

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

PREAMENDED

This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading

LLS NO. R20-0438.01 Duane Gall x4335

HCR20-1001

HOUSE SPONSORSHIP

Singer and Wilson,

SENATE SPONSORSHIP

(None),

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

HOUSE CONCURRENT RESOLUTION 20-1001

101 **SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF**
102 **COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION**
103 **CONCERNING THE CONDUCT OF CHARITABLE GAMING**
104 **ACTIVITIES, AND, IN CONNECTION THEREWITH, ALLOWING**
105 **BINGO-RAFFLE LICENSEES TO HIRE MANAGERS AND OPERATORS**
106 **OF GAMES AND REDUCING THE REQUIRED PERIOD OF A**
107 **CHARITABLE ORGANIZATION'S CONTINUOUS EXISTENCE BEFORE**
108 **OBTAINING A CHARITABLE GAMING LICENSE.**

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution summary that applies to the reengrossed version of this resolution will be

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.

available at <http://leg.colorado.gov/>.)

The concurrent resolution amends section 2 of article XVIII of the Colorado constitution by repealing provisions that:

- ! Require a charitable organization to have five years' continuous existence before obtaining a charitable gaming license; and
- ! Prohibit the operation of charitable games by anyone other than a bona fide member of the organization, working as an unpaid volunteer.

1 *Be It Resolved by the House of Representatives of the*
2 *Seventy-second General Assembly of the State of Colorado, the Senate*
3 *concurring herein:*

4 **SECTION 1.** At the election held on November 3, 2020, the
5 secretary of state shall submit to the registered electors of the state the
6 ballot title set forth in section 2 for the following amendment to the state
7 constitution:

8 In the constitution of the state of Colorado, section 2 of article
9 XVIII, **amend** (2) and (4) as follows:

10 **Section 2. Lotteries prohibited - exceptions.** (2) No game of
11 chance pursuant to this subsection (2) and subsections (3) and (4) of this
12 section shall be conducted by any person, firm, or organization, unless a
13 license as provided for in this subsection (2) has been issued to the firm
14 or organization conducting such games of chance. The secretary of state
15 shall, upon application therefor on such forms as shall be prescribed by
16 the secretary of state and upon the payment of an annual fee as
17 determined by the general assembly, issue a license for the conducting of
18 such games of chance to any bona fide chartered branch or lodge or
19 chapter of a national or state organization or to any bona fide religious,
20 charitable, labor, fraternal, educational, voluntary firemen's or veterans'

1 organization ~~which~~ THAT operates without profit to its members and
2 ~~which~~ THAT IS REGISTERED WITH THE SECRETARY OF STATE AND has been
3 in existence continuously for a period of ~~five~~ THREE years ~~immediately~~
4 ~~prior to the making of said~~ BETWEEN THE EFFECTIVE DATE OF ITS INITIAL
5 FILING WITH THE FEDERAL INTERNAL REVENUE SERVICE AND ITS
6 application for such license OR, ON AND AFTER JANUARY 1, 2024, FOR
7 SUCH DIFFERENT PERIOD AS THE GENERAL ASSEMBLY MAY ESTABLISH
8 PURSUANT TO SUBSECTION (5) OF THIS SECTION, and has had during the
9 entire ~~five-year~~ period OF ITS EXISTENCE a dues-paying membership
10 engaged in carrying out the objects of said corporation or organization,
11 such license to expire at the end of each calendar year in which it was
12 issued.

13 (4) Such games of chance shall be subject to the following
14 restrictions:

15 (a) The entire net proceeds of any game shall be exclusively
16 devoted to the lawful purposes of organizations permitted to conduct such
17 games.

18 (b) ~~No person except a bona fide member of any organization may~~
19 ~~participate in the management or operation of any such game.~~

20 (c) No person may receive ~~any~~ remuneration or profit IN EXCESS
21 OF THE APPLICABLE MINIMUM WAGE for participating in the management
22 or operation of any such game.

23 **SECTION 2.** Each elector voting at the election may cast a vote
24 either "Yes/For" or "No/Against" on the following ballot title: "Shall
25 there be an amendment to the Colorado constitution concerning the
26 conduct of charitable gaming activities, and, in connection therewith,
27 allowing bingo-raffle licensees to hire managers and operators of games

1 and reducing the required period of a charitable organization's continuous
2 existence before obtaining a charitable gaming license?"

3 **SECTION 3.** Except as otherwise provided in section 1-40-123,
4 Colorado Revised Statutes, if at least fifty-five percent of the electors
5 voting on the ballot title vote "Yes/For", then the amendment will become
6 part of the state constitution.