

**NOTE: The governor signed this measure on 6/10/2016.**

# An Act

HOUSE BILL 16-1402

BY REPRESENTATIVE(S) Becker K. and Lawrence, Nordberg, Joshi, Klingenschmitt, Wilson, Dore, Lundeen, Van Winkle, Rankin, Melton, Arndt, Conti, Esgar, Roupe, Thurlow, Fields, Priola, Ryden, Tyler, Windholz;  
also SENATOR(S) Holbert and Garcia, Steadman, Scott, Tate, Grantham, Heath, Lambert, Neville T., Cadman.

CONCERNING A PROHIBITION ON THE USE OF A DEVICE TO ALLOW A PERSON TO PLACE A WAGER ON A PREVIOUSLY RUN SPORTING EVENT.

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

**SECTION 1.** In Colorado Revised Statutes, **add** 12-60-605 as follows:

**12-60-605. Wagering on historic races - definitions.** (1) THE STATE, A MUNICIPALITY, CITY AND COUNTY, COUNTY, OR ANY STATE OR LOCAL AGENCY, BOARD, COMMISSION, OR OFFICIAL THEREOF, SHALL NOT APPROVE OR PERMIT THE USE OF A RACING REPLAY AND WAGERING DEVICE.

(2) A LICENSEE SHALL NOT OPERATE, OFFER TO OPERATE, OR USE A RACING REPLAY AND WAGERING DEVICE OR ALLOW ANY PERSON TO USE A RACING REPLAY AND WAGERING DEVICE TO PLACE A WAGER ON ANY

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

PREVIOUSLY RUN SPORTING EVENT.

(3) THIS SECTION DOES NOT APPLY TO A SIMULCAST RACE.

(4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "RACING REPLAY AND WAGERING DEVICE" MEANS A MECHANICAL, ELECTRONIC, OR COMPUTERIZED PIECE OF EQUIPMENT THAT:

(I) CAN DISPLAY A PREVIOUSLY RUN SPORTING EVENT, REGARDLESS OF HOW THE SPORTING EVENT IS DISPLAYED, REBROADCAST, OR REPLAYED; AND

(II) GIVES A PLAYER WHO PLACES A WAGER ON THE OUTCOME OF THE PREVIOUSLY RUN SPORTING EVENT AN OPPORTUNITY TO WIN A THING OF VALUE, WHETHER DUE TO THE SKILL OF THE PLAYER, CHANCE, OR BOTH.

(b) "SPORTING EVENT" MEANS A CONTEST IN WHICH ANIMALS, PEOPLE, OR MACHINES COMPETE INDIVIDUALLY OR AS TEAMS FOR THE PURPOSE OF WINNING A RACE, GAME, CONTEST, OR OTHER COMPETITION.

(c) "WAGER" MEANS TO PLACE AT RISK OF LOSS ANY VALUABLE CONSIDERATION, INCLUDING COIN, CURRENCY, OR THE ELECTRONIC EQUIVALENT OF ANY COIN OR CURRENCY.

**SECTION 2. Act subject to petition - effective date - applicability.** (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to conduct occurring on or after the applicable effective date of this act.

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Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Bill L. Cadman  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Effie Ameen  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO