

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 20-1209.01 Duane Gall x4335

HOUSE BILL 20-1399

HOUSE SPONSORSHIP

Esgar and McCluskie,

SENATE SPONSORSHIP

Moreno and Rankin, Zenzinger

House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE TEMPORARY SUSPENSION OF STATUTORY**
102 **ALLOCATIONS OF LIMITED GAMING TAX REVENUES, AND, IN**
103 **CONNECTION THEREWITH, MAKING AND REDUCING**
104 **APPROPRIATIONS.**

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/>.)

Joint Budget Committee. The bill suspends, for 2 years, the operation of statutory provisions allocating specific amounts of revenue derived from the tax on limited gaming activity to the following cash

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.*

SENATE
Amended 2nd Reading
June 5, 2020

HOUSE
3rd Reading Unamended
June 3, 2020

HOUSE
2nd Reading Unamended
June 1, 2020

funds:

- ! The Colorado travel and tourism promotion fund, administered by the board of directors of the Colorado tourism office;
- ! The advanced industries acceleration cash fund, administered by the Colorado office of economic development;
- ! The local government limited gaming impact fund, including the limited gaming impact account and the gambling addiction account, administered by the departments of local affairs and human services and local governmental entities;
- ! The innovative higher education research fund, administered by the higher education competitive research authority;
- ! The creative industries cash fund, administered by the council on creative industries; and
- ! The Colorado office of film, television, and media operational account cash fund, administered by the Colorado office of film, television, and media.

The bill adjusts current long bill appropriations to fund the respective programs for the 2020-21 state fiscal year.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-30-701, **amend**
3 (2)(a) introductory portion; and **add** (2)(c) as follows:

4 **44-30-701. Limited gaming fund - created - repeal.**

5 (2) (a) Except as provided in subsection (2)(b) OR (2)(c) of this section,
6 at the end of the 2012-13 state fiscal year and at the end of each state
7 fiscal year thereafter, the state treasurer shall transfer the state share as
8 follows:

9 (c)(I) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
10 CONTRARY, THE STATE TREASURER SHALL NOT MAKE ANY OF THE
11 TRANSFERS SPECIFIED IN SUBSECTIONS (2)(a)(I) TO (2)(a)(VI) OF THIS
12 SECTION AT THE END OF THE 2019-20 AND 2020-21 STATE FISCAL YEARS.

13 (II) THIS SUBSECTION (2)(c) IS REPEALED, EFFECTIVE JULY 1, 2023.

1 **SECTION 2.** In Colorado Revised Statutes, 44-30-1301, **amend**
2 (1) and (4) as follows:

3 **44-30-1301. Local government limited gaming impact fund -**
4 **rules - definitions - repeal.** (1) ~~(a)~~ There is hereby created in the office
5 ~~of the state treasurer~~ TREASURY the local government limited gaming
6 impact fund, referred to in this part 13 as the "fund", and within the fund,
7 there is created the limited gaming impact account and the gambling
8 addiction account. THE FUND CONSISTS OF MONEY TRANSFERRED TO THE
9 FUND PURSUANT TO SECTION 44-30-701 (2)(a)(III) AND MONEY
10 APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY. Of the money
11 ~~transferred to~~ IN the fund, ~~pursuant to section 44-30-701 (2)(a)(III),~~
12 ninety-eight percent shall be allocated to the limited gaming impact
13 account and two percent shall be allocated to the gambling addiction
14 account. Money in the limited gaming impact account shall be used to
15 provide financial assistance to eligible local government entities for
16 documented gaming impacts and ~~except as provided in subsection (1)(b)~~
17 ~~of this section, money in the gambling addiction account shall be used to~~
18 award grants for the provision of gambling addiction counseling,
19 including prevention and education, to Colorado residents. For the
20 purposes of this part 13, "documented gaming impacts" means the
21 documented expenses, costs, and other impacts, and the provision of
22 gambling addiction counseling, including prevention and education, to
23 Colorado residents, incurred directly as a result of limited gaming
24 permitted in the counties of Gilpin and Teller and on Indian lands.

25 ~~(b) For the 2018-19 and 2019-20 state fiscal years, one hundred~~
26 ~~thousand dollars of the money allocated to the gambling addiction~~
27 ~~account shall be appropriated in each fiscal year as follows:~~

1 ~~(I) Fifty thousand dollars to the department of local affairs to~~
2 ~~study and establish in policies and procedures what constitutes the~~
3 ~~"documented expenses, costs, and other impacts incurred directly as a~~
4 ~~result of limited gaming" described in subsection (1)(a) of this section;~~
5 ~~and~~

6 ~~(II) Fifty thousand dollars to the department of human services to~~
7 ~~develop a plan, by no later than March 1, 2020, for a successful gambling~~
8 ~~addiction program in Colorado. The development of this program must~~
9 ~~involve the study of the magnitude of the gambling addiction problem in~~
10 ~~Colorado, the documentation of the existing financial resources and~~
11 ~~infrastructure to help address gambling addiction in the state, the study of~~
12 ~~best practices in other states for successful gambling addiction programs,~~
13 ~~and the documentation of any gaps in existing financial resources and~~
14 ~~infrastructure in Colorado, including the review of the need for increased~~
15 ~~addiction counselors.~~

16 (4) Notwithstanding any other provision of this section, money
17 accruing to the fund on and after July 1, ~~2002~~ 2019, and any previously
18 transferred unencumbered money in the fund on July 1, ~~2003~~ 2020, shall
19 be transferred to the general fund. Transfers to the fund shall resume as
20 otherwise provided in this section for any state fiscal year commencing
21 on or after July 1, ~~2004~~ 2021.

22 **SECTION 3. Appropriation.** (1) For the 2020-21 state fiscal
23 year, \$12,150,000 is appropriated to the office of the governor for use by
24 economic development programs. This appropriation is from the general
25 fund. To implement this act, the office may use this appropriation as
26 follows:

27 (a) \$310,331 for the Colorado office of film, television, and

1 media;

2 (b) \$500,000 for Colorado promotion - Colorado welcome
3 centers, which amount is based on an assumption that the program will
4 require an additional 3.3 FTE;

5 (c) \$8,678,000 for Colorado promotion - other program costs;

6 (d) \$600,000 for the destination development program;

7 (e) \$1,226,000 for the council on creative industries;

8 (f) \$398,000 for advanced industries; and

9 (g) \$437,669 for indirect cost assessment.

10 (2) For the 2020-21 state fiscal year, \$1,875,000 is appropriated
11 to the local government limited gaming impact fund created in section
12 44-30-1301 (1)(a), C.R.S. This appropriation is from the general fund.
13 The department of local affairs is responsible for the accounting related
14 to this appropriation.

15 (3) For the 2020-21 state fiscal year, \$33,272 is appropriated to
16 the department of local affairs for use by the administration division of
17 the executive director's office. This appropriation is from reappropriated
18 funds from the local government limited gaming impact fund under
19 subsection (2) of this section. To implement this act, the executive
20 director's office may use this appropriation as follows:

21 (a) \$17,160 for health, life, and dental;

22 (b) \$779 for workers' compensation;

23 (c) \$323 for payment to risk management and property funds;

24 (d) \$4,227 for capitol complex leased space;

25 (e) \$8,083 for payments to OIT; and

26 (f) \$2,700 for CORE operations.

27 (4) For the 2020-21 state fiscal year, \$114,788 is appropriated to

1 the department of local affairs for use by the division of local
2 government. This appropriation is from reappropriated funds from the
3 local government limited gaming impact fund under subsection (2) of this
4 section. To implement this act, the division may use this appropriation for
5 program costs related to field services. This amount is based on the
6 assumption that the division will require an additional 1.0 FTE.

7 (5) The figure included in the annual general appropriation act for
8 the 2020-21 state fiscal year for informational purposes only as
9 reappropriated funds from the local government limited gaming impact
10 fund under subsection (2) of this section to the department of local affairs
11 for use by the division of local government for local government limited
12 gaming impact grants is increased by \$1,710,192.

13 (6) For the 2020-21 state fiscal year, \$16,748 is appropriated to
14 the department of local affairs for use by the division of local
15 government. This appropriation is from reappropriated funds from the
16 local government limited gaming impact fund under subsection (2) of this
17 section. To implement this act, the division may use this appropriation for
18 indirect cost assessment.

19 **SECTION 4. Appropriation - adjustments to 2020 long bill.**

20 (1) To implement this act, the cash funds appropriation from the
21 Colorado travel and tourism promotion fund created in section
22 24-49.7-106 (1), C.R.S., made in the annual general appropriation act for
23 the 2020-21 state fiscal year to the office of the governor for use by
24 economic development programs for Colorado promotion - Colorado
25 welcome centers is decreased by \$516,000 and the related FTE is
26 decreased by 3.3 FTE.

27 (2) To implement this act, the cash funds appropriation from the

1 Colorado travel and tourism promotion fund created in section
2 24-49.7-106 (1), C.R.S., made in the annual general appropriation act for
3 the 2020-21 state fiscal year to the office of the governor for use by
4 economic development programs for Colorado promotion - other program
5 costs is decreased by \$10,579,623.

6

7 (3) The figure included in the annual general appropriation act for
8 the 2020-21 state fiscal year for informational purposes only as cash
9 funds from the advanced industries acceleration cash fund created in
10 section 24-48.5-117 (7)(a), C.R.S., to the office of the governor for use
11 by economic development programs for advanced industries is decreased
12 by \$8,362,210.

13 (4) To implement this act, the cash funds appropriation from the
14 creative industries cash fund created in section 24-48.5-301 (2)(a),
15 C.R.S., made in the annual general appropriation act for the 2020-21 state
16 fiscal year to the office of the governor for use by economic development
17 programs for the council on creative industries is decreased by
18 \$2,023,000.

19 (5) To implement this act, the cash funds appropriation from the
20 innovative higher education research fund created in section 23-19.7-104
21 (1), C.R.S., made in the annual general appropriation act for the 2020-21
22 state fiscal year to the department of higher education for the distribution
23 to the higher education competitive research authority is decreased by
24 \$800,000.

25 (6) To implement this act, the cash funds appropriation from
26 various cash fund sources made in the annual general appropriation act
27 for the 2020-21 state fiscal year to the department of local affairs for use

1 by the administration division of the executive director's office is reduced
2 by the following amounts:

3 (a) \$17,160 for health, life, and dental;

4 (b) \$779 for workers' compensation;

5 (c) \$323 for payment to risk management and property funds;

6 (d) \$4,227 for capitol complex leased space;

7 (e) \$8,083 for payments to OIT; and

8 (f) \$2,700 for CORE operations.

9 (7) To implement this act, the cash funds appropriation from the
10 local government limited gaming impact fund created in section
11 44-30-1301 (1)(a), C.R.S., made in the annual general appropriation act
12 for the 2020-21 state fiscal year to the department of local affairs for use
13 by the division of local government for program costs related to field
14 services is decreased by \$114,788 and the related FTE is decreased by 1.0
15 FTE.

16 (8) The figure included in the annual general appropriation act for
17 the 2020-21 state fiscal year for informational purposes only as cash
18 funds from the local government limited gaming impact fund created in
19 section 44-30-1301 (1)(a), C.R.S., to the department of local affairs for
20 use by the division of local government for local government limited
21 gaming impact grants is decreased by \$5,127,850.

22 (9) To implement this act, the cash funds appropriation from the
23 local government limited gaming impact fund created in section
24 44-30-1301 (1)(a), C.R.S., made in the annual general appropriation act
25 for the 2020-21 state fiscal year to the department of local affairs for use
26 by the division of local government for indirect cost assessment is
27 decreased by \$16,748.

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