

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 19, 2018
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB18-1375 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, line 20, after "its" insert "APPLICABLE
- 2 PREDECESSOR OR".

- 3 Page 3, line 18, before "for" insert "OR, IF APPLICABLE, ITS PREDECESSOR
- 4 OR SUCCESSOR INDEX".

- 5 Page 4, line 2, strike "index." and substitute "index OR ITS APPLICABLE
- 6 PREDECESSOR OR SUCCESSOR INDEX."

- 7 Page 7, line 14, after "its" insert "APPLICABLE PREDECESSOR OR".

- 8 Page 22, line 26, after "ITS" insert "APPLICABLE" and strike "its" and
- 9 substitute "its".

- 10 Page 32, line 4, after "its" insert "APPLICABLE PREDECESSOR OR".

- 11 Page 33, line 14, strike "index" and substitute "index, OR ITS APPLICABLE
- 12 PREDECESSOR OR SUCCESSOR INDEX,".

- 13 Page 37, line 16, after "its" insert "APPLICABLE PREDECESSOR OR".

- 14 Page 38, line 4, after "its" insert "APPLICABLE PREDECESSOR OR".

- 15 Page 40, line 23, after "its" insert "APPLICABLE PREDECESSOR OR".

- 1 Page 43, line 4, after "ITS" insert "APPLICABLE".
- 2 Page 43, line 7, after "ITS" insert "APPLICABLE".
- 3 Page 43, line 18, after "its" insert "APPLICABLE PREDECESSOR OR".
- 4 Page 52, line 3, after "its" insert "APPLICABLE PREDECESSOR OR".
- 5 Page 52, line 20, after "its" insert "APPLICABLE PREDECESSOR OR".
- 6 Page 53, line 2, after "its" insert "APPLICABLE PREDECESSOR OR".
- 7 Page 57, after line 12, insert:

8 **"SECTION 91.** In Colorado Revised Statutes, 5-16-103, **amend**
9 (3)(b)(VIII) as follows:

10 **5-16-103. Definitions.** As used in this article 16, unless the context
11 otherwise requires:

12 (3) (b) "Collection agency" does not include:

13 (VIII) A limited gaming or racing licensee acting pursuant to ~~part 6 of~~
14 ~~article 35 of title 24~~ ARTICLE 33 OF TITLE 44.

15 **SECTION 92.** In Colorado Revised Statutes, 24-21-602, **amend**
16 (38) as follows:

17 **24-21-602. Definitions.** As used in this part 6, unless the context
18 otherwise requires:

19 (38) "Raffle" means a game in which a participant buys a ticket
20 for a chance at a prize with the winner determined by a random method
21 as determined by rules of the licensing authority, or a pull tab ticket as
22 described in subsection (36) of this section. The term "raffle" does not
23 include any activity that is authorized or regulated by the state lottery
24 division pursuant to ~~part 2 of article 35 of this title 24~~ ARTICLE 40 OF
25 TITLE 44 or the "Limited Gaming Act of 1991", ~~article 47.1 of title 12 30~~
26 OF TITLE 44.

27 **SECTION 93.** In Colorado Revised Statutes, **amend** 39-3-111 as
28 follows:

29 **39-3-111. Property - used by fraternal or veterans'**
30 **organization - charitable purposes - exemption - limitations.** Property,
31 real and personal, which is owned and used solely and exclusively for
32 strictly charitable purposes and not for private gain or corporate profit
33 shall be exempt from the levy and collection of property tax if such
34 property is used by any fraternal organization, as defined in section

1 ~~12-9-102 (6), C.R.S.~~ 24-21-602 (18), notwithstanding the requirement
2 that such organization be in existence for a period of five years, or by any
3 veterans' organization, as defined in section ~~12-9-102 (21), C.R.S.~~
4 24-21-602 (43), notwithstanding the requirement that such organization
5 be in existence for a period of five years, and the net income derived from
6 the use of such property is irrevocably dedicated to any of the purposes
7 specified in sections 39-3-106 to 39-3-110, 39-3-112, or 39-3-113 and to
8 the purpose of maintaining and operating such organization. As used in
9 this section, the term "net income" means all items of revenue and gain
10 minus all items of loss and expense, including amounts reasonably
11 anticipated for future needs, as determined according to the usual method
12 of accounting for such organization. No requirement shall be imposed
13 that use of property which is otherwise exempt pursuant to this section
14 shall benefit the people of Colorado in order to qualify for said
15 exemption. Any exemption claimed pursuant to the provisions of this
16 section shall comply with the provisions of section 39-2-117."

17 Renumber succeeding sections accordingly.

18 Page 57, line 15, strike "and 65" and substitute "65, and 92".

19 Page 57, after line 17, insert:

20 "(3) Section 91 of this act takes effect only if Senate Bill 18-035
21 becomes law, in which case this section takes effect October 1, 2018."

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