

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 17-0308.01 Thomas Morris x4218

**SENATE BILL 17-232**

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**SENATE SPONSORSHIP**

**Fenberg, Court**

**HOUSE SPONSORSHIP**

**Rosenthal,**

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**Senate Committees**  
State, Veterans, & Military Affairs

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING CONTINUATION UNDER THE SUNSET LAW OF THE**  
102         **BINGO-RAFFLE ADVISORY BOARD, AND, IN CONNECTION**  
103         **THEREWITH, IMPLEMENTING THE RECOMMENDATIONS OF THE**  
104         **2016 SUNSET REPORT OF THE DEPARTMENT OF REGULATORY**  
105         **AGENCIES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Sunset Process - Senate State, Veterans, and Military Affairs Committee.** The bill implements the recommendations of the sunset

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
Amended 2nd Reading  
March 30, 2017

review and report on the licensing of bingo and other games of chance through the secretary of state by:

- ! Extending the automatic termination date of the Colorado bingo-raffle advisory board to September 1, 2026, pursuant to the sunset law (**sections 1 and 2** of the bill);
  - ! Reducing the number of times that the board must meet each year from 6 to 2 (**section 3**);
  - ! Specifying that a person whose license has been revoked or surrendered in lieu of revocation must wait for 3 years to reapply for a license (**sections 4 through 6**);
  - ! Clarifying that a licensee may not change the location of a pull-tab device without the secretary's approval (**section 7**);
  - ! Prohibiting a person who has been convicted of a felony or a misdemeanor involving gambling from being a games manager, caller, or caller assistant (**sections 8 and 12**);
  - ! Allowing a person who has not been convicted within the previous 10 years of a felony or a gambling-related offense to apply for a license (**sections 9 through 11**);
  - ! Clarifying that licensees may donate bingo equipment to entities that offer free bingo and other licensees (**section 13**); and
  - ! Making a variety of technical changes to the law (**sections 4, 5, 11, and 13 through 16**).
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1     *Be it enacted by the General Assembly of the State of Colorado:*

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

5             **24-34-104. General assembly review of regulatory agencies**  
6             and functions for repeal, continuation, or reestablishment - legislative  
7             declaration - repeal. (12)(a) The following agencies, functions, or both,  
8             will repeal on July 1, 2017:

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

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

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

## PART 5

## BINGO AND RAFFLES LAW

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

15 **24-21-502. [Formerly 12-9-102] Definitions.** As used in this  
16 article PART 5, unless the context otherwise requires:

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

25                   (1.1) (2) "Bingo aid computer system" means a computer system  
26                   that interfaces with and controls the use of electronic devices used as aids  
27                    in the game of bingo.

1           (1.2)(3) "Bingo-raffle licensee" means any qualified organization  
2           to which a bingo-raffle license has been issued by the licensing authority.

3           (1.3)(4) "Bingo-raffle manufacturer" means a person, other than  
4           a bingo-raffle licensee, who makes, assembles, produces, or otherwise  
5           prepares pull tabs, bingo cards or sheets, electronic devices used as aids  
6           in the game of bingo, or other equipment or parts thereof for games of  
7           chance. as defined in subsection (7) of this section. "Bingo-raffle  
8           manufacturer" does not include a person who prints raffle tickets, other  
9           than pull tabs, for and at the request of a bingo-raffle licensee.

10           (1.4)(5) "Bingo-raffle supplier" means a person, other than a  
11           bingo-raffle licensee, who sells, distributes, or otherwise furnishes pull  
12           tabs, bingo cards or sheets, electronic devices used as aids in the game of  
13           bingo, or other games of chance equipment. as defined in subsection (5)  
14           of this section. "Bingo-raffle supplier" does not include a person who  
15           prints raffle tickets, other than pull tabs, for and at the request of a  
16           bingo-raffle licensee.

17           (1.5)(6) "Board" means the Colorado bingo-raffle advisory board  
18           created in section 12-9-201 24-21-530.

19           (1.6)(7) "Card" means either a disposable and nonreusable paper  
20           bingo card identified by color, serial number, and card number, or a  
21           reusable bingo card intended for repeated use, including but not limited  
22           to a hard card or shutter card. "Card" does not include an electronic  
23           representation or electronic image of a bingo card.

24           (1.7)(8) "Charitable gaming" means bingo, pull tab games, and  
25           raffles. as defined in subsections (1), (18.1), and (19.3) of this section.

26           (1.8)(9) "Charitable organization" means any organization, not  
27           for pecuniary profit, that is operated for the relief of poverty, distress, or

1       other condition of public concern within this state and that has been so  
2       engaged for five years prior to making application for a license under this  
3       article PART 5.

4       (2) (10) "Chartered branch or lodge or chapter of a national or  
5       state organization" means any such branch or lodge or chapter that is a  
6       civic or service organization, not for pecuniary profit, and authorized by  
7       its written constitution, charter, articles of incorporation, or bylaws to  
8       engage in a fraternal, civic, or service purpose within this state and that  
9       has been so engaged for five years prior to making application for a  
10       license under this article PART 5.

11       (2.3) (11) "Commercial bingo facility" means premises rented by  
12       a bingo-raffle licensee for the purpose of conducting games of chance.

13       (2.5) (12) "Commercial landlord" means any person renting or  
14       offering to rent a commercial bingo facility to any bingo-raffle licensee.

15       (2.7) (13) "Deal" means each separate package or series of  
16       packages of pull tabs with the same name, form number, serial number,  
17       and color code.

18       (3) (14) "Dues-paying membership" means those members of an  
19       organization who pay regular monthly, annual, or other periodic dues or  
20       who are excused from paying such dues by the bylaws, articles of  
21       incorporation, or charter of the organization and those who contribute  
22       voluntarily to the corporation or organization to which they belong for the  
23       support of such corporation or organization.

24       (4) (15) "Educational organization" means any organization within  
25       this state, not organized for pecuniary profit, whose primary purpose is  
26       educational in nature and designed to develop the capabilities of  
27       individuals by instruction and that has been in existence for five years

1 prior to making application for a license under this article PART 5.

2 (5) (16) "Equipment" means: With respect to bingo or lotto, the  
3 receptacle and numbered objects drawn from it, the master board upon  
4 which such objects are placed as drawn, the cards or sheets bearing  
5 numbers or other designations to be covered and the objects used to cover  
6 them, the board or signs, however operated, used to announce or display  
7 the numbers or designations as they are drawn, public address system, and  
8 all other articles essential to the operation, conduct, and playing of bingo  
9 or lotto; or, with respect to raffles, implements, devices, and machines  
10 designed, intended, or used for the conduct of raffles and the  
11 identification of the winning number or unit and the ticket or other  
12 evidence or right to participate in raffles. "Equipment" includes electronic  
13 devices used as aids in the game of bingo.

14 (5.5) (17) "Exempt organization" means an organization: that  
15 complies with each of the following criteria:

16 (a) That is exempt from taxation under section 501 (c)(3) of the  
17 federal "Internal Revenue Code of 1954", as amended; through December  
18 31, 1984;

19 (b) Of the type commonly known as a community chest, which  
20 organizes and carries out intensive, limited-time, and community-wide  
21 fund drive campaigns by volunteer workers soliciting charitable  
22 contributions from a broad base of citizens and businesses in the  
23 community with the objective of providing financial support to other  
24 organizations that are exempt from taxation under section 501 (c)(3) of  
25 the federal "Internal Revenue Code of 1954", as amended, through  
26 December 31, 1984, and that provides charitable, educational, civic,  
27 health, or human services within the same community and that has the

1       further objective of minimizing the necessity for multiple, overlapping,  
2       and competing fund drives by such recipient organizations to enable them  
3       to deliver such services;

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

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

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

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

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

22           (6) (18) "Fraternal organization" means any organization within  
23       this state, including college and high school fraternities, not for pecuniary  
24       profit, that is a branch, lodge, or chapter of a national or state  
25       organization and exists for the common business, brotherhood, or other  
26       interests of its members and that has so existed for five years prior to  
27       making application for a license under this article PART 5. "Fraternal

1 organization" also includes a graduate or alumni division or branch of a  
2 college fraternity, which division or branch holds a charter issued by the  
3 state of Colorado and that meets all other criteria set forth in this  
4 subsection (6) (18). As used in this subsection (6) (18), "fraternity"  
5 includes a sorority.

6 (7) (19) "Game of chance" means that specific kind of game of  
7 chance commonly known as bingo or lotto in which prizes are awarded  
8 on the basis of designated numbers or symbols on a card conforming to  
9 numbers or symbols selected at random and that specific kind of game of  
10 chance commonly known as raffles that is conducted by drawing for  
11 prizes or the allotment of prizes by chance, by the selling of shares or  
12 tickets or rights to participate in such a game.

13 (8) (20) "Gross receipts" means receipts from the sale of shares,  
14 tickets, or rights in any manner connected with participation in a game of  
15 chance or the right to participate therein, including any admission fee or  
16 charge, the sale of equipment or supplies, the sale or lease of electronic  
17 devices used as aids in the game of bingo, and all other miscellaneous  
18 receipts.

19 (9) (21) "Labor organization" means any organization, not for  
20 pecuniary profit, within this state that exists for the purpose, in whole or  
21 in part, of dealing with employers concerning grievances, labor disputes,  
22 wages, rates of pay, hours of employment, or conditions of work and that  
23 has existed for such purpose and has been so engaged for five years prior  
24 to making application for a license under this article PART 5.

25 (9.5) (22) "Landlord licensee" means the holder of a current, valid  
26 commercial landlord license.

27 (10) (23) "Lawful purposes" means the lawful purposes of

1       organizations permitted to conduct games of chance, as provided in  
2       section 2 of article XVIII of the state constitution.

3       (11) (24) "Lawful use" means the devotion of the entire net  
4       proceeds of a game of chance exclusively to lawful purposes.

5       (11.5) (25) "License" means any license or certification issued by  
6       the licensing authority pursuant to this article PART 5, including, without  
7       limitation, the certification of a games manager pursuant to section  
8       12-9-105.1 24-21-510.

9       (12) (26) "Licensed agent" means an individual who holds a  
10       current, valid agent's license for a bingo-raffle manufacturer or supplier.

11       (12.5) (27) "Licensee" means the holder of any license or  
12       certification issued by the licensing authority pursuant to this article PART  
13       5. "Licensee" includes the former holder of such license or certification  
14       for purposes of investigation of activities that took place during the period  
15       in which such license or certification was effective.

16       (13) (28) "Licensing authority" means the secretary of state or his  
17       or her duly authorized deputy.

18       (13.3) (29) "Manufacturer's agent" means an individual who  
19       represents a manufacturer in any of its activities in connection with the  
20       presales, driver sales, or distribution with excess stock of pull tabs, bingo  
21       cards or sheets, electronic devices used as aids in the game of bingo, or  
22       other games of chance equipment; except employees of commercial  
23       delivery services.

24       (13.5) (30) "Manufacturer licensee" means the holder of a current,  
25       valid Colorado manufacturer license.

26       (14) (31) "Member" means an individual who has qualified for  
27       membership in a qualified organization pursuant to its bylaws, articles of

1 incorporation, charter, rules, or other written statement.

2 (15) (32) "Net proceeds" means the receipts less such expenses,  
3 charges, fees, and deductions as are specifically authorized under this  
4 article PART 5.

5 (16) (33) "Occasion" means a single gathering or session at which  
6 a series of successive bingo games is played.

7 (17) (34) "Person" means a natural person, firm, association,  
8 corporation, or other legal entity.

9 (18) (35) "Premises" means any room, hall, enclosure, or outdoor  
10 area used for the purpose of playing a game of chance.

11 (18.1) (36) "Pull tab game" means a type of game of chance  
12 commonly known as a pickle, break-open, jar raffle, last sale ticket, or  
13 seal card for which tickets are preprinted with markings distinguishing  
14 winners and nonwinners, each ticket so made that its markings and  
15 winning or nonwinning status cannot be known or revealed until the  
16 ticket is broken or torn apart.

17 (19) (37) (a) "Qualified organization" means any bona fide  
18 chartered branch, lodge, or chapter of a national or state organization or  
19 any bona fide religious, charitable, labor, fraternal, educational, voluntary  
20 firefighters', or veterans' organization operating without profit to its  
21 members that has been in existence continuously for a period of five years  
22 immediately prior to the making of an application for a license under this  
23 article PART 5 and that has had, during the entire five-year period, a  
24 dues-paying membership engaged in carrying out the objects of said  
25 corporation or organization.

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

27 (I) A political party; and

1                   (II) The Colorado state fair authority.

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

10                   (20) (39) "Religious organization" means any organization,  
11                   church, body of communicants, or group, not for pecuniary profit,  
12                   gathered in common membership for mutual support and edification in  
13                   piety, worship, and religious observances or a society, not for pecuniary  
14                   profit, of individuals united for religious purposes at a definite place, that  
15                   WHICH organization, church, body of communicants, group, or society has  
16                   been so gathered or united for five years prior to making application for  
17                   a license under this article PART 5.

18                   (20.1) (40) "Sheet" means a leaf of paper upon which is printed  
19                   one or more disposable bingo cards.

20                   (20.3) (41) "Supplier's agent" means an individual who represents  
21                   a bingo-raffle supplier in the course of the bingo-raffle supplier's presales,  
22                   driver sales, or distribution with excess bingo-supplier stock, electronic  
23                   devices used as aids in the game of bingo, or chance equipment on hand;  
24                   except THAT THE TERM DOES NOT INCLUDE employees of commercial  
25                   delivery services.

26                   (20.5) (42) "Supplier licensee" means the holder of a current,  
27                   valid Colorado supplier license.

7           (22) (44) "Voluntary firefighters' organization" means any  
8       organization within this state, not for pecuniary profit, established by the  
9       state or any of its political subdivisions that has been in existence for five  
10      years prior to making application for a license under this article PART 5.

**24-21-503. [Formerly 12-9-102.3] Fraud and deception**

12 **prohibited.** (1) No A bingo-raffle licensee, landlord licensee,  
13 bingo-raffle supplier bingo-raffle LICENSEE, manufacturer LICENSEE, or  
14 any member or agent thereof engaged in any charitable gaming activity  
15 shall NOT, directly or indirectly:

- 16                    (a) Employ any device, scheme, or artifice to defraud or deceive;  
17                    (b) Intentionally make any untrue or misleading statement of fact;  
18                    or  
19                    (c) Engage in any act, practice, or course of conduct constituting  
20                    fraud or deceit.

**24-21-504. [Formerly 12-9-102.5] Legislative declaration -**

22 consideration for tickets - conditions - rules. (1) The general assembly

23 hereby finds and declares that prize promotions involving the conduct of

24 free product giveaways through the use of free chances for purposes of

25 commercial advertisement, the creation of goodwill, the promotion of

26 new products or services, or the collection of names should not be subject

27 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

1 information identifying the prizes to be awarded and the method by which  
2 the prizes may be won. This disclosure need not be made separately or  
3 personally to each participant, but may be made by conspicuously posting  
4 or displaying, at the premises where the promotion is being conducted,  
5 either the available prizes themselves or a list and complete description  
6 of the prizes and the method by which they may be won.

7       (c) Within ten days after the award of any prize, the licensee shall  
8 file with the licensing authority a written report containing a description  
9 of the prize, the value of the prize, and such other information as the  
10 licensing authority may require by rule. Any prize offered pursuant to this  
11 section must be awarded by the end of the calendar quarter in which it  
12 was offered.

13       (d) The licensing authority may establish by rule the maximum  
14 amount or value of a cash prize or a prize of a product or service that may  
15 be awarded; except that such maximum amount must be at least one  
16 thousand dollars.

17       (4) A BINGO-RAFFLE LICENSEE MAY, DIRECTLY OR THROUGH A  
18 THIRD PARTY, PRESELL TICKETS TO A CHARITABLE GAMING EVENT.

19       **24-21-505. [Formerly 12-9-103] Licensing and enforcement**  
20 **authority - powers - rules - duties - license suspension or revocation**  
21 **proceedings - definitions.** (1) The secretary of state is hereby designated  
22 as the "licensing authority" of this article PART 5. As licensing authority,  
23 the secretary of state's powers and duties are as follows:

24       (a) (I) To grant or refuse to grant bingo-raffle licenses under this  
25 article PART 5 and to grant or refuse to grant licenses to landlords,  
26 manufacturers, manufacturers' agents, suppliers, and suppliers' agents. If  
27 any such license application has not been approved or disapproved within

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

23       (II) In lieu of seeking a suspension or revocation of any license  
24       issued by the licensing authority, the licensing authority may impose a  
25       reasonable fine for any violation of this article PART 5 or any rule adopted  
26       pursuant to this article PART 5, not to exceed one hundred dollars per  
27       citation. The imposition of any such fine may be appealed to an

1       administrative law judge.

2       (III) An applicant may request administrative review of a refusal  
3       by the licensing authority to grant or renew a license in accordance with  
4       subsection (2) (3) of this section. To be entitled to administrative review,  
5       the applicant must request the review in writing within sixty days after the  
6       date of the licensing authority's refusal.

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

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



1       forty-five days after receipt by the licensing authority, the licensee may  
2       implement such concept, method, technology, practice, or procedure so  
3       long as it is not in conflict with the constitution or this article PART 5;  
4       except that the licensing authority's failure to act upon an application  
5       within forty-five days after receipt shall not preclude the licensing  
6       authority from later filing a complaint challenging such concept, method,  
7       technology, practice, or procedure on the ground that it is in conflict with  
8       the constitution or this article PART 5. An adverse ruling on such  
9       application may be appealed to an administrative law judge.

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

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

19       (g) To license devices for reading pull tabs as provided in section  
20       12-9-107.2 24-21-519; except that the licensing authority shall not impose  
21       or collect any fee for the issuance of such a license.

22       (1.5) (2) For the purpose of any investigation or examination of  
23       records, the licensing authority or any officer designated by the licensing  
24       authority may require, at the office of the licensing authority, the  
25       production of any books, papers, correspondence, memoranda,  
26       agreements, or other documents or records that the licensing authority  
27       deems relevant or material to the inquiry. In case of refusal to obey a

1 request for the production of documents issued to any licensee or an  
2 affiliate of a licensee, the district court of the city and county of Denver,  
3 upon application by the licensing authority, may issue an order requiring  
4 that person to appear before the licensing authority or the officer  
5 designated by the licensing authority to produce documents or to give  
6 evidence touching upon the matter under investigation or in question.  
7 Failure to obey the order of the court may be punished by the court as a  
8 contempt of court.

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

22 (3) (4) (a) Upon a finding by an administrative law judge of a  
23 violation of this article PART 5, the rules adopted pursuant to this article  
24 PART 5, or any other provision of law, such as would warrant the  
25 revocation, suspension, annulment, limitation, or modification of a  
26 license, in addition to any other penalties that may be imposed, the  
27 licensing authority may declare the violator ineligible to conduct a game

1       of bingo and to apply for a license pursuant to this article PART 5 for a  
2       period not exceeding five THREE years after the date of such THE  
3       declaration or a shorter period designated by the licensing authority  
4       pursuant to this subsection (3)(4). The licensing authority shall designate  
5       a shorter period of license ineligibility only in the absence of aggravating  
6       factors associated with the violation for which the revocation was  
7       imposed. Aggravating factors shall include willfulness, intent, a previous  
8       intentional violation of this article PART 5, and violations involving theft  
9       or fraud. Such THE declaration of ineligibility may be extended to  
10       include, in addition to the violator, any of its subsidiary organizations, its  
11       parent organization, or otherwise, affiliated with the violator when, in the  
12       opinion of the licensing authority, the circumstances of the violation  
13       warrant such action.

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

19       (4) (Deleted by amendment, L. 2006, p. 986, § 3, effective May  
20       25, 2006.)

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

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

3                   (I) The desirability and practicability of transferring the  
4                   responsibility for enforcement, licensing, or both under this article from  
5                   the secretary of state to the department of revenue;

6                   (II) The constitutional and statutory changes that would be  
7                   necessary to effectuate such transfer; and

8                   (III) The recommendations of the secretary of state and the  
9                   executive director of the department of revenue for any other or  
10                   additional constitutional or statutory changes to improve the regulation of  
11                   bingo and raffles in Colorado.

12                   (b) On or before December 31, 2008, the secretary of state and the  
13                   executive director of the department of revenue shall jointly prepare and  
14                   transmit a report of their findings and recommendations to the house and  
15                   senate committees on finance and the house and senate committees on  
16                   state, veterans, and military affairs, or their successor committees.

17                   **24-21-506. [Formerly 12-9-103.5] Fees - department of state**  
18                   **cash fund.** (1) All fees collected by the licensing authority pursuant to  
19                   this article PART 5 shall be transmitted to the state treasurer, who shall  
20                   credit the same THEM to the department of state cash fund created in  
21                   section 24-21-104 (3)(b), C.R.S. also referred to in this section as the  
22                   "fund". The moneys MONEY in the fund shall be IS subject to annual  
23                   appropriation by the general assembly for the purposes of financing the  
24                   licensing and enforcement activities of the secretary of state as specified  
25                   in this article PART 5.

26                   (2) (Deleted by amendment, L. 2002, p. 1648, § 5, effective  
27                   August 7, 2002.)

1           (3) (2) (a) Fees authorized by this article PART 5 shall be  
2           established by the licensing authority, in consultation with the board, in  
3           amounts sufficient to ensure that the total revenue generated by the  
4           collection of such fees approximates the direct and indirect costs incurred  
5           by the licensing authority in carrying out its duties under this article PART  
6           5. The amounts of all fees shall be reviewed annually. The licensing  
7           authority shall furnish to the board both an annual and a quarterly  
8           accounting of all fee and fine revenues received and expenditures made  
9           pursuant to this article PART 5, together with a list of all fees in effect.

10           (b) The cost of implementing the electronic application and report  
11           filings system required by section 12-9-103 24-21-505 (1)(c), including the  
12           cost of promulgating any new or amended rules for use of the system,  
13           shall be recovered through a temporary fee increase or surcharge assessed  
14           on licensees during the first five years of operation of the system. The  
15           licensing authority shall establish the temporary fee or surcharge on a  
16           sliding or graduated scale, based on the quarterly gross receipts of each  
17           licensee that is required to file quarterly reports or pay fees under section  
18           12-9-107.5 (5) 24-21-521 (4) or section 12-9-108 24-21-522 (6)(b), and  
19           in an amount sufficient to recover all of such costs within the five-year  
20           period.

21           (4) (3) All fines assessed pursuant to this article PART 5 shall be  
22           paid to the state treasurer who shall credit the same to the general fund of  
23           the state.

24           **24-21-507. [Formerly 12-9-104] Bingo-raffle license - fee.**  
25           (1) A bona fide chartered branch, lodge, or chapter of a national or state  
26           organization or any bona fide religious, charitable, labor, fraternal,  
27           educational, voluntary firefighters', or veterans' organization or any

1 association, successor, or combination of association and successor of any  
2 of the said THESE organizations that operates without profit to its  
3 members, and that has been in existence continuously for a period of five  
4 years immediately prior to the making of application for a bingo-raffle  
5 license under this article PART 5, and has had during the entire five-year  
6 period dues-paying members engaged in carrying out the objects of said  
7 THE corporation or organization is eligible for a bingo-raffle license to be  
8 issued by the licensing authority under this article PART 5. If a license is  
9 revoked, the bingo-raffle licensee and holder thereof is not eligible to  
10 apply for another license under subsection (2) of this section until after  
11 the expiration of the period of five THREE years after the date of such THE  
12 revocation.

13 (2) The bingo-raffle licenses provided by this article PART 5 shall  
14 be issued by the licensing authority to applicants qualified under this  
15 article PART 5 upon payment of a fee established in accordance with  
16 section 12-9-103.5 (3) 24-21-506 (2). Licenses shall expire at the end of  
17 the calendar year in which they were issued by the licensing authority and  
18 may be renewed by the licensing authority upon the filing of an  
19 application for renewal thereof provided by the licensing authority and  
20 the payment of the fee established for such THE renewal. No license  
21 granted under this article PART 5 or any renewal thereof shall be IS  
22 transferable. The fees required to be paid for a new or renewal license  
23 shall be deposited in the bingo-raffle DEPARTMENT OF STATE cash fund  
24 CREATED IN SECTION 24-21-104 (3)(b).

25 **24-21-508. [Formerly 12-9-104.5] Landlord licensees -**  
26 **stipulations.** (1) No A person except OTHER THAN a landlord licensee  
27 shall NOT rent or offer to rent to any bingo-raffle licensee any premises

1       to be used to conduct games of chance. A lease of the premises for a  
2       bingo occasion shall ~~MUST~~ be for a period of at least five consecutive  
3       hours unless the landlord licensee and bingo-raffle licensee agree to a  
4       shorter or longer period. The amount of rent to be charged, and the  
5       method used to calculate such rent, shall be established by agreement  
6       between the parties.

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

11               (3) No landlord licensee or any employee of a landlord licensee  
12       shall require, induce, or coerce a bingo-raffle licensee to purchase  
13       supplies or equipment, or to purchase or lease electronic devices used as  
14       aids in the game of bingo, from a particular supplier, distributor, or  
15       manufacturer as a condition of conducting games of chance at a  
16       commercial bingo facility.

17               (4) Rent charged to a bingo-raffle licensee by a landlord licensee  
18       for the use of a commercial bingo facility shall cover all expenses and  
19       items reasonably necessary for the use of the commercial bingo facility  
20       for a bingo occasion including, but not limited to, insurance and  
21       maintenance for such facility, adequate and secure storage space,  
22       restrooms, janitorial services, and utilities.

23               (5) No activity or business other than licensed games of chance  
24       may be conducted in a commercial bingo facility within space leased to  
25       a bingo-raffle licensee during the time allocated to the bingo-raffle  
26       licensee with the exception of the sale of food, beverages, bingo-related  
27       merchandise and supplies, the operation of an automated cash service

1 device, and such other activities and businesses as the bingo-raffle  
2 licensee may agree to. A landlord licensee may conduct other businesses  
3 and activities in space not included in the bingo-raffle licensee's rental  
4 agreement and in which games of chance are not held.

5 (6) No A landlord licensee or any employee or agent of a landlord  
6 licensee shall NOT be a party responsible for or assisting with the conduct,  
7 management, or operation of any game of chance within Colorado; except  
8 that a landlord licensee that is also a bingo-raffle licensee may conduct  
9 such activities as its bingo-raffle license allows exclusively on its own  
10 behalf.

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

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

18 **24-21-509. [Formerly 12-9-105] Application for bingo-raffle**  
19 license. (1) Each applicant for a bingo-raffle license to be issued under  
20 the provisions of this section shall file with the licensing authority a  
21 written application in the form prescribed by the licensing authority, duly  
22 executed and verified, and in which shall be stated:

23 (a) The name and address of the applicant;  
24 (b) Sufficient facts relating to its incorporation and organization  
25 to enable the licensing authority to determine whether or not it is a bona  
26 fide chartered branch, lodge, or chapter of a national or state organization  
27 or a bona fide religious, charitable, labor, fraternal, educational, voluntary

1       firefighters', or veterans' organization that operates without profit to its  
2       members, has been in existence continuously for a period of five years  
3       immediately prior to the making of said application for such license, and  
4       has had during the entire five-year period dues-paying members engaged  
5       in carrying out the objectives of said applicant;

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

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

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

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

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

19               (g) Such other information deemed advisable by the licensing  
20       authority to insure ENSURE that the applicant falls within the restrictions  
21       set forth by the state constitution.

22               (2) (a) In each application there shall be designated active  
23       members of the applicant organization under whom the games of chance  
24       described in the application are to be held, operated, and conducted, and  
25       to the application shall be appended a statement executed by the applicant  
26       and by the members so designated that they will be responsible for the  
27       holding, operation, and conduct of such games of chance in accordance

1 with the terms of the license and the provisions of this article PART 5.

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

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

14 **24-21-510. [Formerly 12-9-105.1] Games managers -**  
15 **certification.** (1) The licensing authority shall issue a games manager  
16 certification to any qualified applicant who has demonstrated sufficient  
17 knowledge of this article PART 5, as determined by the licensing authority,  
18 and who has paid the fee established in accordance with section  
19 12-9-103.5 (3) 24-21-506 (2). A games manager certification shall be  
20 valid for a time period to be determined by the licensing authority by rule,  
21 and may be denied, suspended, or revoked for any violation of this article  
22 PART 5 or any rule or order of the licensing authority promulgated or  
23 issued pursuant to this article PART 5.

24 (1.5) (2) A person shall IS not be eligible for certification or TO act  
25 as a games manager in the conduct of a game of chance pursuant to this  
26 article PART 5 unless the person is eighteen years of age or older.

27 (2) (3) A person shall IS not be eligible for certification or TO act

1 as a games manager in the conduct of any game of chance pursuant to this  
2 ~~article~~ PART 5 if such THE person has been convicted of any  
3 MISDEMEANOR INVOLVING GAMBLING OR ANY felony. or any offense  
4 involving gambling.

5 (3)(4) Unless authorized by the licensing authority in accordance  
6 with the rules of the licensing authority, a person shall not be designated  
7 or serve as a games manager for more than three bingo-raffle licensees  
8 simultaneously. The licensing authority may promulgate rules establishing  
9 the circumstances under which a person may be designated and serve as  
10 games manager for more than three bingo-raffle licensees.

11 **24-21-511. [Formerly 12-9-105.3] Application for landlord**  
12 **license - fee.** (1) Each applicant for a landlord license shall file with the  
13 licensing authority a written application, duly executed and verified, in  
14 the form presented by the licensing authority, which application shall  
15 include, but not be limited to, the following information:

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

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

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

25 (d) A statement by the landlord or the chief executive officer of  
26 the landlord that the landlord is familiar with the provisions of this ~~article~~  
27 PART 5 as to commercial bingo facilities and landlords thereof and accepts

1       responsibility for compliance with such provisions;

2       (e) Repealed.

3       (f) (e) A statement by the landlord or the chief executive of the  
4       landlord that the primary purpose of the premises described in paragraph  
5       (c) of this subsection (1) SUBSECTION (1)(c) OF THIS SECTION is the  
6       conduct of bingo occasions.

7       (2) Each application shall designate an individual who shall act as  
8       agent for the landlord and who shall receive all communications  
9       concerning the license.

10       (3) There shall be attached to Each application MUST INCLUDE an  
11       affidavit signed by the applicant stating that WHETHER the landlord has  
12       not been convicted of any felony, THEFT BY DECEPTION, or any  
13       gambling-related offense as defined in article 10 of title 18 C.R.S. WITHIN  
14       THE PREVIOUS TEN YEARS. If the landlord is a corporation, limited liability  
15       company, or partnership, such THE affidavit shall MUST make such THE  
16       verification as to each officer and director of such THE corporation, each  
17       member and manager of such THE limited liability company, or each  
18       partner and associate of such THE partnership. A PERSON THAT HAS BEEN  
19       CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR  
20       GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18  
21       WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED  
22       PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF  
23       ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS  
24       DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN  
25       YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION  
26       REQUIRED BY THE LICENSING AUTHORITY.

27       (4) A landlord license shall expire EXPIRES at the end of the

1       calendar year in which it was issued. Each license issued shall be  
2       conspicuously displayed at the premises for which the license has been  
3       issued. No landlord license is transferable. The annual fee for each  
4       landlord license shall be established in accordance with section  
5       12-9-103.5 (3) 24-21-506 (2).

6       **24-21-512. [Formerly 12-9-105.5] Application for**  
7       **manufacturer license.** (1) Each application for a manufacturer license  
8       shall MUST include, but not be limited to, the following information:

9               (a) The name and address of the applicant;  
10               (b) The name and address of the manufacturer and, if the  
11       manufacturer is a corporation, the name and address of each officer,  
12       director, and shareholder holding an ownership interest of ten percent or  
13       more;

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

16               (d) The name and address of the resident agent of the  
17       manufacturer if the applicant does not reside in Colorado and the location  
18       in Colorado where the records of the manufacturer will be available to the  
19       licensing authority;

20               (e) The names and addresses of the Colorado suppliers and agents  
21       of the manufacturer; and

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

26               (2) To Each application for a manufacturer license shall be  
27       attached MUST INCLUDE a statement that REGARDING WHETHER the

1 applicant; or its owners; or its officers or directors if a corporation; or its  
2 members, managers, partners, or associates if another business entity, has  
3 not been convicted of any felony, THEFT BY DECEPTION, or any  
4 GAMBLING-RELATED offense involving gambling as defined in article 10  
5 of title 18. C.R.S. A PERSON THAT HAS BEEN CONVICTED OF ANY FELONY,  
6 THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS DEFINED IN  
7 ARTICLE 10 OF TITLE 18 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE  
8 FOR A LICENSE ISSUED PURSUANT TO THIS SECTION. A PERSON THAT HAS  
9 BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR  
10 GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18  
11 WITHIN MORE THAN THE PREVIOUS TEN YEARS SHALL DISCLOSE THE  
12 INFORMATION RELATED TO THE CONVICTION REQUIRED BY THE LICENSING  
13 AUTHORITY.

14 (3) Any bingo-raffle manufacturer, as defined in section 12-9-102  
15 (1.3); upon filing a true, complete, written, verified application in the  
16 form presented by the licensing authority, together with the fee for the  
17 license, is eligible for a manufacturer license. A manufacturer license  
18 shall be renewed annually, on or before March 31 of each year in which  
19 such licensee engages in or anticipates engaging in a licensed activity. A  
20 manufacturer license is nontransferable. The annual fee for each license  
21 shall be established in accordance with section 12-9-103.5 (3) 24-21-506  
22 (2).

23 **24-21-513. [Formerly 12-9-105.7] Application for supplier**  
24 **license. (1) Each application for a supplier license shall MUST include,**  
25 **but not be limited to, the following information:**  
26 **(a) The name and address of the applicant;**  
27 **(b) The name and address of the supplier and, if the supplier is a**

1 corporation, the name and address of each officer, director, and  
2 shareholder holding an ownership interest of ten percent or more;

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

5 (d) The name and address of the resident agent of the supplier if  
6 the applicant does not reside in Colorado and the location in Colorado  
7 where the records of the supplier will be available to the licensing  
8 authority;

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

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

15 (2) To Each application for a supplier license shall be attached  
16 MUST INCLUDE a statement that REGARDING WHETHER the applicant; or its  
17 owners; or its officers or directors if a corporation; or its members,  
18 managers, partners, or associates if another business entity, has not been  
19 convicted of any felony, THEFT BY DECEPTION, or any offense involving  
20 gambling as defined in article 10 of title 18. C.R.S. A PERSON THAT HAS  
21 BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR  
22 GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18  
23 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED  
24 PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF  
25 ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS  
26 DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN  
27 YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION

1        REQUIRED BY THE LICENSING AUTHORITY.

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

10        **24-21-514. [Formerly 12-9-105.9] Application for**  
11        **manufacturer's agent license or supplier's agent license.** (1) Each  
12        application for a manufacturer's agent license or supplier's agent license  
13        shall MUST include, but not be limited to, the following information:

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

15            (b) The name and address of the supplier or manufacturer  
16        represented by the applicant;

17            (c) A statement by the applicant that he or she has read,  
18        understands, and will comply with the provisions of this article PART 5 as  
19        to manufacturer's and supplier's agents and the conditions of the agent's  
20        license;

21            (d) A statement by the chief executive officer of the manufacturer  
22        or supplier represented by the agent, which statement acknowledges  
23        consent to representation by the applicant; and

24            (e) The location in Colorado where the agent's records of sales  
25        and distributions of bingo and raffle equipment and supplies will be  
26        available to the licensing authority.

27        (2) To Each agent's application shall be attached MUST INCLUDE

1 a statement that REGARDING WHETHER the applicant has not been  
2 convicted of any felony, THEFT BY DECEPTION, or any offense involving  
3 gambling as defined in article 10 of title 18. C.R.S. A PERSON THAT HAS  
4 BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR  
5 GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18  
6 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED  
7 PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF  
8 ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS  
9 DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN  
10 YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION  
11 REQUIRED BY THE LICENSING AUTHORITY.

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

22 **24-21-515. [Formerly 12-9-106] Persons permitted to conduct**  
23 **games of chance - form of bingo-raffle licenses - display.**(1) A person,  
24 firm, or organization within this state shall not conduct a game of chance  
25 without a bingo-raffle license issued by the licensing authority. Only an  
26 active member of the organization to which the bingo-raffle license is  
27 issued may hold, operate, or conduct games of chance under a license

1       issued under this article PART 5, and a person shall not assist in the  
2       holding, operating, or conducting of any games of chance under a  
3       bingo-raffle license except an active member or a member of an  
4       organization or association that is an auxiliary to the licensee, a member  
5       of an organization or association of which the licensee is an auxiliary, or  
6       a member of an organization or association that is affiliated with the  
7       licensee by being, with it, auxiliary to another organization or association.  
8       A licensee shall incur or pay only bona fide expenses in a reasonable  
9       amount for goods, wares, and merchandise furnished or services rendered  
10       that are reasonably necessary for the holding, operating, or conducting of  
11       a game of chance.

12       (2) Each bingo-raffle license must contain a statement of the name  
13       and address of the licensee and the place where bingo or lotto games or  
14       the drawing of the raffles is to be held. If the bingo-raffle licensee moves  
15       from the games or drawing location listed on its license, the bingo-raffle  
16       licensee must notify the licensing authority in writing prior to  
17       commencing bingo or conducting a raffle drawing at the new location.  
18       The licensing authority may issue a letter of authorization to move the  
19       location of the bingo or lotto games or the drawing of the raffles. The  
20       letter of authorization must remain with the original license and must be  
21       available for inspection at the place where games or drawings are to be  
22       held. A license issued for an exempt organization must include the place  
23       or places where drawings are to be held. EXCEPT AS SPECIFIED IN  
24       SUBSECTION (4) OF THIS SECTION, each bingo-raffle license issued for the  
25       conduct of any games of chance must be conspicuously displayed at the  
26       place where the game is to be conducted or the drawings held at all times  
27       during the conduct thereof. An exempt organization may comply with this

1 section by providing written notice of a license to all employees of a  
2 participating private business or government agency holding a  
3 fund-raising drive that includes a drawing on behalf of the organization.  
4 The notice must state that the license is available for public inspection  
5 during reasonable business hours and must specify where the license is  
6 maintained for inspection.

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

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

18 **24-21-516. [Formerly 12-9-106.5] Form of landlord license -**  
19 **display - fee.** (1) Each landlord license shall MUST contain a statement  
20 of the name and address of the licensee and the location of the premises.  
21 Each license issued shall be conspicuously displayed at the premises for  
22 which the license has been issued.

23 (2) A landlord license shall be issued to qualified applicants by the  
24 licensing authority upon payment of a fee and completion and approval  
25 of the landlord license application pursuant to section 12-9-105.3. Such  
26 24-21-511. THE license shall expire EXPIRES at the end of the calendar  
27 year in which it was issued by the licensing authority and may be renewed

1       upon the filing and approval of an application for renewal provided by the  
2       licensing authority and the payment of a fee. No landlord license is  
3       transferable. The fees required to be paid for new and renewed licenses  
4       shall be established in accordance with section 12-9-103.5 (3) 24-21-506  
5       (2).

6       **24-21-517. [Formerly 12-9-107] General conduct games of**  
7       **chance - premises - equipment - expenses - rules.** (1) A licensee shall  
8       not hold, operate, or conduct a game of bingo or lotto more often than as  
9       specified by the licensing authority by rule, after consultation with the  
10       board.

11       (2) A person or licensee shall not permit any person under  
12       eighteen years of age to purchase the opportunity to participate in any  
13       game of chance or purchase pull tab games.

14       (3) A person or licensee shall not permit any person under  
15       fourteen years of age to assist in the conduct of bingo or pull tabs.

16       (4) A licensee shall not offer or give an alcoholic beverage as a  
17       prize in a game of chance.

18       (5) The licensing authority shall establish by rule the method of  
19       play and amount of prizes that may be awarded; except that the maximum  
20       prize that may be awarded must be at least five hundred dollars.

21       (6) Food offered in the course of a volunteer duty shift and  
22       consumed on the premises where the game of chance is being conducted  
23       is not remuneration if the retail value of the food offered does not exceed  
24       the maximum amount per volunteer set by rule.

25       (7) (a) The officers of a bingo-raffle licensee shall designate one  
26       or more bona fide, active members of the licensee as its games managers  
27       to be in charge of and primarily responsible for the conduct of the games

1       of bingo or lotto on each occasion. The games managers shall supervise  
2       all activities on the occasion for which they are in charge and are  
3       responsible for making all required reports. The games managers,  
4       governing board of the licensee, and the individual acting in the role of  
5       a treasurer on behalf of the licensee must be familiar with all applicable  
6       provisions of state law, the rules of the licensing authority, and the  
7       license. The governing board of the licensee is ultimately responsible for  
8       the maintenance of books and records and the filing of the reports  
9       pursuant to this section. At least one games manager shall be present on  
10       the premises continuously during the games and for a period sufficient to  
11       ensure that all books and records for the occasion have been closed and  
12       that all supplies and equipment have been secured.

13       (b) An exempt organization may designate more than one of its  
14       bona fide, active members in order to comply with this subsection (7).

15       (8) The officers of a bingo-raffle licensee shall designate an  
16       officer to be in full charge of and primarily responsible for the proper  
17       utilization of the entire net proceeds of any game in accordance with the  
18       state law.

19       (9) The premises where any game of chance is being held,  
20       operated, or conducted, or is intended to be held, operated, or conducted,  
21       or where it is intended that any equipment be used, must be kept open to  
22       inspection at all times by the licensing authority, its agents and  
23       employees, and peace officers of any political subdivision of the state.

24       (10) (a) In conducting a bingo or pull tab game, a bingo-raffle  
25       licensee may operate equipment if the bingo-raffle licensee:

26       (I) Leases the equipment from a manufacturer licensee or supplier  
27       licensee on premises that are owned, leased, or rented by the licensee,

1       used as the licensee's principal place of business, and controlled so that  
2       admittance to the premises is limited to the licensee's members and bona  
3       fide guests;

4               (II) Owns the equipment; or

5               (III) Leases equipment that is owned or leased by a landlord  
6       licensee

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

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

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

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

27               (14) The net proceeds derived from the holding of games of

1       chance must be devoted, within one year, to the lawful purposes of the  
2       organization permitted to conduct the game of chance. Any organization  
3       desiring to hold the net proceeds of games of chance for a period longer  
4       than one year must apply to the licensing authority for special permission  
5       and, upon good cause shown, the licensing authority may grant the  
6       request.

7           (15) The licensing authority may require a licensee that does not  
8       report, during any one-year licensing period, positive net proceeds to  
9       show cause before the licensing authority why its right to conduct games  
10       of chance should not be suspended or revoked. The licensing authority  
11       may establish by rule the conditions for suspending, revoking, or refusing  
12       to renew a license to conduct charitable gaming for failure to report  
13       positive net proceeds.

14       **24-21-518. [Formerly 12-9-107.1] Conduct of bingo games.**  
15       (1) In the playing of bingo, only persons who are physically present on  
16       the premises where the game is actually conducted may participate as  
17       players in the game.

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

25       (b) An owner, co-owner, or lessee of premises or, if a corporation  
26       is the owner of the premises, any officer, director, or stockholder owning  
27       more than ten percent of the outstanding stock must not be a person

1       responsible for or assisting in the holding, operating, or conducting of any  
2       game of bingo.

3       (3)(a) The equipment used in the playing of bingo and the method  
4       of play must be such that each card has an equal opportunity to win. The  
5       objects or balls to be drawn must be essentially the same as to size, shape,  
6       weight, balance, and all other characteristics that may influence their  
7       selection. All objects or balls must be present in the receptacle before  
8       each game begins. All numbers announced must be plainly and clearly  
9       audible to all the players present. Where more than one room is used for  
10       any one game, the receptacle and the caller must be present in the room  
11       where the greatest number of players are present, and all numbers  
12       announced must be plainly audible to the players in the aforesaid room  
13       and also audible to the players in the other rooms.

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

18       (c) The particular arrangement of numbers required to be covered  
19       in order to win the game and the amount of the prize must be clearly and  
20       audibly described and announced to the players immediately before each  
21       game begins.

22       (d) An operator shall not reserve or allow to be reserved any bingo  
23       cards for use by players except braille cards or other cards for use by  
24       legally blind players. A person who is legally blind may use his or her  
25       personal braille cards when a licensed organization does not provide such  
26       cards. A licensed organization may inspect and reject any personal braille  
27       card. A person who is legally blind or an individual with a disability may

1       use a braille card or hard card in place of a purchased disposable paper  
2       bingo card.

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

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

12      (5) (a) Notwithstanding the limitations stated in section 12-9-107  
13      24-21-517 (5), during a bingo occasion a bingo-raffle licensee may also  
14      start a single game of progressive bingo, in an amount established by rule  
15      by the licensing authority, in which the game is won when a previously  
16      designated arrangement of numbers or spaces on the card or sheet is  
17      covered within a previously designated number of objects or balls drawn.  
18      If the game is not won within the drawing of the previously designated  
19      number of objects or balls, the game must be replayed either during each  
20      subsequent occasion the licensee conducts at the same location or during  
21      each subsequent occasion that falls on the same day of the week at the  
22      same location, using the previously designated arrangement of numbers  
23      or spaces.

24      (b) A bingo-raffle licensee may award a consolation prize for a  
25      game of progressive bingo. The bingo-raffle licensee determines the  
26      amount of the consolation prize. Notice of the amount must be  
27      conspicuously displayed before the beginning of the bingo-raffle

1       occasion, and the amount is included as part of the aggregate amount of  
2       all prizes offered or given in games played on a single occasion, as set  
3       forth in paragraph (a) of this subsection (5) SUBSECTION (5)(a) OF THIS  
4       SECTION. If a consolation prize is offered and the progressive prize is not  
5       won, the game continues until the previously designated arrangement of  
6       numbers or spaces on the card or sheet is covered, regardless of the  
7       number of balls drawn, in order to determine the winner of the  
8       consolation prize. If a consolation prize is not offered, the progressive  
9       game ends when the last of the previously designated number of balls is  
10       drawn and must be replayed in accordance with paragraph (a) of this  
11       subsection (5) SUBSECTION (5)(a) OF THIS SECTION. If a consolation prize  
12       is offered and the progressive prize is won, the licensee may opt to award  
13       the consolation prize during that occasion. If the consolation prize is  
14       awarded, the licensee must include the total amount of the consolation  
15       prize in the total amount of any subsequent games offered in the session,  
16       not to exceed the maximum allowed for the occasion.

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

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

27       (e) The licensing authority may establish by rule the maximum

1       number of progressive bingo games, not less than one, that may be  
2       conducted during an occasion. In order to ensure that all prizes offered  
3       are timely awarded, the licensing authority may limit by rule the number  
4       of occasions in which a progressive bingo game may be conducted before  
5       a prize must be awarded; except that the maximum number of occasions  
6       must be at least thirty.

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

12           (b) Cards and sheets that are designed or intended for use with  
13       electronic devices used as aids in the game of bingo shall not be  
14       purchased or sold at prices in excess of the usual price of cards and sheets  
15       that are not designed or intended for use with electronic devices used as  
16       aids in the game of bingo. Charges imposed by any manufacturer,  
17       supplier, agent thereof, or bingo-raffle licensee for cards and sheets that  
18       are designed or intended for use with electronic devices used as aids in  
19       the game of bingo shall be stated and imposed separately from any  
20       charges imposed by the manufacturer, supplier, agent thereof, or  
21       bingo-raffle licensee for the purchase, lease, or use of electronic devices  
22       used as aids in the game of bingo. Manufacturers, suppliers, and their  
23       agents shall not include costs attributable to the manufacture or  
24       distribution of electronic devices used as aids in the game of bingo in  
25       charges imposed for the purchase or lease of equipment, including cards  
26       and sheets.

27           (7) (a) If a card or sheet is played with the aid of an electronic

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

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

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

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;

1                   (B) The electronic device compares the numbers entered to the  
2                   numbers contained on bingo cards previously stored in the electronic  
3                   database of the electronic device;

4                   (C) The electronic device identifies winning bingo patterns; and  
5                   (D) The electronic device signals when a winning bingo pattern  
6                   is achieved.

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

12                   (c) When a complaint regarding an electronic device used in the  
13                   aid of bingo that is in use in the state of Colorado has been filed with the  
14                   licensing authority, the manufacturer of the device shall provide to the  
15                   licensing authority a sample of the device and bingo aid computer system  
16                   to assist the investigation by the licensing authority. The licensing  
17                   authority shall return the electronic device and bingo aid computer system  
18                   no later than forty-five days after receiving them unless they are needed  
19                   longer to complete the investigation.

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

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

25                   (a) The system must contain a record of all transactions occurring  
26                   during a bingo-raffle session. The record must be retained in memory  
27                   until the transactions have been totaled, printed, and cleared by the

1       bingo-raffle licensee, regardless of whether the power supply has been  
2       interrupted.

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

7       (c) The system must maintain and control the time, date of sale,  
8       and transaction number, keeping the information secure enough that only  
9       a manufacturer's qualified personnel can change or reset the information.  
10      The manufacturer's qualified personnel shall retain a detailed record for  
11      each service call that involves a change of the time, date of sale, or  
12      transaction number.

13      (10) If an electronic device used as an aid in the game of bingo  
14      complies with sub-subparagraphs (A) to (D) of subparagraph (H) of  
15      paragraph (a) of subsection (8) SUBSECTIONS (8)(a)(II)(A) TO  
16      (8)(a)(II)(D) of this section, and if the bingo aid computer system for the  
17      electronic device substantially complies with the requirements of  
18      subsection (9) of this section, the licensing authority shall approve the  
19      electronic device and computer system for use by a letter ruling pursuant  
20      to section 12-9-103 24-21-505 (1)(d).

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

25      (a) Owned, leased, or rented by the bingo-raffle licensee, used as  
26      its principal place of business, and controlled so that admittance to the  
27      premises is limited to the bingo-raffle licensee's members and bona fide

1      guests; or

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

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

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

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

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

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

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

27            (5) (a) A licensee shall not possess, use, sell, offer for sale, or put

1 into play any computerized or electromechanical facsimile of a pull tab  
2 game.

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

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

12 (I) The manufacturer of the device;  
13 (II) The supplier through which the device was supplied;  
14 (III) The landlord licensee on whose premises the device was  
15 found; and  
16 (IV) The bingo-raffle licensee of the occasion during which the  
17 device was present.

18 (6)(a) The licensing authority shall test, inspect, and license every  
19 mechanical, electronic, or electromechanical device that reveals the  
20 winning or nonwinning status of a pull tab ticket before the device is used  
21 in charitable gaming. The licensing authority shall employ an independent  
22 contractor to conduct the tests and inspections, the cost of which shall be  
23 borne by the manufacturer or supplier seeking approval of the device. The  
24 licensing authority shall not issue a license for a device until the device  
25 is secured in a manner prescribed by the licensing authority and the  
26 contractor receives payment in full for the cost of all tests and  
27 inspections.

1                   **(b) Every person shipping or importing into Colorado a device**  
2                   **subject to paragraph (a) of this subsection (6) SUBSECTION (6)(a) OF THIS**  
3                   **SECTION shall provide the licensing authority with a copy of the shipping**  
4                   **invoice at the time of shipment. The invoice must contain, at a minimum,**  
5                   **the destination of the shipment and the serial number and description of**  
6                   **each device being transported.**

7                   **(c) Every person receiving a device subject to paragraph (a) of this**  
8                   **subsection (6) SUBSECTION (6)(a) OF THIS SECTION shall, upon receipt of**  
9                   **the device, provide the licensing authority with the serial number and**  
10                   **description of each device received and information describing the**  
11                   **location of each device. The requirements of this paragraph (c)**  
12                   **SUBSECTION (6)(c) apply regardless of whether the device is received**  
13                   **from a licensed supplier or from any other source.**

14                   **(d) A device licensed pursuant to this subsection (6) is licensed**  
15                   **for and may only be used in one specific licensed location identified by**  
16                   **the licensing authority. Any movement of the device from the licensed**  
17                   **location for use at another licensed location shall be reported to AND**  
18                   **MUST BE APPROVED BY the licensing authority in advance.**

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

21                   **(f) Notwithstanding any other provision of this article PART 5, the**  
22                   **licensing authority shall not license:**

23                   **(I) A pull tab game that is stored, electronically or otherwise,**  
24                   **within a device and designed to be played on such device; or**  
25                   **(II) Any device that qualifies as a slot machine pursuant to section**  
26                   **9 (4)(c) of article XVIII of the Colorado constitution.**

27                   **(g) The prohibition contained in paragraph (f) of this subsection**

1        (6) SUBSECTION (6)(f) OF THIS SECTION does not prohibit the licensing of:

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

3            (II) A device that merely reads or validates a pull tab ticket

4            inserted by a player, if:

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

7            and

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

11            **24-21-520. [Formerly 12-9-107.3] Conduct of raffles - rules.**

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

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

22            (b) A bingo-raffle licensee may award a consolation prize for a  
23            progressive raffle. in which the jackpot is not won. The bingo-raffle  
24            licensee may designate the consolation prize as either a specified amount  
25            or a specified percentage of the gross proceeds collected from the sale of  
26            raffle tickets for a particular drawing. The bingo-raffle licensee may  
27            determine the amount of the jackpot based on the gross proceeds

1       collected from the sale of raffle tickets for a particular drawing plus the  
2       value of the jackpot carried over from previous drawings in which the  
3       jackpot was not awarded. IF A CONSOLATION PRIZE IS OFFERED AND THE  
4       PROGRESSIVE PRIZE IS WON, THE LICENSEE MAY OPT TO AWARD THE  
5       CONSOLATION PRIZE FOR THAT PARTICULAR DRAWING.

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

8              (I) Designate the specific amount or specific percentage of the  
9       gross proceeds collected from the sale of raffle tickets that the consolation  
10      prize equals; and

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

13           (d) The licensing authority may establish by rule the maximum  
14      jackpot that a bingo-raffle licensee may award for a progressive raffle;  
15      except that, notwithstanding section 12-9-107 24-21-517 (5), the  
16      maximum jackpot must be at least fifteen thousand dollars. The maximum  
17      jackpot does not include the aggregate amount of consolation prizes  
18      awarded.

19           (e) The licensing authority may establish by rule the maximum  
20      number of progressive raffles that a bingo-raffle licensee may conduct  
21      simultaneously. To ensure that all prizes offered are timely awarded, the  
22      licensing authority may limit by rule the number of drawings that a  
23      bingo-raffle licensee may conduct before a jackpot must be awarded;  
24      except that the maximum number of drawings must be at least thirty.

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

27           (II) The licensing authority may not prohibit those methods of

1 conducting a progressive raffle in which the participant whose ticket  
2 number is drawn wins both a prize for the winning ticket number and a  
3 chance to win the jackpot.

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

16 (2) (Deleted by amendment, L. 99, p. 1425, § 1, effective June 5,  
17 1999.)

18 (3) (2) No An individual shall NOT act for or represent a landlord,  
19 manufacturer, or supplier licensee with respect to an activity covered by  
20 such license unless such individual is the licensee's owner, officer,  
21 director, partner, member, or ten percent or more shareholder of record  
22 with the licensing authority, or is the manufacturer's or supplier's licensed  
23 agent. No A manufacturer or supplier licensee shall NOT allow any person  
24 not authorized by this subsection (3) (2) to represent it or serve as its  
25 agent with regard to any Colorado transaction.

26 (4) (3) Except to the extent otherwise provided in section  
27 12-9-106 24-21-515 (1), a manufacturer or supplier licensee or licensed

1 agent shall not buy, receive, sell, lease, furnish, or distribute any pull tabs,  
2 bingo cards or sheets, electronic devices used as aids in the game of  
3 bingo, or other games of chance equipment from or to any person within  
4 Colorado other than manufacturer or supplier licensees or agents and  
5 bingo-raffle licensees; except that:

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

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

15 (5) (4) Every manufacturer and supplier licensee shall file, upon  
16 forms prescribed by the licensing authority, quarterly reports on its  
17 licensed activities within Colorado. Such THE reports shall MUST be  
18 accompanied by quarterly fees established by the licensing authority in  
19 accordance with section 12-9-103.5 (3) 24-21-506 (2) and deposited in  
20 the bingo-raffle DEPARTMENT OF STATE cash fund Such CREATED IN  
21 SECTION 24-21-104 (3)(b). THE reports shall be filed with the licensing  
22 authority no later than April 30, July 31, October 31, and January 31 of  
23 each year licensed, and each report shall MUST cover the preceding  
24 calendar quarter. Reports shall MUST enumerate by quantity, purchaser or  
25 lessee, and price the pull tabs, bingo cards or sheets, electronic devices  
26 used as aids in the game of bingo, and other games of chance equipment  
27 manufactured, conveyed, or distributed within Colorado or for use or

1 distribution in Colorado and shall MUST include the licensee's total sales,  
2 including amounts realized from leases, of equipment as defined in  
3 section 12-9-102 (5) and electronic devices used as aids in the game of  
4 bingo and the names and addresses of all Colorado suppliers or agents of  
5 the licensee and shall be signed and verified by the owner or the chief  
6 executive officer of the licensee. These quarterly reports shall ARE not be  
7 public records as defined in section 24-72-202. E.R.S.

8 (6) (5) Every manufacturer or supplier licensee, and every  
9 licensed agent for such licensee, shall keep and maintain complete and  
10 accurate records, in accord with generally accepted accounting principles,  
11 of all licensed activities. The records shall include invoices for all games  
12 of chance equipment or electronic devices used as aids in the game of  
13 bingo conveyed or distributed within Colorado, or for use or distribution  
14 in Colorado, which invoices are specific as to the nature, description,  
15 quantity, and serial numbers of the pull tabs, bingo cards or sheets,  
16 electronic devices used as aids in the game of bingo, and other equipment  
17 so conveyed or distributed. The records shall also show all receipts and  
18 expenditures made in connection with licensed activities, including, but  
19 not limited to, records of sales by dates, purchasers, and items sold or  
20 leased, monthly bank account reconciliations, disbursement records, and  
21 credit memos for any returned items. These records shall be maintained  
22 for a period of at least three years.

23 (7) (6) No A manufacturer or supplier licensee or licensed agent  
24 shall MUST NOT be a person responsible for or assisting in the conduct,  
25 management, or operation of any game of chance within Colorado.

26 **24-21-522. [Formerly 12-9-108] Bingo-raffle licensee's**  
27 **statement of receipts - expenses - fee - definitions.** (1) (a) On or before

1       April 30, July 31, October 31, and January 31 of each year, every  
2       bingo-raffle licensee shall file with the licensing authority upon forms  
3       prescribed by the licensing authority a duly verified statement covering  
4       the preceding calendar quarter showing the amount of the gross receipts  
5       derived during said periods from games of chance, the expenses incurred  
6       or paid, and a brief description of the classification of such expenses, the  
7       net proceeds derived from games of chance, and the uses to which such  
8       net proceeds have been or are to be applied. It is the duty of Each licensee  
9       to SHALL maintain and keep such books and records as may be necessary  
10      to substantiate the particulars of each such report.

11       (b) Exempt organizations shall ARE not be subject to the  
12      requirements of this subsection (1), except to the extent that they shall file  
13      with the licensing authority statements showing the amount of the gross  
14      proceeds from their fund-raising drives and identifying all organizations  
15      receiving portions of such proceeds and the amounts received by each  
16      such organization.

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

21       (b) Exempt organizations shall be ARE subject to the requirements  
22      of this subsection (2) only to the extent that such requirements apply to  
23      paragraph (b) of subsection (1) SUBSECTION (1)(b) of this section.

24       (3)(a) All moneys MONEY collected or received from the sale of  
25      admission, extra regular cards, special game cards, sale of supplies, and  
26      all other receipts from the games of bingo, raffles, and pull tab games  
27      shall be deposited in a special checking or savings account, or both, of the

1       licensee, which must contain only these moneys THIS MONEY. If the  
2       licensee conducts progressive games of chance, the licensee may maintain  
3       one additional checking or savings account, which must contain only  
4       money received from the sale of progressive games. The licensee may  
5       withdraw money from these accounts only by consecutively numbered  
6       checks or withdrawal slips or by electronic transactions referenced by  
7       transaction number or date. A check or withdrawal slip must not be drawn  
8       to "cash" or a fictitious payee. The licensee shall maintain all of its books  
9       and records in accordance with generally accepted accounting principles.

10       (b) Exempt organizations shall ARE not be subject to the  
11       requirements of this subsection (3).

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

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

21       (a) Advertising and marketing;

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

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

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

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

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

7                   (g) Accountant's fees; and

8                   (h) License fees.

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

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

13                  (II) "Services rendered" means:

14                  (A) The repair of equipment;

15                  (B) Compensation to bookkeepers or accountants for services in  
16                  preparing financial reports for a reasonable amount as determined by the  
17                  licensing authority by rule. No A landlord, manufacturer, or supplier  
18                  licensee, or employee of a landlord, manufacturer, or supplier licensee,  
19                  shall NOT act as a bookkeeper or accountant for a bingo-raffle licensee,  
20                  nor shall a landlord, manufacturer, or supplier licensee offer or provide  
21                  accounting or bookkeeping services in connection with the preparation of  
22                  financial reports on bingo-raffle activities, except for the transfer or  
23                  encoding of data necessitated by the sale, upgrade, or maintenance of  
24                  accounting software sold or leased to a bingo-raffle licensee by a  
25                  landlord, manufacturer, or supplier licensee. A landlord licensee that is  
26                  also a bingo-raffle licensee may act as a bookkeeper or accountant on  
27                  such licensee's own behalf.

- 1                   (C) The rental of premises;  
2                   (D) A reasonable amount for janitorial service as determined by  
3                   the licensing authority in rules for each occasion; and  
4                   (E) A reasonable amount for security expense based on  
5                   established need as determined by the licensing authority in rules for each  
6                   occasion.

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

15                   (7) Each licensee, at the time each financial report is submitted to  
16                   the licensing authority, shall pay to the order of the licensing authority the  
17                   amount of administration expense provided in subsection (6) of this  
18                   section.

19                   **24-21-523. [Formerly 12-9-109] Examination of books and**  
20                   **records - rules.** The licensing authority and its agents have power to  
21                   examine or cause to be examined the books and records of any licensee  
22                   to which any license is issued pursuant to this article PART 5 insofar as  
23                   they may relate to any transactions connected with activities under the  
24                   license. The licensing authority may require by rule that licensees that  
25                   have failed to keep proper books and records, or to maintain their books  
26                   and records in accordance with generally accepted accounting principles,  
27                   adopt certain internal financial controls and attend training to ensure the

1       integrity of the reporting of games of chance activities pursuant to this  
2       article PART 5.

3       **24-21-524. [Formerly 12-9-110] Forfeiture of license -**  
4       **ineligibility to apply for license.** Any A person who makes any A false  
5       statement in any AN application for any such A license or in any statement  
6       annexed thereto, fails to keep sufficient books and records to substantiate  
7       the quarterly reports required under section 12-9-108 24-21-522, falsifies  
8       any books or records insofar as they relate to any transaction connected  
9       with the holding, operating, and conducting of any A game of chance  
10       under any such THE license, or violates any of the provisions of this  
11       article PART 5 or of any term of such THE license, if convicted, in addition  
12       to suffering any other penalties that may be imposed, shall forfeit any  
13       license issued to it under this article PART 5 and shall be IS ineligible to  
14       apply for a license under this article PART 5 for at least NO MORE THAN  
15       one year thereafter.

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

24       (2) All bingo-raffle volunteers shall be ARE immune from civil  
25       actions and liabilities pursuant to section 13-21-115.5, C.R.S., which  
26       provides that volunteers shall ARE not be personally liable for their acts  
27       or omissions if they are acting in good faith and within the scope of their

1 official function and duty for a charitable organization, with respect to  
2 such organization's conduct of games of chance. Bingo-raffle volunteers  
3 shall ~~ARE~~ not be liable under this section if the harm is not caused by  
4 willful and wanton misconduct, gross negligence, reckless misconduct,  
5 or a conscious, flagrant indifference to the rights or safety of the  
6 individual harmed.

7 **24-21-526. [Formerly 12-9-112] Unfair trade practices.**

8 (1) The provisions of the "Unfair Practices Act", article 2 of title 6,  
9 C.R.S., and the "Colorado Antitrust Act of 1992", article 4 of title 6,  
10 C.R.S., are specifically applicable to charitable gaming activities  
11 conducted by any licensee. Within thirty days after receiving a complaint  
12 alleging a violation of either of said acts, the licensing authority shall  
13 transmit such complaint to the attorney general.

14 (2) THE LICENSING AUTHORITY SHALL REVOKE THE LICENSE OF a  
15 licensee that violates any provision of article 2 of title 6 C.R.S., or article  
16 4 of title 6 C.R.S., shall have its license revoked by the licensing authority  
17 for a period of one year from AFTER the date of the finding of such THE  
18 violation. Upon the expiration of such period, the licensee may apply for  
19 the issuance of a new license.

20 **24-21-527. [Formerly 12-9-112.5] Common members -**  
21 **bingo-raffle licensees - definition.** (1) For the purposes of this section,  
22 "bingo-raffle licensee affiliate" means the following:

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

26 (b) Any A person that has an officer, director, member, manager,  
27 partner, games manager, salaried employee, or IMMEDIATE FAMILY

1 member of their immediate families in common with a bingo-raffle  
2 licensee.

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

15 **24-21-528. [Formerly 12-9-113] Enforcement.** It is the duty of  
16 all sheriffs and police officers to enforce the provisions of this article  
17 PART 5, to receive complaints, to initiate investigations, and to arrest and  
18 complain against any person violating any provisions of this article PART  
19 5. It is the duty of the district attorney of the respective districts of this  
20 state to prosecute all violations of this article PART 5 in the manner and  
21 form as is now provided by law for the prosecutions of crimes and  
22 misdemeanors, and it is a violation of this article PART 5 for any such  
23 person knowingly to fail to perform his OR HER duty under this section.

24 **24-21-529. [Formerly 12-9-114] Penalties for violation.** Every  
25 licensee and every officer, agent, or employee of the licensee and every  
26 other person or corporation who willfully violates or who procures, aids,  
27 or abets in the willful violation of this article PART 5 commits a class 2

1       misdemeanor and shall be punished as provided in section 18-1.3-501;  
2       C.R.S.; except that, if the underlying factual basis of the violation  
3       constitutes a crime as defined by any other provision of law, then such  
4       THE person may be charged, prosecuted, and punished in accordance with  
5       such other provision of law.

6       **24-21-530. [Formerly 12-9-201] Colorado bingo-raffle**  
7       **advisory board - creation.** (1) There is hereby created, within the  
8       department of state, the Colorado bingo-raffle advisory board.

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

20       (a) (I) Three members of the board shall MUST be bona fide  
21      members of a bingo-raffle licensee that is classified as a religious  
22      organization, a charitable organization, a labor organization, an  
23      educational organization, or a voluntary firefighter's organization; except  
24      that no more than one member shall be appointed from any one such  
25      classification;

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

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

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

4                   (V) Two members of the board shall MUST be landlord licensees;  
5                   and

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

11                   (b) (I) Of the five members of the board who are categorized as  
12                   bona fide members of a bingo-raffle licensee, two shall be appointed by  
13                   the president of the senate, two shall be appointed by the speaker of the  
14                   house of representatives, and one shall be appointed jointly by the  
15                   president and the speaker.

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

19                   (III) The president of the senate shall appoint the member of the  
20                   board who is a supplier licensee. The speaker of the house shall appoint  
21                   the member of the board who is a registered elector.

22                   (c) Initial members shall be appointed to the board as follows:  
23                   Two members to serve until July 1, 2000, two members to serve until July  
24                   1, 2001, two members to serve until July 1, 2002, and three members to  
25                   serve until July 1, 2003. All subsequent appointments shall be ARE for  
26                   terms of four years. No member of the board shall be IS eligible to serve  
27                   more than two consecutive terms.

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

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

10                   (f) The APPOINTING OFFICER SHALL TERMINATE THE term of any  
11                   member of the board who misses more than two consecutive regular  
12                   board meetings without good cause, or who no longer meets the  
13                   requirements for membership imposed by this section. shall be terminated  
14                   by the appointing officer. Such THE member's successor shall be  
15                   appointed in the manner provided for appointments under this section.

16                   (g) Board members shall ARE ENTITLED TO receive as  
17                   compensation for their services fifty dollars for each day spent in the  
18                   conduct of board business, not to exceed five hundred dollars per member  
19                   per year, and shall ARE ENTITLED TO be reimbursed for necessary travel  
20                   and other reasonable expenses incurred in the performance of their  
21                   official duties.

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

1                   (i) The board shall hold at least ~~six~~ TWO meetings each year and  
2                   such additional meetings as the members may deem necessary. In  
3                   addition, special meetings may be called by the chair, any three board  
4                   members, or the secretary of state LICENSING AUTHORITY if written  
5                   notification of such THE meeting is delivered to each member at least  
6                   seventy-two hours prior to such BEFORE THE meeting. Notwithstanding  
7                   the provisions of section 24-6-402, C.R.S., in emergency situations in  
8                   which a majority of the board certifies that exigencies of time require that  
9                   the board meet without delay, the requirements of public notice and of  
10                   seventy-two hours' actual advance written notice to members may be  
11                   dispensed with, and board members as well as the public shall receive  
12                   such notice as is reasonable under the circumstances.

13                   (j) A majority of the board shall constitute CONSTITUTES a  
14                   quorum, and the concurrence of a majority of the members present shall  
15                   be IS required for any final determination by the board.

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

18                   **24-21-531. [Formerly 12-9-202] Board - duties.** (1) In addition  
19                   to any other duties set forth in this part ~~≥ 5~~, the board shall: have the  
20                   following duties:

21                   (a) To Conduct a continuous study of charitable gaming  
22                   throughout the state for the purpose of ascertaining any defects in this  
23                   article PART 5 or in the rules promulgated pursuant to this article PART 5;  
24                   AND

25                   (b) To Formulate and recommend changes to this article PART 5  
26                   to the general assembly.

27                   (c) Repealed.

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

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

6                   (b) The requirements, qualifications, and grounds for the issuance  
7 of all types of permanent and temporary licenses required for the conduct  
8 of charitable gaming;

9                   (c) The requirements, qualifications, and grounds for the  
10 revocation, suspension, and summary suspension of all licenses required  
11 for the conduct of charitable gaming;

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

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

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

18                   (g) The amount of fees for licenses issued by the licensing  
19 authority and for the performance of administrative services pursuant to  
20 this article PART 5;

21                   (h) The establishment of criteria under which a person may serve  
22 as a games manager;

23                   (i) The content and conduct of classes or training seminars to  
24 benefit bingo-raffle charitable licensees, officers, and volunteers to better  
25 account for funds collected from games of chance;

26                   (j) Standardized rules, procedures, and policies to clarify and  
27 simplify the auditing of licensees' records;

1                   (k) The types of charitable gaming activities to be conducted in  
2                   the future, based upon a continuing review of the available state of the art  
3                   of equipment in Colorado and elsewhere, and the policies and procedures  
4                   approved and implemented by other states for the conduct of their  
5                   charitable gaming activities; and

6                   (l) The conditions for a licensee's plan for disposal of any  
7                   equipment and the distribution of any remaining net proceeds upon  
8                   termination of a bingo-raffle license for the licensee's failure to timely or  
9                   sufficiently renew such license.

10                   **24-21-532. [Formerly 12-9-301] Repeal - review of functions.**

11                   This article PART 5 is repealed, effective July 1, 2017. Prior to such  
12                   SEPTEMBER 1, 2026. BEFORE THE repeal, the licensing functions of the  
13                   secretary of state LICENSING AUTHORITY and the functions of the Colorado  
14                   bingo-raffle advisory board in the department of state shall be reviewed  
15                   as provided for in ARE SCHEDULED FOR REVIEW IN ACCORDANCE WITH  
16                   section 24-34-104. C.R.S.

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

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

21                   **12-47-901. Unlawful acts - exceptions - definitions. (5) It is**  
22                   unlawful for any person licensed to sell at retail pursuant to this article  
23                   ARTICLE 47 or article 46 of this title TITLE 12:

24                   (n) (I) To authorize or permit any gambling, or the use of any  
25                   gambling machine or device, except as provided by the "Bingo and  
26                   Raffles Law", article 9 of this title. The provisions of this paragraph (n)  
27                   shall PART 5 OF ARTICLE 21 OF TITLE 24. THIS SUBSECTION (5)(n) DOES not

1       apply to those activities, equipment, and devices authorized and legally  
2       operated pursuant to articles 47.1 and 60 of this title TITLE 12.

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

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

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

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