license. The governing board of the licensee is ultimately responsible for
25 the maintenance of books and records and the filing of the reports
26 pursuant to this section. At least one games manager shall be present on
27 the premises continuously during the games and for a period sufficient to
28 ensure that all books and records for the occasion have been closed and
29 that all supplies and equipment have been secured.
- 30 (b) An exempt organization may designate more than one of its
31 bona fide, active members in order to comply with this subsection (7).
- 32 (8) The officers of a bingo-raffle licensee shall designate an
33 officer to be in full charge of and primarily responsible for the proper
34 utilization of the entire net proceeds of any game in accordance with the
35 state law.
- 36 (9) The premises where any game of chance is being held,
37 operated, or conducted, or is intended to be held, operated, or conducted,
38 or where it is intended that any equipment be used, must be kept open to
39 inspection at all times by the licensing authority, its agents and
40 employees, and peace officers of any political subdivision of the state.
- 41 (10) (a) In conducting a bingo or pull tab game, a bingo-raffle



1 licensee may operate equipment if the bingo-raffle licensee:

2 (I) Leases the equipment from a manufacturer licensee or supplier
3 licensee on premises that are owned, leased, or rented by the licensee,
4 used as the licensee's principal place of business, and controlled so that
5 admittance to the premises is limited to the licensee's members and bona
6 fide guests;

7 (II) Owns the equipment; or

8 (III) Leases equipment that is owned or leased by a landlord
9 licensee.

10 (b) Nothing in this subsection (10) prohibits a bingo-raffle
11 licensee from leasing electronic devices used as aids in the game of
12 bingo.

13 (11) A licensee shall not possess, use, sell, offer for sale, or put
14 into play any bingo or pull tab game, ticket, card, or sheet unless it
15 conforms to the definitions and requirements of this article PART 5 and
16 was purchased by the licensee from a licensed bingo-raffle manufacturer
17 or supplier or licensed agent thereof. A licensee shall not possess, use,
18 sell, offer for sale, or put into play any electronic device used as an aid in
19 the game of bingo unless it conforms to the requirements of this article
20 PART 5 and was purchased or leased by the licensee from a licensed
21 bingo-raffle manufacturer or supplier or licensed agent thereof.

22 (12) In order to possess, use, sell, offer for sale, or put into play
23 any bingo or pull tab game, ticket, card, or sheet, a licensee must have at
24 the location of the game an invoice from its licensed supplier showing at
25 least the name, description, color code, if any, and serial number of the
26 pull tab, card, or sheet.

27 (13) The licensing authority shall establish, by rule, safeguards to
28 protect the bingo-raffle licensee's players against defaults in charitable
29 gaming debts owed or to become payable by the bingo-raffle licensee.

30 (14) The net proceeds derived from the holding of games of
31 chance must be devoted, within one year, to the lawful purposes of the
32 organization permitted to conduct the game of chance. Any organization
33 desiring to hold the net proceeds of games of chance for a period longer
34 than one year must apply to the licensing authority for special permission
35 and, upon good cause shown, the licensing authority may grant the
36 request.

37 (15) The licensing authority may require a licensee that does not
38 report, during any one-year licensing period, positive net proceeds to
39 show cause before the licensing authority why its right to conduct games
40 of chance should not be suspended or revoked. The licensing authority
41 may establish by rule the conditions for suspending, revoking, or refusing

1 to renew a license to conduct charitable gaming for failure to report
2 positive net proceeds.

3 **24-21-518. [Formerly 12-9-107.1] Conduct of bingo games.**

4 (1) In the playing of bingo, only persons who are physically present on
5 the premises where the game is actually conducted may participate as
6 players in the game.

7 (2) (a) A person shall not act as a caller or assistant to the caller
8 in the conduct of any game of bingo unless the person has been a member
9 in good standing of the bingo-raffle licensee conducting the game or one
10 of its licensed auxiliaries for at least three months immediately prior to
11 the date of the game, is of good moral character, and never has been
12 convicted of a MISDEMEANOR INVOLVING GAMBLING OR ANY felony. ~~or a~~
13 ~~crime involving gambling.~~

14 (b) An owner, co-owner, or lessee of premises or, if a corporation
15 is the owner of the premises, any officer, director, or stockholder owning
16 more than ten percent of the outstanding stock must not be a person
17 responsible for or assisting in the holding, operating, or conducting of any
18 game of bingo.

19 (3) (a) The equipment used in the playing of bingo and the method
20 of play must be such that each card has an equal opportunity to win. The
21 objects or balls to be drawn must be essentially the same as to size, shape,
22 weight, balance, and all other characteristics that may influence their
23 selection. All objects or balls must be present in the receptacle before
24 each game begins. All numbers announced must be plainly and clearly
25 audible to all the players present. Where more than one room is used for
26 any one game, the receptacle and the caller must be present in the room
27 where the greatest number of players are present, and all numbers
28 announced must be plainly audible to the players in the aforesaid room
29 and also audible to the players in the other rooms.

30 (b) The receptacle and the caller must be visible to all the players
31 at all times except where more than one room is used for any one game,
32 in which case ~~paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF
33 THIS SECTION applies.

34 (c) The particular arrangement of numbers required to be covered
35 in order to win the game and the amount of the prize must be clearly and
36 audibly described and announced to the players immediately before each
37 game begins.

38 (d) An operator shall not reserve or allow to be reserved any bingo
39 cards for use by players except braille cards or other cards for use by
40 legally blind players. A person who is legally blind may use his or her
41 personal braille cards when a licensed organization does not provide such



1 cards. A licensed organization may inspect and reject any personal braille
2 card. A person who is legally blind or an individual with a disability may
3 use a braille card or hard card in place of a purchased disposable paper
4 bingo card.

5 (e) Any player may call for a verification of all numbers drawn at
6 the time a winner is determined and for a verification of the objects or
7 balls remaining in the receptacle and not yet drawn. The verification shall
8 be made in the immediate presence of the member designated to be in
9 charge of the occasion, but if that member is also the caller, then in the
10 immediate presence of any officer of the licensee.

11 (4) When any merchandise prize is awarded in a game of bingo,
12 its value is its current retail price. A merchandise prize is not redeemable
13 or convertible into cash directly or indirectly.

14 (5) (a) Notwithstanding the limitations stated in section ~~12-9-107~~
15 24-21-517 (5), during a bingo occasion a bingo-raffle licensee may also
16 start a single game of progressive bingo, in an amount established by rule
17 by the licensing authority, in which the game is won when a previously
18 designated arrangement of numbers or spaces on the card or sheet is
19 covered within a previously designated number of objects or balls drawn.
20 If the game is not won within the drawing of the previously designated
21 number of objects or balls, the game must be replayed either during each
22 subsequent occasion the licensee conducts at the same location or during
23 each subsequent occasion that falls on the same day of the week at the
24 same location, using the previously designated arrangement of numbers
25 or spaces.

26 (b) A bingo-raffle licensee may award a consolation prize for a
27 game of progressive bingo. The bingo-raffle licensee determines the
28 amount of the consolation prize. Notice of the amount must be
29 conspicuously displayed before the beginning of the bingo-raffle
30 occasion, and the amount is included as part of the aggregate amount of
31 all prizes offered or given in games played on a single occasion, as set
32 forth in ~~paragraph (a) of this subsection (5)~~ SUBSECTION (5)(a) OF THIS
33 SECTION. If a consolation prize is offered and the progressive prize is not
34 won, the game continues until the previously designated arrangement of
35 numbers or spaces on the card or sheet is covered, regardless of the
36 number of balls drawn, in order to determine the winner of the
37 consolation prize. If a consolation prize is not offered, the progressive
38 game ends when the last of the previously designated number of balls is
39 drawn and must be replayed in accordance with ~~paragraph (a) of this~~
40 ~~subsection (5)~~ SUBSECTION (5)(a) OF THIS SECTION. If a consolation prize
41 is offered and the progressive prize is won, the licensee may opt to award

1 the consolation prize during that occasion. If the consolation prize is
2 awarded, the licensee must include the total amount of the consolation
3 prize in the total amount of any subsequent games offered in the session,
4 not to exceed the maximum allowed for the occasion.

5 (c) A bingo-raffle licensee may fund a secondary jackpot from ten
6 percent of the gross proceeds collected from the sale of progressive cards
7 or sheets at the occasion where the game is offered. Notwithstanding the
8 limitation stated in paragraph (a) of this subsection (5) SUBSECTION (5)(a)
9 OF THIS SECTION, the amount in the secondary jackpot may be used to start
10 a single game of progressive bingo after a previous progressive jackpot
11 is won.

12 (d) The licensing authority may establish by rule the maximum
13 jackpot that may be awarded in a progressive bingo game; except that the
14 maximum jackpot must be at least fifteen thousand dollars.

15 (e) The licensing authority may establish by rule the maximum
16 number of progressive bingo games, not less than one, that may be
17 conducted during an occasion. In order to ensure that all prizes offered
18 are timely awarded, the licensing authority may limit by rule the number
19 of occasions in which a progressive bingo game may be conducted before
20 a prize must be awarded; except that the maximum number of occasions
21 must be at least thirty.

22 (6) (a) Equipment, prizes, and supplies for games of bingo must
23 not be purchased or sold at prices in excess of the usual price thereof. A
24 licensee shall not sell or offer for sale any game of chance, or supplies for
25 a game of chance, that is not authorized by this article PART 5 or by rules
26 adopted by the licensing authority pursuant to this article PART 5.

27 (b) Cards and sheets that are designed or intended for use with
28 electronic devices used as aids in the game of bingo shall not be
29 purchased or sold at prices in excess of the usual price of cards and sheets
30 that are not designed or intended for use with electronic devices used as
31 aids in the game of bingo. Charges imposed by any manufacturer,
32 supplier, agent thereof, or bingo-raffle licensee for cards and sheets that
33 are designed or intended for use with electronic devices used as aids in
34 the game of bingo shall be stated and imposed separately from any
35 charges imposed by the manufacturer, supplier, agent thereof, or
36 bingo-raffle licensee for the purchase, lease, or use of electronic devices
37 used as aids in the game of bingo. Manufacturers, suppliers, and their
38 agents shall not include costs attributable to the manufacture or
39 distribution of electronic devices used as aids in the game of bingo in
40 charges imposed for the purchase or lease of equipment, including cards
41 and sheets.

1 (7) (a) If a card or sheet is played with the aid of an electronic
2 device, a winning bingo may be determined and verified either by
3 reference to the card or sheet or by reference to the electronic device.
4 Nothing in this article PART 5 authorizes the playing of bingo solely by
5 means of an electronic device.

6 (b) A bingo-raffle licensee shall adequately mark, destroy, or
7 dispose of cards or sheets played with the aid of an electronic device in
8 order to prevent the reuse of those cards or sheets.

9 (c) The licensing authority may establish by rule the maximum
10 number of bingo cards that a bingo player who plays using the aid of an
11 electronic device is permitted to use with the aid of such a device per
12 game; except that the maximum number must be at least thirty-six.

13 (d) A bingo-raffle licensee is not required to use or offer the use
14 of electronic devices used as aids in the game of bingo during a bingo
15 session.

16 (8) (a) With the application for a letter ruling pursuant to section
17 ~~12-9-103~~ 24-21-505 (1)(d) for the approval of a new type of electronic
18 device used in the aid of bingo, the manufacturer of the device must
19 provide the following to the licensing authority:

20 (I) A prototype of the new type of electronic device used in the aid
21 of bingo with a prototype bingo aid computer system and a user's manual
22 used for such electronic device; and

23 (II) A certification by the manufacturer that the new type of
24 electronic device used in the aid of bingo and all such electronic devices
25 used in the state meet the following standards:

26 (A) The electronic device provides a means for the input of
27 numbers announced by a bingo caller;

28 (B) The electronic device compares the numbers entered to the
29 numbers contained on bingo cards previously stored in the electronic
30 database of the electronic device;

31 (C) The electronic device identifies winning bingo patterns; and

32 (D) The electronic device signals when a winning bingo pattern
33 is achieved.

34 (b) The licensing authority shall return the prototype electronic
35 device used in the aid of bingo, the prototype bingo aid computer system,
36 and the user's manual submitted pursuant to subparagraph (I) of paragraph
37 (a) of this subsection (8) SUBSECTION (8)(a)(I) OF THIS SECTION no later
38 than forty-five days after receiving the items.

39 (c) When a complaint regarding an electronic device used in the
40 aid of bingo that is in use in the state of Colorado has been filed with the
41 licensing authority, the manufacturer of the device shall provide to the



1 licensing authority a sample of the device and bingo aid computer system
2 to assist the investigation by the licensing authority. The licensing
3 authority shall return the electronic device and bingo aid computer system
4 no later than forty-five days after receiving them unless they are needed
5 longer to complete the investigation.

6 (d) Any electronic device used in the aid of bingo, bingo aid
7 computer system, or user's manual for such a device that is in the custody
8 of the licensing authority pursuant to this section is not a public record.

9 (9) A bingo aid computer system used by a bingo-raffle licensee
10 for bingo sessions must meet the following standards:

11 (a) The system must contain a record of all transactions occurring
12 during a bingo-raffle session. The record must be retained in memory
13 until the transactions have been totaled, printed, and cleared by the
14 bingo-raffle licensee, regardless of whether the power supply has been
15 interrupted.

16 (b) The system must be able to compute and total all transactions
17 processed by the system during a bingo-raffle session and to print all
18 information required by the licensing authority, in the form prescribed by
19 the licensing authority.

20 (c) The system must maintain and control the time, date of sale,
21 and transaction number, keeping the information secure enough that only
22 a manufacturer's qualified personnel can change or reset the information.
23 The manufacturer's qualified personnel shall retain a detailed record for
24 each service call that involves a change of the time, date of sale, or
25 transaction number.

26 (10) If an electronic device used as an aid in the game of bingo
27 complies with ~~sub-subparagraphs (A) to (D) of subparagraph (II) of~~
28 ~~paragraph (a) of subsection (8)~~ SUBSECTIONS (8)(a)(II)(A) TO
29 (8)(a)(II)(D) of this section, and if the bingo aid computer system for the
30 electronic device substantially complies with the requirements of
31 subsection (9) of this section, the licensing authority shall approve the
32 electronic device and computer system for use by a letter ruling pursuant
33 to section ~~12-9-103~~ 24-21-505 (1)(d).

34 **24-21-519. [Formerly 12-9-107.2] Conduct of pull tabs -**
35 **license revocation - rules - definitions.** (1) A licensee shall not sell,
36 offer for sale, or put into play any pull tab ticket except at the location of
37 and during its licensed bingo occasions or upon premises that are:

38 (a) Owned, leased, or rented by the bingo-raffle licensee, used as
39 its principal place of business, and controlled so that admittance to the
40 premises is limited to the bingo-raffle licensee's members and bona fide
41 guests; or



1 (b) Owned, leased, or rented by a landlord licensee.

2 (2) A bingo-raffle licensee may offer a prize to the purchaser of
3 a last sale ticket in a pull tab game, deal, or series without regard to its
4 winning or nonwinning status as revealed if broken or torn apart.

5 (3) A bingo-raffle licensee may offer an event pull tab series. For
6 the purposes of this subsection (3):

7 (a) "Event pull tab series" means a pull tab series that includes a
8 predetermined number of pull tabs that allow a player to advance to an
9 event round.

10 (b) "Event round" means a secondary element of chance where the
11 prizes are determined based on pull tabs that match specific winning
12 numbers drawn in a bingo game and the winning numbers shall fall
13 within numbers one to seventy-five, inclusive.

14 (4) (a) A bingo-raffle licensee may offer a progressive pull tab
15 game in which a prize may be carried over and increased from one deal
16 to another until a prize is awarded. The game may include a subsequent
17 pull tab deal bearing a different serial number from that offered in a
18 previous deal. A licensee shall not offer or give a prize greater, in amount
19 or value, than five thousand dollars in any progressive pull tab game. The
20 licensing authority may limit by rule the types of progressive pull tab
21 games allowed to be sold by supplier licensees.

22 (b) When a deal of progressive pull tabs is received in two or
23 more packages, boxes, or other containers, all of the progressive pull tabs
24 from the respective packages, boxes, or other containers must be placed
25 out for play at the same time.

26 (5) (a) A licensee shall not possess, use, sell, offer for sale, or put
27 into play any computerized or electromechanical facsimile of a pull tab
28 game.

29 (b) A licensee shall not possess, use, sell, offer for sale, or put into
30 play any device that reveals the winning or nonwinning status of a pull
31 tab ticket unless the device has been tested, approved, and licensed
32 pursuant to subsection (6) of this section and not subsequently altered or
33 tampered with.

34 (c) Any of the following persons that are found to have violated
35 ~~paragraph (b) of this subsection (5)~~ SUBSECTION (5)(a) OF THIS SECTION
36 are subject to immediate and permanent revocation of all licenses issued
37 under this article PART 5:

38 (I) The manufacturer of the device;

39 (II) The supplier through which the device was supplied;

40 (III) The landlord licensee on whose premises the device was
41 found; and

1 (IV) The bingo-raffle licensee of the occasion during which the
2 device was present.

3 (6) (a) The licensing authority shall test, inspect, and license every
4 mechanical, electronic, or electromechanical device that reveals the
5 winning or nonwinning status of a pull tab ticket before the device is used
6 in charitable gaming. The licensing authority shall employ an independent
7 contractor to conduct the tests and inspections, the cost of which shall be
8 borne by the manufacturer or supplier seeking approval of the device. The
9 licensing authority shall not issue a license for a device until the device
10 is secured in a manner prescribed by the licensing authority and the
11 contractor receives payment in full for the cost of all tests and
12 inspections.

13 (b) Every person shipping or importing into Colorado a device
14 subject to ~~paragraph (a) of this subsection (6)~~ SUBSECTION (6)(a) OF THIS
15 SECTION shall provide the licensing authority with a copy of the shipping
16 invoice at the time of shipment. The invoice must contain, at a minimum,
17 the destination of the shipment and the serial number and description of
18 each device being transported.

19 (c) Every person receiving a device subject to ~~paragraph (a) of this~~
20 ~~subsection (6)~~ SUBSECTION (6)(a) OF THIS SECTION shall, upon receipt of
21 the device, provide the licensing authority with the serial number and
22 description of each device received and information describing the
23 location of each device. The requirements of this ~~paragraph (c)~~
24 SUBSECTION (6)(c) apply regardless of whether the device is received
25 from a licensed supplier or from any other source.

26 (d) A device licensed pursuant to this subsection (6) is licensed
27 for and may only be used in one specific licensed location identified by
28 the licensing authority. Any movement of the device from the licensed
29 location for use at another licensed location shall be reported to AND
30 MUST BE APPROVED BY the licensing authority in advance.

31 (e) The licensing authority may adopt rules and prescribe all
32 necessary forms in furtherance of this subsection (6).

33 (f) Notwithstanding any other provision of this ~~article~~ PART 5, the
34 licensing authority shall not license:

35 (I) A pull tab game that is stored, electronically or otherwise,
36 within a device and designed to be played on such device; or

37 (II) Any device that qualifies as a slot machine pursuant to section
38 9 (4)(c) of article XVIII of the Colorado constitution.

39 (g) The prohibition contained in ~~paragraph (f) of this subsection~~
40 ~~(6)~~ SUBSECTION (6)(f) OF THIS SECTION does not prohibit the licensing of:

41 (I) A device that merely dispenses pull tab tickets to players; or

1 (II) A device that merely reads or validates a pull tab ticket
2 inserted by a player, if:

3 (A) The pull tab ticket itself displays its winning or nonwinning
4 status so that use of the device is not required to determine such status;
5 and

6 (B) The device cannot be used in a manner that would qualify it
7 as a slot machine pursuant to section 9 (4)(c) of article XVIII of the
8 Colorado constitution.

9 **24-21-520. [Formerly 12-9-107.3] Conduct of raffles - rules.**

10 (1) The licensing authority shall not require an exempt organization to
11 use raffle tickets in any particular form or displaying any particular
12 information that would cause undue expense to the exempt organization
13 and therefore interfere with the charitable fund-raising drive of the
14 organization.

15 (2) (a) A bingo-raffle licensee may offer a progressive raffle in
16 which a jackpot may be carried over and increased from one drawing to
17 another until the jackpot is awarded. If the jackpot is not awarded at a
18 drawing, the bingo-raffle licensee shall conduct a new drawing at the
19 same location at a time and date determined by the bingo-raffle licensee.

20 (b) A bingo-raffle licensee may award a consolation prize for a
21 progressive raffle. ~~in which the jackpot is not won.~~ The bingo-raffle
22 licensee may designate the consolation prize as either a specified amount
23 or a specified percentage of the gross proceeds collected from the sale of
24 raffle tickets for a particular drawing. The bingo-raffle licensee may
25 determine the amount of the jackpot based on the gross proceeds
26 collected from the sale of raffle tickets for a particular drawing plus the
27 value of the jackpot carried over from previous drawings in which the
28 jackpot was not awarded. IF A CONSOLATION PRIZE IS OFFERED AND THE
29 PROGRESSIVE PRIZE IS WON, THE LICENSEE MAY OPT TO AWARD THE
30 CONSOLATION PRIZE FOR THAT PARTICULAR DRAWING.

31 (c) If the bingo-raffle licensee offers a consolation prize, the
32 bingo-raffle licensee shall, before the drawing:

33 (I) Designate the specific amount or specific percentage of the
34 gross proceeds collected from the sale of raffle tickets that the consolation
35 prize equals; and

36 (II) Conspicuously display the amount or percentage of the gross
37 proceeds collected that the consolation prize equals.

38 (d) The licensing authority may establish by rule the maximum
39 jackpot that a bingo-raffle licensee may award for a progressive raffle;
40 except that, notwithstanding section ~~12-9-107~~ 24-21-517 (5), the
41 maximum jackpot must be at least fifteen thousand dollars. The maximum

1 jackpot does not include the aggregate amount of consolation prizes
2 awarded.

3 (e) The licensing authority may establish by rule the maximum
4 number of progressive raffles that a bingo-raffle licensee may conduct
5 simultaneously. To ensure that all prizes offered are timely awarded, the
6 licensing authority may limit by rule the number of drawings that a
7 bingo-raffle licensee may conduct before a jackpot must be awarded;
8 except that the maximum number of drawings must be at least thirty.

9 (f) (I) The licensing authority may establish by rule the permitted
10 methods of conducting a progressive raffle.

11 (II) The licensing authority may not prohibit those methods of
12 conducting a progressive raffle in which the participant whose ticket
13 number is drawn wins both a prize for the winning ticket number and a
14 chance to win the jackpot.

15 **24-21-521. [Formerly 12-9-107.5] Persons permitted to**
16 **manufacture and distribute games of chance equipment - reporting**
17 **requirements.** (1) ~~No~~ A person other than a manufacturer licensee or
18 licensed agent shall NOT act as a bingo-raffle manufacturer within
19 Colorado. The manufacture of electronic devices used as aids in the game
20 of bingo, and the printing of raffle tickets other than pull tabs, as designed
21 and requested by a licensee, does not constitute the manufacture of games
22 of chance equipment; except that such electronic devices ~~shall be~~ ARE
23 subject to the reporting requirements of subsections ~~(5) and (6)~~ (4) AND
24 (5) of this section, and the fees established by the licensing authority in
25 accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2) and subsection (5)
26 (4) of this section.

27 ~~(2) (Deleted by amendment, L. 99, p. 1425, § 1, effective June 5,~~
28 ~~1999.)~~

29 ~~(3)~~ (2) ~~No~~ AN individual shall NOT act for or represent a landlord,
30 manufacturer, or supplier licensee with respect to an activity covered by
31 such license unless such individual is the licensee's owner, officer,
32 director, partner, member, or ten percent or more shareholder of record
33 with the licensing authority, or is the manufacturer's or supplier's licensed
34 agent. ~~No~~ A manufacturer or supplier licensee shall NOT allow any person
35 not authorized by this subsection ~~(3)~~ (2) to represent it or serve as its
36 agent with regard to any Colorado transaction.

37 ~~(4)~~ (3) Except to the extent otherwise provided in section
38 ~~12-9-106~~ 24-21-515 (1), a manufacturer or supplier licensee or licensed
39 agent shall not buy, receive, sell, lease, furnish, or distribute any pull tabs,
40 bingo cards or sheets, electronic devices used as aids in the game of
41 bingo, or other games of chance equipment from or to any person within



1 Colorado other than manufacturer or supplier licensees or agents and
2 bingo-raffle licensees; except that:

3 (a) A landlord licensee, supplier, or manufacturer or its agent may
4 sell, DONATE, or distribute cards, sheets, equipment, or electronic devices
5 used as aids in the game of bingo for the playing of bingo not for resale
6 to nursing homes and other entities that distribute the cards, sheets, or
7 electronic devices and allow playing of the game free of charge, without
8 consideration given or received by any person for the privilege of playing;
9 and

10 (b) A bingo-raffle licensee may sell OR DONATE its used
11 equipment to another bingo-raffle licensee.

12 ~~(5)~~ (4) Every manufacturer and supplier licensee shall file, upon
13 forms prescribed by the licensing authority, quarterly reports on its
14 licensed activities within Colorado. ~~Such~~ THE reports shall MUST be
15 accompanied by quarterly fees established by the licensing authority in
16 accordance with section ~~12-9-103.5~~ (3) 24-21-506 (2) and deposited in
17 the ~~bingo-raffle~~ DEPARTMENT OF STATE cash fund ~~Such~~ CREATED IN
18 SECTION 24-21-104 (3)(b). THE reports shall be filed with the licensing
19 authority no later than April 30, July 31, October 31, and January 31 of
20 each year licensed, and each report shall MUST cover the preceding
21 calendar quarter. Reports shall MUST enumerate by quantity, purchaser or
22 lessee, and price the pull tabs, bingo cards or sheets, electronic devices
23 used as aids in the game of bingo, and other games of chance equipment
24 manufactured, conveyed, or distributed within Colorado or for use or
25 distribution in Colorado and shall MUST include the licensee's total sales,
26 including amounts realized from leases, of equipment as defined in
27 section ~~12-9-102~~ (5) and electronic devices used as aids in the game of
28 bingo and the names and addresses of all Colorado suppliers or agents of
29 the licensee and shall be signed and verified by the owner or the chief
30 executive officer of the licensee. These quarterly reports shall ARE not be
31 public records as defined in section 24-72-202. ~~C.R.S.~~

32 ~~(6)~~ (5) Every manufacturer or supplier licensee, and every
33 licensed agent for such licensee, shall keep and maintain complete and
34 accurate records, in accord with generally accepted accounting principles,
35 of all licensed activities. The records shall include invoices for all games
36 of chance equipment or electronic devices used as aids in the game of
37 bingo conveyed or distributed within Colorado, or for use or distribution
38 in Colorado, which invoices are specific as to the nature, description,
39 quantity, and serial numbers of the pull tabs, bingo cards or sheets,
40 electronic devices used as aids in the game of bingo, and other equipment
41 so conveyed or distributed. The records shall also show all receipts and

1 expenditures made in connection with licensed activities, including, but
2 not limited to, records of sales by dates, purchasers, and items sold or
3 leased, monthly bank account reconciliations, disbursement records, and
4 credit memos for any returned items. These records shall be maintained
5 for a period of at least three years.

6 ~~(7)~~ (6) No A manufacturer or supplier licensee or licensed agent
7 shall MUST NOT be a person responsible for or assisting in the conduct,
8 management, or operation of any game of chance within Colorado.

9 **24-21-522. [Formerly 12-9-108] Bingo-raffle licensee's**
10 **statement of receipts - expenses - fee - definitions.** (1) (a) On or before
11 April 30, July 31, October 31, and January 31 of each year, every
12 bingo-raffle licensee shall file with the licensing authority upon forms
13 prescribed by the licensing authority a duly verified statement covering
14 the preceding calendar quarter showing the amount of the gross receipts
15 derived during said periods from games of chance, the expenses incurred
16 or paid, and a brief description of the classification of such expenses, the
17 net proceeds derived from games of chance, and the uses to which such
18 net proceeds have been or are to be applied. ~~It is the duty of~~ Each licensee
19 ~~to~~ SHALL maintain and keep such books and records as may be necessary
20 to substantiate the particulars of each such report.

21 (b) Exempt organizations ~~shall~~ ARE not ~~be~~ subject to the
22 requirements of this subsection (1), except to the extent that they shall file
23 with the licensing authority statements showing the amount of the gross
24 proceeds from their fund-raising drives and identifying all organizations
25 receiving portions of such proceeds and the amounts received by each
26 such organization.

27 (2) (a) If a bingo-raffle licensee fails to file reports within the time
28 required or if reports are not properly verified or not fully, accurately, and
29 truthfully completed, any existing license may be suspended until such
30 time as the default has been corrected.

31 (b) Exempt organizations ~~shall be~~ ARE subject to the requirements
32 of this subsection (2) only to the extent that such requirements apply to
33 ~~paragraph (b) of subsection (1)~~ SUBSECTION (1)(b) of this section.

34 (3) (a) All moneys MONEY collected or received from the sale of
35 admission, extra regular cards, special game cards, sale of supplies, and
36 all other receipts from the games of bingo, raffles, and pull tab games
37 shall be deposited in a special checking or savings account, or both, of the
38 licensee, which must contain only ~~these moneys~~ THIS MONEY. If the
39 licensee conducts progressive games of chance, the licensee may maintain
40 one additional checking or savings account, which must contain only
41 money received from the sale of progressive games. The licensee may



1 withdraw money from these accounts only by consecutively numbered
2 checks or withdrawal slips or by electronic transactions referenced by
3 transaction number or date. A check or withdrawal slip must not be drawn
4 to "cash" or a fictitious payee. The licensee shall maintain all of its books
5 and records in accordance with generally accepted accounting principles.

6 (b) Exempt organizations ~~shall~~ ARE not be subject to the
7 requirements of this subsection (3).

8 (4) No part of the net proceeds, after they have been given over
9 to another organization, shall be used by the donee organization to pay
10 any person for services rendered or materials purchased in connection
11 with the conducting of bingo by the donor organization.

12 (5) No item of expense shall be incurred or paid in connection
13 with holding, operating, or conducting a game of chance pursuant to a
14 bingo-raffle license except bona fide expenses of a reasonable amount.
15 Such expenses include those incurred in connection with all games of
16 chance, for the following purposes:

17 (a) Advertising and marketing;

18 (b) Legal fees related to any action brought by the licensing
19 authority against the bingo-raffle licensee in connection with games of
20 chance;

21 (c) The purchase of goods, wares, and merchandise furnished to
22 the licensee for the purpose of operating games of chance pursuant to this
23 article PART 5;

24 (d) The purchase or lease of electronic devices used as aids in the
25 game of bingo;

26 (e) Payment for services rendered that are reasonably necessary
27 for repairs of equipment and operating or conducting games of chance;

28 (f) Rent, if the premises are rented, or for janitorial services if not
29 rented;

30 (g) Accountant's fees; and

31 (h) License fees.

32 (6) (a) For the purposes enumerated in subsection (5) of this
33 section, the following terms shall have the following meanings:

34 (I) "Goods, wares, and merchandise" means prizes, equipment, as
35 defined in section 12-9-102 (5); and articles of a minor nature.

36 (II) "Services rendered" means:

37 (A) The repair of equipment;

38 (B) Compensation to bookkeepers or accountants for services in
39 preparing financial reports for a reasonable amount as determined by the
40 licensing authority by rule. No A landlord, manufacturer, or supplier
41 licensee, or employee of a landlord, manufacturer, or supplier licensee,



1 shall NOT act as a bookkeeper or accountant for a bingo-raffle licensee,
2 nor shall a landlord, manufacturer, or supplier licensee offer or provide
3 accounting or bookkeeping services in connection with the preparation of
4 financial reports on bingo-raffle activities, except for the transfer or
5 encoding of data necessitated by the sale, upgrade, or maintenance of
6 accounting software sold or leased to a bingo-raffle licensee by a
7 landlord, manufacturer, or supplier licensee. A landlord licensee that is
8 also a bingo-raffle licensee may act as a bookkeeper or accountant on
9 such licensee's own behalf.

10 (C) The rental of premises;

11 (D) A reasonable amount for janitorial service as determined by
12 the licensing authority in rules for each occasion; and

13 (E) A reasonable amount for security expense based on
14 established need as determined by the licensing authority in rules for each
15 occasion.

16 (b) There shall be paid to the licensing authority an administrative
17 fee, established in accordance with section ~~12-9-103.5(3)~~ 24-21-506 (2),
18 upon the gross receipts of any game of chance held, operated, or
19 conducted under ~~the provisions of this article~~ PART 5; except that an
20 exempt organization shall not be charged more than twenty dollars per
21 year. All administrative fees collected by the licensing authority under
22 this ~~article~~ PART 5 shall be deposited in the department of state cash fund
23 created in section 24-21-104 (3)(b). ~~C.R.S.~~

24 (7) Each licensee, at the time each financial report is submitted to
25 the licensing authority, shall pay to the order of the licensing authority the
26 amount of administration expense provided in subsection (6) of this
27 section.

28 **24-21-523. [Formerly 12-9-109] Examination of books and**
29 **records - rules.** The licensing authority and its agents have power to
30 examine or cause to be examined the books and records of any licensee
31 to which any license is issued pursuant to this ~~article~~ PART 5 insofar as
32 they may relate to any transactions connected with activities under the
33 license. The licensing authority may require by rule that licensees that
34 have failed to keep proper books and records, or to maintain their books
35 and records in accordance with generally accepted accounting principles,
36 adopt certain internal financial controls and attend training to ensure the
37 integrity of the reporting of games of chance activities pursuant to this
38 ~~article~~ PART 5.

39 **24-21-524. [Formerly 12-9-110] Forfeiture of license -**
40 **ineligibility to apply for license.** ~~Any~~ A person who makes any ~~A~~ false
41 statement in any ~~AN~~ application for any ~~such~~ A license or in any statement

1 annexed thereto, fails to keep sufficient books and records to substantiate
2 the quarterly reports required under section ~~12-9-108~~ 24-21-522, falsifies
3 any books or records insofar as they relate to any transaction connected
4 with the holding, operating, and conducting of any A game of chance
5 under ~~any such~~ THE license, or violates ~~any of the provisions of this~~
6 ~~article~~ PART 5 or ~~of any term of such~~ THE license, if convicted, in addition
7 to suffering any other penalties that may be imposed, shall forfeit any
8 license issued to it under this ~~article~~ PART 5 and ~~shall be~~ IS ineligible to
9 apply for a license under this ~~article~~ PART 5 for at least one year THREE
10 YEARS thereafter.

11 **24-21-525. [Formerly 12-9-111] Volunteer services -**
12 **legislative declaration - immunity.** (1) The Colorado constitution
13 recognizes that the conduct of charitable gaming activities is directly
14 related to the need of nonprofit organizations to fulfill their lawful
15 purposes. Notwithstanding this recognition, however, the willingness of
16 bingo-raffle volunteers to offer their services has been increasingly
17 deterred by a perception that they put personal assets at risk should a tort
18 action be filed seeking damages arising from their volunteer activities.

19 (2) All bingo-raffle volunteers ~~shall be~~ ARE immune from civil
20 actions and liabilities pursuant to section 13-21-115.5, ~~C.R.S.~~, which
21 provides that volunteers ~~shall~~ ARE not be personally liable for their acts
22 or omissions if they are acting in good faith and within the scope of their
23 official function and duty for a charitable organization, with respect to
24 such organization's conduct of games of chance. Bingo-raffle volunteers
25 ~~shall~~ ARE not be liable under this section if the harm is not caused by
26 willful and wanton misconduct, gross negligence, reckless misconduct,
27 or a conscious, flagrant indifference to the rights or safety of the
28 individual harmed.

29 **24-21-526. [Formerly 12-9-112] Unfair trade practices.**
30 (1) The provisions of the "Unfair Practices Act", article 2 of title 6,
31 ~~C.R.S.~~, and the "Colorado Antitrust Act of 1992", article 4 of title 6,
32 ~~C.R.S.~~, are specifically applicable to charitable gaming activities
33 conducted by any licensee. Within thirty days after receiving a complaint
34 alleging a violation of either of said acts, the licensing authority shall
35 transmit such complaint to the attorney general.

36 (2) THE LICENSING AUTHORITY SHALL REVOKE THE LICENSE OF A
37 licensee that violates any provision of article 2 of title 6 ~~C.R.S.~~, or article
38 4 of title 6 ~~C.R.S.~~, ~~shall have its license revoked by the licensing authority~~
39 for a period of one year from AFTER the date of the finding of ~~such~~ THE
40 violation. Upon the expiration of such period, the licensee may apply for
41 the issuance of a new license.



1 **24-21-527. [Formerly 12-9-112.5] Common members -**
2 **bingo-raffle licensees - definition.** (1) For the purposes of this section,
3 "bingo-raffle licensee affiliate" means the following:

4 (a) Any A person that directly or indirectly through one or more
5 intermediaries controls, is controlled by, or is under common control
6 with, a bingo-raffle licensee specified; or

7 (b) Any A person that has an officer, director, member, manager,
8 partner, games manager, salaried employee, or IMMEDIATE FAMILY
9 member ~~of their immediate families~~ in common with a bingo-raffle
10 licensee.

11 (2) Proceeds from a bingo or raffle game that are transferred from
12 a bingo-raffle licensee to a bingo-raffle licensee's affiliate shall not be
13 used to pay the salary, remuneration, or expenses of any officer, director,
14 member, manager, partner, games manager, or employee of such affiliate.
15 ~~THE DONEE ENTITY OR ORGANIZATION SHALL DEPOSIT~~ all such transferred
16 ~~proceeds shall be deposited by the donee entity or organization~~ in a
17 segregated account that contains only such donations, and ~~such~~ THE
18 transferred proceeds shall not be commingled with other funds of the
19 donee entity or organization. The licensing authority and its agents may
20 examine or cause to be examined the books and records of any donee
21 entity or organization insofar as they may relate to account or to any
22 transactions connected with bingo or raffle proceeds.

23 **24-21-528. [Formerly 12-9-113] Enforcement.** It is the duty of
24 all sheriffs and police officers to enforce ~~the provisions of this article~~
25 PART 5, to receive complaints, to initiate investigations, and to arrest and
26 complain against any person violating ~~any provisions of this article~~ PART
27 5. It is the duty of the district attorney of the respective districts of this
28 state to prosecute all violations of this ~~article~~ PART 5 in the manner and
29 form as is now provided by law for the prosecutions of crimes and
30 misdemeanors, and it is a violation of this ~~article~~ PART 5 for any such
31 person knowingly to fail to perform his OR HER duty under this section.

32 **24-21-529. [Formerly 12-9-114] Penalties for violation.** Every
33 licensee and every officer, agent, or employee of the licensee and every
34 other person or corporation who willfully violates or who procures, aids,
35 or abets in the willful violation of this ~~article~~ PART 5 commits a class 2
36 misdemeanor and shall be punished as provided in section 18-1.3-501;
37 ~~C.R.S.~~; except that, if the underlying factual basis of the violation
38 constitutes a crime as defined by any other provision of law, then ~~such~~
39 THE person may be charged, prosecuted, and punished in accordance with
40 such other provision of law.

41 **24-21-530. [Formerly 12-9-201] Colorado bingo-raffle**



1 **advisory board - creation.** (1) There is hereby created, within the
2 department of state, the Colorado bingo-raffle advisory board.

3 (2) The board ~~shall consist~~ CONSISTS of nine members, all of
4 whom ~~shall~~ MUST be citizens of the United States who have been
5 residents of the state, for at least the past five years. ~~No~~ A member ~~shall~~
6 MUST NOT have been convicted of a felony or gambling-related offense,
7 notwithstanding the provisions of section 24-5-101. C.R.S. No more than
8 five of the nine members ~~shall~~ MAY be members of the same political
9 party. At the first meeting of each fiscal year, A MAJORITY OF THE
10 MEMBERS MUST CHOOSE a chair and vice-chair of the board ~~shall be~~
11 ~~chosen~~ from the membership. ~~by a majority of the members.~~ Membership
12 and operation of the board ~~shall~~ MUST additionally meet the following
13 requirements:

14 (a) (I) Three members of the board ~~shall~~ MUST be bona fide
15 members of a bingo-raffle licensee that is classified as a religious
16 organization, a charitable organization, a labor organization, an
17 educational organization, or a voluntary firefighter's organization; except
18 that no more than one member shall be appointed from any one such
19 classification;

20 (II) One member of the board ~~shall~~ MUST be a bona fide member
21 of a bingo-raffle licensee that is a veterans' organization;

22 (III) One member of the board ~~shall~~ MUST be a bona fide member
23 of a bingo-raffle licensee that is a fraternal organization;

24 (IV) One member of the board ~~shall~~ MUST be a supplier licensee;

25 (V) Two members of the board ~~shall~~ MUST be landlord licensees;

26 and

27 (VI) One member of the board ~~shall~~ MUST be a registered elector
28 of the state who is not employed by or an officer or director of a licensee,
29 does not have a financial interest in any license, and does not have an
30 active part in the conduct or management of games of chance by any
31 bingo-raffle licensee.

32 (b) (I) Of the five members of the board who are categorized as
33 bona fide members of a bingo-raffle licensee, two shall be appointed by
34 the president of the senate, two shall be appointed by the speaker of the
35 house of representatives, and one shall be appointed jointly by the
36 president and the speaker.

37 (II) Of the two members of the board who are categorized as
38 landlord licensees, one shall be appointed by the president of the senate
39 and one shall be appointed by the speaker of the house of representatives.

40 (III) The president of the senate shall appoint the member of the
41 board who is a supplier licensee. The speaker of the house shall appoint



1 the member of the board who is a registered elector.

2 (c) ~~Initial members shall be appointed to the board as follows:~~
3 ~~Two members to serve until July 1, 2000, two members to serve until July~~
4 ~~1, 2001, two members to serve until July 1, 2002, and three members to~~
5 ~~serve until July 1, 2003. All subsequent appointments shall be~~ ARE for
6 terms of four years. No member of the board ~~shall be~~ IS eligible to serve
7 more than two consecutive terms.

8 (d) Any vacancy on the board shall be filled for the unexpired
9 term in the same manner as the original appointment. The member
10 appointed to fill such vacancy shall be from the same category described
11 in ~~paragraph (a) of this subsection (2)~~ SUBSECTION (2)(a) OF THIS SECTION
12 as the member vacating the position.

13 (e) ~~Any~~ A member of the board having a direct personal or private
14 interest in any matter before the board shall disclose such fact on the
15 board's record. A member may disqualify himself or herself for any cause
16 deemed by him or her to be sufficient.

17 (f) THE APPOINTING OFFICER SHALL TERMINATE THE term of any
18 member of the board who misses more than two consecutive regular
19 board meetings without good cause, or who no longer meets the
20 requirements for membership imposed by this section. ~~shall be terminated~~
21 ~~by the appointing officer.~~ Such THE member's successor shall be
22 appointed in the manner provided for appointments under this section.

23 (g) Board members ~~shall~~ ARE ENTITLED TO receive as
24 compensation for their services fifty dollars for each day spent in the
25 conduct of board business, not to exceed five hundred dollars per member
26 per year, and ~~shall~~ ARE ENTITLED TO be reimbursed for necessary travel
27 and other reasonable expenses incurred in the performance of their
28 official duties.

29 (h) Prior to commencing his or her term of service, each person
30 nominated to serve on the board shall file with the secretary of state a
31 financial disclosure statement in the form required and prescribed by the
32 ~~secretary of state~~ LICENSING AUTHORITY and as commonly used for other
33 Colorado boards and commissions. Such statement shall be renewed as
34 of each January 1 during the member's term of office.

35 (i) The board shall hold at least ~~six~~ TWO meetings each year and
36 such additional meetings as the members may deem necessary. In
37 addition, special meetings may be called by the chair, any three board
38 members, or the ~~secretary of state~~ LICENSING AUTHORITY if written
39 notification of ~~such~~ THE meeting is delivered to each member at least
40 seventy-two hours ~~prior to such~~ BEFORE THE meeting. Notwithstanding
41 ~~the provisions of section 24-6-402, C.R.S.,~~ in emergency situations in

1 which a majority of the board certifies that exigencies of time require that
2 the board meet without delay, the requirements of public notice and of
3 seventy-two hours' actual advance written notice to members may be
4 dispensed with, and board members as well as the public shall receive
5 such notice as is reasonable under the circumstances.

6 (j) A majority of the board ~~shall constitute~~ CONSTITUTES a
7 quorum, and the concurrence of a majority of the members present ~~shall~~
8 ~~be~~ IS required for any final determination by the board.

9 (k) The board shall keep a complete and accurate record of all its
10 meetings.

11 **24-21-531. [Formerly 12-9-202] Board - duties.** (1) In addition
12 to any other duties set forth in this part ~~2~~ 5, the board shall: ~~have the~~
13 ~~following duties:~~

14 (a) ~~To~~ Conduct a continuous study of charitable gaming
15 throughout the state for the purpose of ascertaining any defects in this
16 ~~article~~ PART 5 or in the rules promulgated pursuant to this ~~article~~ PART 5;
17 AND

18 (b) ~~To~~ Formulate and recommend changes to this ~~article~~ PART 5
19 to the general assembly.

20 (c) ~~Repealed.~~

21 (2) The board shall offer advice to the licensing authority upon
22 subjects ~~which shall~~ THAT include, but are not limited to, the following:

23 (a) The types of charitable gaming activities to be conducted, the
24 rules for those activities, and the number of occasions per year upon
25 which a licensee may hold, operate, or conduct a game of bingo or lotto;

26 (b) The requirements, qualifications, and grounds for the issuance
27 of all types of permanent and temporary licenses required for the conduct
28 of charitable gaming;

29 (c) The requirements, qualifications, and grounds for the
30 revocation, suspension, and summary suspension of all licenses required
31 for the conduct of charitable gaming;

32 (d) Activities that constitute fraud, cheating, or illegal activities;

33 (e) The granting of licenses with special conditions or for limited
34 periods, or both;

35 (f) The establishment of a schedule of reasonable fines to be
36 assessed in lieu of license revocation or suspension for violations of this
37 ~~article~~ PART 5 or any rule adopted pursuant to this ~~article~~ PART 5;

38 (g) The amount of fees for licenses issued by the licensing
39 authority and for the performance of administrative services pursuant to
40 this ~~article~~ PART 5;

41 (h) The establishment of criteria under which a person may serve



- 1 as a games manager;
- 2 (i) The content and conduct of classes or training seminars to
3 benefit bingo-raffle charitable licensees, officers, and volunteers to better
4 account for funds collected from games of chance;
- 5 (j) Standardized rules, procedures, and policies to clarify and
6 simplify the auditing of licensees' records;
- 7 (k) The types of charitable gaming activities to be conducted in
8 the future, based upon a continuing review of the available state of the art
9 of equipment in Colorado and elsewhere, and the policies and procedures
10 approved and implemented by other states for the conduct of their
11 charitable gaming activities; and
- 12 (l) The conditions for a licensee's plan for disposal of any
13 equipment and the distribution of any remaining net proceeds upon
14 termination of a bingo-raffle license for the licensee's failure to timely or
15 sufficiently renew such license.

16 **24-21-532. [Formerly 12-9-301] Repeal - review of functions.**
17 This article PART 5 is repealed, effective July 1, 2017. Prior to such
18 SEPTEMBER 1, 2026. BEFORE THE repeal, the licensing functions of the
19 secretary of state LICENSING AUTHORITY and the functions of the Colorado
20 bingo-raffle advisory board in the department of state shall be reviewed
21 as provided for in ARE SCHEDULED FOR REVIEW IN ACCORDANCE WITH
22 section 24-34-104. C.R.S.

23 **SECTION 3. Repeal of relocated provisions in this act.** In
24 Colorado Revised Statutes, repeal article 9 of title 12.

25 **SECTION 4.** In Colorado Revised Statutes, 12-47-901, amend
26 (5) introductory portion and (5)(n)(I) as follows:

27 **12-47-901. Unlawful acts - exceptions - definitions.** (5) It is
28 unlawful for any person licensed to sell at retail pursuant to this article
29 ARTICLE 47 or article 46 of this title TITLE 12:

30 (n) (I) To authorize or permit any gambling, or the use of any
31 gambling machine or device, except as provided by the "Bingo and
32 Raffles Law", ~~article 9 of this title. The provisions of this paragraph (n)~~
33 ~~shall~~ PART 5 OF ARTICLE 21 OF TITLE 24. THIS SUBSECTION (5)(n) DOES not
34 apply to those activities, equipment, and devices authorized and legally
35 operated pursuant to articles 47.1 and 60 of this title TITLE 12.

36 **SECTION 5.** In Colorado Revised Statutes, amend 24-35-217 as
37 follows:

38 **24-35-217. Other laws inapplicable.** Any other state or local law
39 in conflict with this part 2 shall be IS inapplicable, but this section shall
40 DOES not be construed to supersede or affect the provisions of article 9 of
41 title 12, C.R.S. PART 5 OF ARTICLE 21 OF THIS TITLE 24.



1 **SECTION 6. Applicability.** This act applies to conduct occurring
2 on or after the effective date of this act.

3 **SECTION 7. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, and safety."

** ** ** ** **

