

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0877.01 Megan Waples x4348

SENATE BILL 18-182

SENATE SPONSORSHIP

Coram and Guzman,

HOUSE SPONSORSHIP

Catlin and Arndt,

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

A BILL FOR AN ACT

101 CONCERNING THE AUTHORITY TO ALLOCATE A PORTION OF THE
102 SOURCE MARKET FEE TO STATUTORILY AUTHORIZED PURSE
103 FUNDS.

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>.)

Current law requires persons outside of Colorado who accept wagers from residents of Colorado on simulcast horse racing events to be licensed in Colorado and to pay a source market fee into the racing cash fund. The bill authorizes the director of the division of racing events to allocate a portion of the source market fee to be paid to the horse

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

breeders' and owners' awards and supplemental purse fund (supplemental purse fund), if necessary, to maintain a sustainable and competitive purse structure in Colorado. The money credited to the supplemental purse fund from the source market fee is to be paid out as purses for races held at live race meets in Colorado, as authorized by the director, or as otherwise authorized by rules of the commission.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-60-202, **amend**
3 (3) introductory portion and (3)(h) as follows:

4 **12-60-202. Director - qualifications - powers and duties.**

5 (3) The director, as administrative head of the division, shall direct and
6 supervise all administrative and technical activities of the division. In
7 addition to the duties imposed upon the director elsewhere in this ~~article~~
8 ARTICLE 60, it shall be the director's duty:

9 (h) (I) To establish and adjust fees for all licenses and
10 registrations issued pursuant to this ~~article~~ ARTICLE 60 in an amount
11 sufficient to generate revenue that approximates the direct and indirect
12 cost of administering this ~~article~~ ARTICLE 60; except that an increase of
13 more than ten percent in the fee for an occupational license or registration
14 shall be subject to ratification by the commission. EXCEPT AS PROVIDED
15 IN SUBSECTION (3)(h)(II) OF THIS SECTION, such fees shall be credited to
16 the racing cash fund created in section 12-60-205.

17 (II) IN ESTABLISHING AND ADJUSTING THE SOURCE MARKET FEE
18 DEFINED IN SECTION 12-60-102 (25.5), THE DIRECTOR MAY ALLOCATE A
19 PORTION OF THE FEE TO BE CREDITED TO THE HORSE BREEDERS' AND
20 OWNERS' AWARDS AND SUPPLEMENTAL PURSE FUND ESTABLISHED IN
21 SECTION 12-60-704 IF THE DIRECTOR DETERMINES THAT SUCH AN
22 ALLOCATION IS NECESSARY TO MAINTAIN A SUFFICIENT AND COMPETITIVE

1 PURSE STRUCTURE. THE TOTAL FEE PAID UNDER THIS SECTION MUST NOT
2 EXCEED THE LIMIT SET FORTH IN SECTION 12-60-501 (2)(d).

3 **SECTION 2.** In Colorado Revised Statutes, 12-60-704, **add** (6)
4 as follows:

5 **12-60-704. Horse breeders' and owners' awards and**
6 **supplemental purse fund - awards - advisory committee.** (6) MONEY
7 CREDITED TO THE FUND FROM THE SOURCE MARKET FEE IN ACCORDANCE
8 WITH SECTION 12-60-202 (3)(h)(II) SHALL BE PAID AS AUTHORIZED BY THE
9 DIRECTOR AS PURSES FOR RACES HELD AT LIVE RACE MEETS IN COLORADO
10 OR AS OTHERWISE AUTHORIZED BY RULES OF THE COMMISSION.

11 **SECTION 3. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2018 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.