

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 17-0308.01 Thomas Morris x4218

**SENATE BILL 17-232**

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**SENATE SPONSORSHIP**

**Fenberg, Court**

**HOUSE SPONSORSHIP**

**Rosenthal,**

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**Senate Committees**

State, Veterans, & Military Affairs

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING CONTINUATION UNDER THE SUNSET LAW OF THE**  
102            **BINGO-RAFFLE ADVISORY BOARD, AND, IN CONNECTION**  
103            **THEREWITH, IMPLEMENTING THE RECOMMENDATIONS OF THE**  
104            **2016 SUNSET REPORT OF THE DEPARTMENT OF REGULATORY**  
105            **AGENCIES.**

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**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/>.)*

**Sunset Process - Senate State, Veterans, and Military Affairs Committee.** The bill implements the recommendations of the sunset

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

review and report on the licensing of bingo and other games of chance through the secretary of state by:

- ! Extending the automatic termination date of the Colorado bingo-raffle advisory board to September 1, 2026, pursuant to the sunset law (**sections 1 and 2** of the bill);
- ! Reducing the number of times that the board must meet each year from 6 to 2 (**section 3**);
- ! Specifying that a person whose license has been revoked or surrendered in lieu of revocation must wait for 3 years to reapply for a license (**sections 4 through 6**);
- ! Clarifying that a licensee may not change the location of a pull-tab device without the secretary's approval (**section 7**);
- ! Prohibiting a person who has been convicted of a felony or a misdemeanor involving gambling from being a games manager, caller, or caller assistant (**sections 8 and 12**);
- ! Allowing a person who has not been convicted within the previous 10 years of a felony or a gambling-related offense to apply for a license (**sections 9 through 11**);
- ! Clarifying that licensees may donate bingo equipment to entities that offer free bingo and other licensees (**section 13**); and
- ! Making a variety of technical changes to the law (**sections 4, 5, 11, and 13 through 16**).

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **amend**  
3 **(27)(a) introductory portion; repeal (12)(a)(IV) and (12)(a)(V); and add**  
4 **(27)(a)(V) and (27)(a)(VI) as follows:**

5 **24-34-104. General assembly review of regulatory agencies**  
6 **and functions for repeal, continuation, or reestablishment - legislative**  
7 **declaration - repeal.** (12)(a) The following agencies, functions, or both,  
8 will repeal on July 1, 2017:

9 (IV) The licensing of bingo and other games of chance through  
10 the secretary of state in accordance with article 9 of title 12, C.R.S.;

11 (V) The Colorado bingo-raffle advisory board created in section  
12 12-9-201, C.R.S.;

1                    (27) (a) The following agencies, functions, or both, will ARE  
2 SCHEDULED FOR repeal on September 1, 2026:

3                    (V) THE LICENSING OF BINGO AND OTHER GAMES OF CHANCE  
4 THROUGH THE SECRETARY OF STATE IN ACCORDANCE WITH PART 5 OF  
5 ARTICLE 21 OF THIS TITLE 24;

6                    (VI) THE COLORADO BINGO-RAFFLE ADVISORY BOARD CREATED  
7 IN SECTION 24-21-530.

8                    **SECTION 2.** In Colorado Revised Statutes, **add with amended**  
9 **and relocated provisions** part 5 to article 21 of title 24 as follows:

10    PART 5

11     BINGO AND RAFFLES LAW

12                    **24-21-501. [Formerly 12-9-101] Short title.** This article shall be  
13 known and may be cited as THE SHORT TITLE OF THIS PART 5 IS the "Bingo  
14 and Raffles Law".

15                    **24-21-502. [Formerly 12-9-102] Definitions.** As used in this  
16 article PART 5, unless the context otherwise requires:

17                    (1) "Bingo" means a game of chance played, with or without the  
18 aid of an electronic device, for prizes using cards or sheets containing five  
19 rows of five squares bearing numbers, except for the center square which  
20 is a free space. Traditional bingo also requires that the letters "B I N G O"  
21 appear in order over each column. The holder of a card or sheet matches  
22 the numbers on such card or sheet to numbers randomly drawn. The game  
23 is won when a previously designated arrangement of numbers on such  
24 card or sheet is covered.

25                    ~~(1.1)~~ (2) "Bingo aid computer system" means a computer system  
26 that interfaces with and controls the use of electronic devices used as aids  
27 in the game of bingo.

1           ~~(1.2)~~(3) "Bingo-raffle licensee" means any qualified organization  
2           to which a bingo-raffle license has been issued by the licensing authority.

3           ~~(1.3)~~(4) "Bingo-raffle manufacturer" means a person, other than  
4           a bingo-raffle licensee, who makes, assembles, produces, or otherwise  
5           prepares pull tabs, bingo cards or sheets, electronic devices used as aids  
6           in the game of bingo, or other equipment or parts thereof for games of  
7           chance. as defined in subsection (7) of this section. "Bingo-raffle  
8           manufacturer" does not include a person who prints raffle tickets, other  
9           than pull tabs, for and at the request of a bingo-raffle licensee.

10          ~~(1.4)~~(5) "Bingo-raffle supplier" means a person, other than a  
11          bingo-raffle licensee, who sells, distributes, or otherwise furnishes pull  
12          tabs, bingo cards or sheets, electronic devices used as aids in the game of  
13          bingo, or other games of chance equipment. as defined in subsection (5)  
14          of this section. "Bingo-raffle supplier" does not include a person who  
15          prints raffle tickets, other than pull tabs, for and at the request of a  
16          bingo-raffle licensee.

17          ~~(1.5)~~(6) "Board" means the Colorado bingo-raffle advisory board  
18          created in section ~~12-9-201~~ 24-21-530.

19          ~~(1.6)~~(7) "Card" means either a disposable and nonreusable paper  
20          bingo card identified by color, serial number, and card number, or a  
21          reusable bingo card intended for repeated use, including but not limited  
22          to a hard card or shutter card. "Card" does not include an electronic  
23          representation or electronic image of a bingo card.

24          ~~(1.7)~~(8) "Charitable gaming" means bingo, pull tab games, and  
25          raffles. as defined in subsections (1), (18.1), and (19.3) of this section.

26          ~~(1.8)~~(9) "Charitable organization" means any organization, not  
27          for pecuniary profit, that is operated for the relief of poverty, distress, or

1 other condition of public concern within this state and that has been so  
2 engaged for five years prior to making application for a license under this  
3 article PART 5.

4 (2) (10) "Chartered branch or lodge or chapter of a national or  
5 state organization" means any such branch or lodge or chapter that is a  
6 civic or service organization, not for pecuniary profit, and authorized by  
7 its written constitution, charter, articles of incorporation, or bylaws to  
8 engage in a fraternal, civic, or service purpose within this state and that  
9 has been so engaged for five years prior to making application for a  
10 license under this article PART 5.

11 (2.3) (11) "Commercial bingo facility" means premises rented by  
12 a bingo-raffle licensee for the purpose of conducting games of chance.

13 (2.5) (12) "Commercial landlord" means any person renting or  
14 offering to rent a commercial bingo facility to any bingo-raffle licensee.

15 (2.7) (13) "Deal" means each separate package or series of  
16 packages of pull tabs with the same name, form number, serial number,  
17 and color code.

18 (3) (14) "Dues-paying membership" means those members of an  
19 organization who pay regular monthly, annual, or other periodic dues or  
20 who are excused from paying such dues by the bylaws, articles of  
21 incorporation, or charter of the organization and those who contribute  
22 voluntarily to the corporation or organization to which they belong for the  
23 support of such corporation or organization.

24 (4) (15) "Educational organization" means any organization within  
25 this state, not organized for pecuniary profit, whose primary purpose is  
26 educational in nature and designed to develop the capabilities of  
27 individuals by instruction and that has been in existence for five years

1 prior to making application for a license under this article PART 5.

2 (5) (16) "Equipment" means: With respect to bingo or lotto, the  
3 receptacle and numbered objects drawn from it, the master board upon  
4 which such objects are placed as drawn, the cards or sheets bearing  
5 numbers or other designations to be covered and the objects used to cover  
6 them, the board or signs, however operated, used to announce or display  
7 the numbers or designations as they are drawn, public address system, and  
8 all other articles essential to the operation, conduct, and playing of bingo  
9 or lotto; or, with respect to raffles, implements, devices, and machines  
10 designed, intended, or used for the conduct of raffles and the  
11 identification of the winning number or unit and the ticket or other  
12 evidence or right to participate in raffles. "Equipment" includes electronic  
13 devices used as aids in the game of bingo.

14 (5.5) (17) "Exempt organization" means an organization: that  
15 complies with each of the following criteria:

16 (a) That is exempt from taxation under section 501 (c)(3) of the  
17 federal "Internal Revenue Code of 1954", as amended; through December  
18 31, 1984;

19 (b) Of the type commonly known as a community chest, which  
20 organizes and carries out intensive, limited-time, and community-wide  
21 fund drive campaigns by volunteer workers soliciting charitable  
22 contributions from a broad base of citizens and businesses in the  
23 community with the objective of providing financial support to other  
24 organizations that are exempt from taxation under section 501 (c)(3) of  
25 the federal "Internal Revenue Code of 1954", as amended, through  
26 December 31, 1984, and that provides charitable, educational, civic,  
27 health, or human services within the same community and that has the

1 further objective of minimizing the necessity for multiple, overlapping,  
2 and competing fund drives by such recipient organizations to enable them  
3 to deliver such services;

4 (c) That assists in acquiring noncash prizes donated by  
5 participating private businesses or government agencies as an ancillary  
6 means of creating interest in a charitable fund-raising drive held by such  
7 business or agency;

8 (d) That collects voluntary contributions and distributes more than  
9 eighty percent of such contributions to other organizations that are  
10 exempt from taxation under section 501 (c)(3) of the federal "Internal  
11 Revenue Code of 1954", as amended, through December 31, 1984, and  
12 that provide charitable, educational, civic, health, or human services;

13 (e) On behalf of whose fund-raising drives drawings are held by  
14 participating private businesses or government agencies, which drawings  
15 are open only to the employees of such businesses or agencies and are not  
16 open to the general public;

17 (f) Whose fund-raising drives are jointly planned and managed by  
18 the participating private businesses and government agencies; and

19 (g) Whose fund-raising drives include only the awarding of  
20 noncash prizes by the participating private businesses or government  
21 agencies.

22 (6) (18) "Fraternal organization" means any organization within  
23 this state, including college and high school fraternities, not for pecuniary  
24 profit, that is a branch, lodge, or chapter of a national or state  
25 organization and exists for the common business, brotherhood, or other  
26 interests of its members and that has so existed for five years prior to  
27 making application for a license under this article PART 5. "Fraternal

1 organization" also includes a graduate or alumni division or branch of a  
2 college fraternity, which division or branch holds a charter issued by the  
3 state of Colorado and that meets all other criteria set forth in this  
4 subsection ~~(6)~~ (18). As used in this subsection ~~(6)~~ (18), "fraternity"  
5 includes a sorority.

6 ~~(7)~~ (19) "Game of chance" means that specific kind of game of  
7 chance commonly known as bingo or lotto in which prizes are awarded  
8 on the basis of designated numbers or symbols on a card conforming to  
9 numbers or symbols selected at random and that specific kind of game of  
10 chance commonly known as raffles that is conducted by drawing for  
11 prizes or the allotment of prizes by chance, by the selling of shares or  
12 tickets or rights to participate in such a game.

13 ~~(8)~~ (20) "Gross receipts" means receipts from the sale of shares,  
14 tickets, or rights in any manner connected with participation in a game of  
15 chance or the right to participate therein, including any admission fee or  
16 charge, the sale of equipment or supplies, the sale or lease of electronic  
17 devices used as aids in the game of bingo, and all other miscellaneous  
18 receipts.

19 ~~(9)~~ (21) "Labor organization" means any organization, not for  
20 pecuniary profit, within this state that exists for the purpose, in whole or  
21 in part, of dealing with employers concerning grievances, labor disputes,  
22 wages, rates of pay, hours of employment, or conditions of work and that  
23 has existed for such purpose and has been so engaged for five years prior  
24 to making application for a license under this article PART 5.

25 ~~(9.5)~~ (22) "Landlord licensee" means the holder of a current, valid  
26 commercial landlord license.

27 ~~(10)~~ (23) "Lawful purposes" means the lawful purposes of



1 organizations permitted to conduct games of chance, as provided in  
2 section 2 of article XVIII of the state constitution.

3 (11) (24) "Lawful use" means the devotion of the entire net  
4 proceeds of a game of chance exclusively to lawful purposes.

5 (11.5) (25) "License" means any license or certification issued by  
6 the licensing authority pursuant to this article PART 5, including, without  
7 limitation, the certification of a games manager pursuant to section  
8 12-9-105.1 24-21-510.

9 (12) (26) "Licensed agent" means an individual who holds a  
10 current, valid agent's license for a bingo-raffle manufacturer or supplier.

11 (12.5) (27) "Licensee" means the holder of any license or  
12 certification issued by the licensing authority pursuant to this article PART  
13 5. "Licensee" includes the former holder of such license or certification  
14 for purposes of investigation of activities that took place during the period  
15 in which such license or certification was effective.

16 (13) (28) "Licensing authority" means the secretary of state or his  
17 or her duly authorized deputy.

18 (13.3) (29) "Manufacturer's agent" means an individual who  
19 represents a manufacturer in any of its activities in connection with the  
20 presales, driver sales, or distribution with excess stock of pull tabs, bingo  
21 cards or sheets, electronic devices used as aids in the game of bingo, or  
22 other games of chance equipment; except employees of commercial  
23 delivery services.

24 (13.5) (30) "Manufacturer licensee" means the holder of a current,  
25 valid Colorado manufacturer license.

26 (14) (31) "Member" means an individual who has qualified for  
27 membership in a qualified organization pursuant to its bylaws, articles of

1 incorporation, charter, rules, or other written statement.

2 (15) (32) "Net proceeds" means the receipts less such expenses,  
3 charges, fees, and deductions as are specifically authorized under this  
4 article PART 5.

5 (16) (33) "Occasion" means a single gathering or session at which  
6 a series of successive bingo games is played.

7 (17) (34) "Person" means a natural person, firm, association,  
8 corporation, or other legal entity.

9 (18) (35) "Premises" means any room, hall, enclosure, or outdoor  
10 area used for the purpose of playing a game of chance.

11 (18.1) (36) "Pull tab game" means a type of game of chance  
12 commonly known as a pickle, break-open, jar raffle, last sale ticket, or  
13 seal card for which tickets are preprinted with markings distinguishing  
14 winners and nonwinners, each ticket so made that its markings and  
15 winning or nonwinning status cannot be known or revealed until the  
16 ticket is broken or torn apart.

17 (19) (37) (a) "Qualified organization" means any bona fide  
18 chartered branch, lodge, or chapter of a national or state organization or  
19 any bona fide religious, charitable, labor, fraternal, educational, voluntary  
20 firefighters', or veterans' organization operating without profit to its  
21 members that has been in existence continuously for a period of five years  
22 immediately prior to the making of an application for a license under this  
23 article PART 5 and that has had, during the entire five-year period, a  
24 dues-paying membership engaged in carrying out the objects of said  
25 corporation or organization.

26 (b) "Qualified organization" includes, without limitation:

27 (I) A political party; and

1           (II) The Colorado state fair authority.

2           (19.3) (38) "Raffle" means a game in which a participant buys a  
3 ticket for a chance at a prize with the winner determined by a random  
4 method as determined by rules of the licensing authority, or a pull tab  
5 ticket as described in subsection (18.1) (36) of this section. The term  
6 "raffle" does not include any activity that is authorized or regulated by the  
7 state lottery division pursuant to part 2 of article 35 of THIS title 24  
8 C.R.S., or the "Limited Gaming Act of 1991", article 47.1 of this title  
9 TITLE 12.

10           (20) (39) "Religious organization" means any organization,  
11 church, body of communicants, or group, not for pecuniary profit,  
12 gathered in common membership for mutual support and edification in  
13 piety, worship, and religious observances or a society, not for pecuniary  
14 profit, of individuals united for religious purposes at a definite place, that  
15 WHICH organization, church, body of communicants, group, or society has  
16 been so gathered or united for five years prior to making application for  
17 a license under this article PART 5.

18           (20.1) (40) "Sheet" means a leaf of paper upon which is printed  
19 one or more disposable bingo cards.

20           (20.3) (41) "Supplier's agent" means an individual who represents  
21 a bingo-raffle supplier in the course of the bingo-raffle supplier's presales,  
22 driver sales, or distribution with excess bingo-supplier stock, electronic  
23 devices used as aids in the game of bingo, or chance equipment on hand;  
24 except THAT THE TERM DOES NOT INCLUDE employees of commercial  
25 delivery services.

26           (20.5) (42) "Supplier licensee" means the holder of a current,  
27 valid Colorado supplier license.

1           ~~(21)~~ (43) "Veterans' organization" means any organization within  
2 this state or any branch, lodge, or chapter of a national or state  
3 organization within this state, not for pecuniary profit, the membership of  
4 which consists of individuals who were members of the armed services  
5 or forces of the United States, that has been in existence for five years  
6 prior to making application for a license under this article PART 5.

7           ~~(22)~~ (44) "Voluntary firefighters' organization" means any  
8 organization within this state, not for pecuniary profit, established by the  
9 state or any of its political subdivisions that has been in existence for five  
10 years prior to making application for a license under this article PART 5.

11           **24-21-503. [Formerly 12-9-102.3] Fraud and deception**  
12 **prohibited.** (1) No A bingo-raffle licensee, landlord licensee,  
13 bingo-raffle supplier bingo-raffle LICENSEE, manufacturer LICENSEE, or  
14 any member or agent thereof engaged in any charitable gaming activity  
15 shall NOT, directly or indirectly:

16           (a) Employ any device, scheme, or artifice to defraud or deceive;

17           (b) Intentionally make any untrue or misleading statement of fact;

18           or

19           (c) Engage in any act, practice, or course of conduct constituting  
20 fraud or deceit.

21           **24-21-504. [Formerly 12-9-102.5] Legislative declaration -**  
22 **consideration for tickets - conditions - rules.** (1) The general assembly  
23 hereby finds and declares that prize promotions involving the conduct of  
24 free product giveaways through the use of free chances for purposes of  
25 commercial advertisement, the creation of goodwill, the promotion of  
26 new products or services, or the collection of names should not be subject  
27 to regulation under this article PART 5. The giveaways described in this

1 subsection (1) are exempt from regulation under this article PART 5 when  
2 all of the conditions set forth in this section are satisfied.

3 (2) No award of prizes by chance for a purpose set forth in  
4 subsection (1) of this section is a lottery or game of chance, nor is any  
5 share, ticket, or right to participate in an award of prizes deemed to have  
6 been sold or charged for, notwithstanding that the award is made to  
7 persons who have paid a fee entitling them to general admission to the  
8 grounds or premises on which the award is made, if each share or ticket  
9 by means of which the award is made is given away free of charge and  
10 without any obligation on the part of the person receiving it.

11 (3) (Deleted by amendment, L. 99, p. 1411, § 1, effective June 5,  
12 1999.)

13 (4) (3) (a) (I) A licensee may conduct a prize promotion on the  
14 licensed premises, whether the premises are rented or owned by the  
15 licensee. A licensee shall clearly disclose, in the rental agreement or  
16 otherwise, the promotion and its cost, if any, to the licensee, pursuant to  
17 rules adopted by the licensing authority.

18 (II) A landlord licensee shall not require a bingo-raffle licensee to  
19 participate in or conduct a promotion under this section, nor may a games  
20 manager for any occasion assist in any promotion conducted during an  
21 occasion by a landlord licensee. Prizes offered as part of a promotion are  
22 not prizes subject to limitation under section ~~12-9-107~~ 24-21-517 (5).

23 (b) Before conducting a promotion under this section, the licensee  
24 shall provide evidence of ownership, free and clear, of the prizes to be  
25 offered unless all of the prizes are available for viewing on the premises  
26 on the day they are to be awarded. The licensee offering any promotional  
27 prize shall disclose, at the beginning of the promotion, full and complete

1 information identifying the prizes to be awarded and the method by which  
2 the prizes may be won. This disclosure need not be made separately or  
3 personally to each participant, but may be made by conspicuously posting  
4 or displaying, at the premises where the promotion is being conducted,  
5 either the available prizes themselves or a list and complete description  
6 of the prizes and the method by which they may be won.

7 (c) Within ten days after the award of any prize, the licensee shall  
8 file with the licensing authority a written report containing a description  
9 of the prize, the value of the prize, and such other information as the  
10 licensing authority may require by rule. Any prize offered pursuant to this  
11 section must be awarded by the end of the calendar quarter in which it  
12 was offered.

13 (d) The licensing authority may establish by rule the maximum  
14 amount or value of a cash prize or a prize of a product or service that may  
15 be awarded; except that such maximum amount must be at least one  
16 thousand dollars.

17 (4) A BINGO-RAFFLE LICENSEE MAY, DIRECTLY OR THROUGH A  
18 THIRD PARTY, PRESELL TICKETS TO A CHARITABLE GAMING EVENT,  
19 INCLUDING BY ELECTRONIC MEANS AND THROUGH THE INTERNET.

20 **24-21-505. [Formerly 12-9-103] Licensing and enforcement**  
21 **authority - powers - rules - duties - license suspension or revocation**  
22 **proceedings - definitions.** (1) The secretary of state is hereby designated  
23 as the "licensing authority" of this article PART 5. As licensing authority,  
24 the secretary of state's powers and duties are as follows:

25 (a) (I) To grant or refuse to grant bingo-raffle licenses under this  
26 article PART 5 and to grant or refuse to grant licenses to landlords,  
27 manufacturers, manufacturers' agents, suppliers, and suppliers' agents. If

1 any such license application has not been approved or disapproved within  
2 forty-five days after the licensing authority has received all information  
3 that constitutes a complete application, the license shall be deemed to be  
4 approved. The licensing authority shall notify the applicant upon receipt  
5 of all information that the licensing authority deems a complete  
6 application. Such notification shall be the start of the forty-five-day  
7 period in which the licensing authority shall affirmatively act upon the  
8 application. The licensing authority's failure to act upon an application  
9 within forty-five days after receipt shall not preclude the licensing  
10 authority from later filing a complaint challenging the application on the  
11 ground that it is in conflict with the Colorado constitution or this article  
12 PART 5. All such licenses and applications for such licenses shall be made  
13 available for inspection by the public. In addition, the licensing authority  
14 has the power and the responsibility, after investigation and hearing  
15 before an administrative law judge, to suspend or revoke any license  
16 issued by the licensing authority, in accordance with any order of such  
17 administrative law judge. When a license is ordered suspended or  
18 revoked, the licensee shall surrender the license to the licensing authority  
19 on or before the effective date of the suspension or revocation. No license  
20 is valid beyond the effective date of the suspension or revocation, whether  
21 surrendered or not. Any bingo-raffle license may be temporarily  
22 suspended for a period not to exceed ten days pending any prosecution,  
23 investigation, or public hearing.

24 (II) In lieu of seeking a suspension or revocation of any license  
25 issued by the licensing authority, the licensing authority may impose a  
26 reasonable fine for any violation of this article PART 5 or any rule adopted  
27 pursuant to this article PART 5, not to exceed one hundred dollars per

1 citation. The imposition of any such fine may be appealed to an  
2 administrative law judge.

3 (III) An applicant may request administrative review of a refusal  
4 by the licensing authority to grant or renew a license in accordance with  
5 subsection (2) (3) of this section. To be entitled to administrative review,  
6 the applicant must request the review in writing within sixty days after the  
7 date of the licensing authority's refusal.

8 (IV) If a licensee or bingo-raffle affiliate fails within forty-five  
9 days after a written request by the licensing authority to voluntarily  
10 produce records at the office of the licensing authority, or if a licensee  
11 fails to file a report within the time required by this article PART 5, or if  
12 such report is not properly verified or is not fully, accurately, and  
13 truthfully completed on its face, the licensing authority may refuse to  
14 renew the licensee's license until the licensee has corrected such failure  
15 or deficiency. If the licensing authority refuses to renew a license  
16 pursuant to this subparagraph (IV) SUBSECTION (1)(a)(IV), the licensee  
17 shall not engage in activity authorized by such license until such license  
18 is renewed.

19 (b) To supervise the administration and enforcement of this article  
20 PART 5 and, in consultation with the board, to adopt, amend, and repeal  
21 rules governing the holding, operating, and conducting of games of  
22 chance, the purchase of equipment, the establishment of a schedule of  
23 reasonable fines, not to exceed one hundred dollars per citation, for  
24 violation by licensees of this article PART 5 or of rules adopted pursuant  
25 to this article PART 5, to the end that games of chance shall be held,  
26 operated, and conducted only by licensees for the purposes and in  
27 conformity with the state constitution and the provisions of this article



1 PART 5:

2 (c) To provide forms for and supervise the filing of any reports  
3 made by mail, computer, electronic mail, or any other electronic device  
4 by any licensee. As soon as possible after July 1, 2006, the licensing  
5 authority shall ensure that delivery of a document subject to this article  
6 PART 5 by an applicant or a licensee may be accomplished electronically  
7 without the necessity for presentation of a physical original document,  
8 report, or image, if all required information is included and is readily  
9 retrievable from the data transmitted. The licensing authority may, by  
10 rule, require certain organizations to file reports and other documents  
11 electronically. All electronically filed documents shall be stored by the  
12 licensing authority in an electronic or other medium and shall be  
13 retrievable by the licensing authority in an understandable and readable  
14 form. Notwithstanding any other provision of law requiring the signature  
15 of, or execution by, a person on a document, no such signature shall be  
16 required when the document is submitted electronically. Causing a  
17 document to be delivered to the licensing authority by an applicant or a  
18 licensee shall constitute the affirmation or acknowledgment of the  
19 individual causing the delivery, under penalty of perjury, that the  
20 document is the individual's act and deed or the act and deed of the  
21 organization or entity on whose behalf the document was delivered and  
22 that the facts stated in the document are true.

23 (d) Upon application by any licensee, to issue a letter ruling  
24 granting approval for any new concept, method, technology, practice, or  
25 procedure that may be applied to, or used in the conduct of, games of  
26 chance that are not in conflict with the constitution or this article PART 5.  
27 Application for such approval shall be submitted in a form prescribed by

1 the licensing authority. If an application is not acted upon within  
2 forty-five days after receipt by the licensing authority, the licensee may  
3 implement such concept, method, technology, practice, or procedure so  
4 long as it is not in conflict with the constitution or this article PART 5;  
5 except that the licensing authority's failure to act upon an application  
6 within forty-five days after receipt shall not preclude the licensing  
7 authority from later filing a complaint challenging such concept, method,  
8 technology, practice, or procedure on the ground that it is in conflict with  
9 the constitution or this article PART 5. An adverse ruling on such  
10 application may be appealed to an administrative law judge.

11 (e) To keep records of all actions and transactions relating to  
12 licensing and enforcement activity;

13 (f) To prepare and transmit annually, in the form and manner  
14 prescribed by the heads of the principal departments pursuant to the  
15 provisions of section 24-1-136, C.R.S., a report accounting to the  
16 governor for the efficient discharge of all responsibilities assigned by law  
17 or directive to the authority, and to issue publications of the authority  
18 intended for circulation in quantity outside the executive branch in  
19 accordance with the provisions of section 24-1-136; C.R.S.

20 (g) To license devices for reading pull tabs as provided in section  
21 ~~12-9-107.2~~ 24-21-519; except that the licensing authority shall not impose  
22 or collect any fee for the issuance of such a license.

23 (1.5) (2) For the purpose of any investigation or examination of  
24 records, the licensing authority or any officer designated by the licensing  
25 authority may require, at the office of the licensing authority, the  
26 production of any books, papers, correspondence, memoranda,  
27 agreements, or other documents or records that the licensing authority

1 deems relevant or material to the inquiry. In case of refusal to obey a  
2 request for the production of documents issued to any licensee or an  
3 affiliate of a licensee, the district court of the city and county of Denver,  
4 upon application by the licensing authority, may issue an order requiring  
5 that person to appear before the licensing authority or the officer  
6 designated by the licensing authority to produce documents or to give  
7 evidence touching upon the matter under investigation or in question.  
8 Failure to obey the order of the court may be punished by the court as a  
9 contempt of court.

10 (2) (3) The licensing authority may revoke, suspend, annul, limit,  
11 modify, or refuse to grant or renew a license in accordance with section  
12 24-4-104. C.R.S. Hearings that are held to administratively review the  
13 licensing authority's decision to refuse to grant or renew a license or to  
14 determine whether a licensee's license should be revoked, suspended,  
15 annulled, limited, or modified shall be conducted by an administrative  
16 law judge appointed pursuant to part 10 of article 30 of THIS title 24  
17 C.R.S. and shall be held in the manner and pursuant to the rules and  
18 procedures described in sections 24-4-104, 24-4-105, and 24-4-106.  
19 C.R.S. An administrative law judge shall hold and conclude hearings in  
20 accordance with the rules, with reasonable dispatch and without  
21 unnecessary delay, and shall issue a decision within ten days after the  
22 hearing.

23 (3) (4) (a) Upon a finding by an administrative law judge of a  
24 violation of this article PART 5, the rules adopted pursuant to this article  
25 PART 5, or any other provision of law, such as would warrant the  
26 revocation, suspension, annulment, limitation, or modification of a  
27 license, in addition to any other penalties that may be imposed, the

1 licensing authority may declare the violator ineligible to conduct a game  
2 of bingo and to apply for a license pursuant to this article PART 5 for a  
3 period not exceeding ~~five~~ THREE years after the date of ~~such~~ THE  
4 declaration or a shorter period designated by the licensing authority  
5 pursuant to this subsection (3) (4). The licensing authority shall designate  
6 a shorter period of license ineligibility only in the absence of aggravating  
7 factors associated with the violation for which the revocation was  
8 imposed. Aggravating factors shall include willfulness, intent, a previous  
9 intentional violation of this article PART 5, and violations involving theft  
10 or fraud. Such THE declaration of ineligibility may be extended to  
11 include, in addition to the violator, any of its subsidiary organizations, its  
12 parent organization, or otherwise, affiliated with the violator when, in the  
13 opinion of the licensing authority, the circumstances of the violation  
14 warrant such action.

15 (b) The decision of the administrative law judge in any  
16 controversy concerning licensing, the imposition of a fine, or the approval  
17 of any proposed new concept, method, technology, practice, or procedure  
18 shall be IS final and subject to review by the court of appeals, pursuant to  
19 the provisions of section 24-4-106 (11). C.R.S.

20 (4) (Deleted by amendment, L. 2006, p. 986, § 3, effective May  
21 25, 2006.)

22 (5) Upon an administrative or judicial finding of a violation of this  
23 article PART 5, the rules adopted pursuant to this article PART 5, or any  
24 other provision of law, such as would warrant the suspension or  
25 revocation of a license, the licensing authority, in addition to any other  
26 penalties that may be imposed, may issue an order excluding the violator  
27 or any owner, officer, director, or games manager of the violator from the

1 licensed premises during the conduct of games of chance.

2 (6) (a) The secretary of state shall confer with the executive  
3 director of the department of revenue or his or her designee concerning:

4 (I) The desirability and practicability of transferring the  
5 responsibility for enforcement, licensing, or both under this article from  
6 the secretary of state to the department of revenue;

7 (II) The constitutional and statutory changes that would be  
8 necessary to effectuate such transfer; and

9 (III) The recommendations of the secretary of state and the  
10 executive director of the department of revenue for any other or  
11 additional constitutional or statutory changes to improve the regulation of  
12 bingo and raffles in Colorado.

13 (b) On or before December 31, 2008, the secretary of state and the  
14 executive director of the department of revenue shall jointly prepare and  
15 transmit a report of their findings and recommendations to the house and  
16 senate committees on finance and the house and senate committees on  
17 state, veterans, and military affairs, or their successor committees.

18 **24-21-506. [Formerly 12-9-103.5] Fees - department of state**  
19 **cash fund.** (1) All fees collected by the licensing authority pursuant to  
20 this article PART 5 shall be transmitted to the state treasurer, who shall  
21 credit the same THEM to the department of state cash fund created in  
22 section 24-21-104 (3)(b), C.R.S. also referred to in this section as the  
23 "fund". The moneys MONEY in the fund shall be IS subject to annual  
24 appropriation by the general assembly for the purposes of financing the  
25 licensing and enforcement activities of the secretary of state as specified  
26 in this article PART 5.

27 (2) (Deleted by amendment, L. 2002, p. 1648, § 5, effective

1 August 7, 2002.)

2 (3) (2) (a) Fees authorized by this article PART 5 shall be  
3 established by the licensing authority, in consultation with the board, in  
4 amounts sufficient to ensure that the total revenue generated by the  
5 collection of such fees approximates the direct and indirect costs incurred  
6 by the licensing authority in carrying out its duties under this article PART  
7 5. The amounts of all fees shall be reviewed annually. The licensing  
8 authority shall furnish to the board both an annual and a quarterly  
9 accounting of all fee and fine revenues received and expenditures made  
10 pursuant to this article PART 5, together with a list of all fees in effect.

11 (b) The cost of implementing the electronic application and report  
12 filing system required by section ~~12-9-103~~ 24-21-505 (1)(c), including the  
13 cost of promulgating any new or amended rules for use of the system,  
14 shall be recovered through a temporary fee increase or surcharge assessed  
15 on licensees during the first five years of operation of the system. The  
16 licensing authority shall establish the temporary fee or surcharge on a  
17 sliding or graduated scale, based on the quarterly gross receipts of each  
18 licensee that is required to file quarterly reports or pay fees under section  
19 ~~12-9-107.5 (5)~~ 24-21-521 (4) or section ~~12-9-108~~ 24-21-522 (6)(b), and  
20 in an amount sufficient to recover all of such costs within the five-year  
21 period.

22 (4) (3) All fines assessed pursuant to this article PART 5 shall be  
23 paid to the state treasurer who shall credit the same to the general fund of  
24 the state.

25 **24-21-507. [Formerly 12-9-104] Bingo-affle license - fee.**  
26 (1) A bona fide chartered branch, lodge, or chapter of a national or state  
27 organization or any bona fide religious, charitable, labor, fraternal,

1 educational, voluntary firefighters', or veterans' organization or any  
2 association, successor, or combination of association and successor of any  
3 of the said THESE organizations that operates without profit to its  
4 members, and that has been in existence continuously for a period of five  
5 years immediately prior to the making of application for a bingo-raffle  
6 license under this article PART 5, and has had during the entire five-year  
7 period dues-paying members engaged in carrying out the objects of said  
8 THE corporation or organization is eligible for a bingo-raffle license to be  
9 issued by the licensing authority under this article PART 5. If a license is  
10 revoked, the bingo-raffle licensee and holder thereof is not eligible to  
11 apply for another license under subsection (2) of this section until after  
12 the expiration of the period of five THREE years after the date of such THE  
13 revocation.

14 (2) The bingo-raffle licenses provided by this article PART 5 shall  
15 be issued by the licensing authority to applicants qualified under this  
16 article PART 5 upon payment of a fee established in accordance with  
17 section ~~12-9-103.5 (3)~~ 24-21-506 (2). Licenses shall expire at the end of  
18 the calendar year in which they were issued by the licensing authority and  
19 may be renewed by the licensing authority upon the filing of an  
20 application for renewal thereof provided by the licensing authority and  
21 the payment of the fee established for such THE renewal. No license  
22 granted under this article PART 5 or any renewal thereof shall be IS  
23 transferable. The fees required to be paid for a new or renewal license  
24 shall be deposited in the bingo-raffle DEPARTMENT OF STATE cash fund  
25 CREATED IN SECTION 24-21-104 (3)(b).

26 **24-21-508. [Formerly 12-9-104.5] Landlord licensees -**  
27 **stipulations.** (1) ~~No~~ A person ~~except~~ OTHER THAN a landlord licensee

1 shall NOT rent or offer to rent to any bingo-raffle licensee any premises  
2 to be used to conduct games of chance. A lease of the premises for a  
3 bingo occasion shall MUST be for a period of at least five consecutive  
4 hours unless the landlord licensee and bingo-raffle licensee agree to a  
5 shorter or longer period. The amount of rent to be charged, and the  
6 method used to calculate such rent, shall be established by agreement  
7 between the parties.

8 (2) No landlord licensee or any employee of a landlord licensee  
9 shall require, induce, or coerce a bingo-raffle licensee to enter into any  
10 contract, agreement, or lease contrary to the provisions of this article  
11 PART 5.

12 (3) No landlord licensee or any employee of a landlord licensee  
13 shall require, induce, or coerce a bingo-raffle licensee to purchase  
14 supplies or equipment, or to purchase or lease electronic devices used as  
15 aids in the game of bingo, from a particular supplier, distributor, or  
16 manufacturer as a condition of conducting games of chance at a  
17 commercial bingo facility.

18 (4) Rent charged to a bingo-raffle licensee by a landlord licensee  
19 for the use of a commercial bingo facility shall cover all expenses and  
20 items reasonably necessary for the use of the commercial bingo facility  
21 for a bingo occasion including, but not limited to, insurance and  
22 maintenance for such facility, adequate and secure storage space,  
23 restrooms, janitorial services, and utilities.

24 (5) No activity or business other than licensed games of chance  
25 may be conducted in a commercial bingo facility within space leased to  
26 a bingo-raffle licensee during the time allocated to the bingo-raffle  
27 licensee with the exception of the sale of food, beverages, bingo-related



1 merchandise and supplies, the operation of an automated cash service  
2 device, and such other activities and businesses as the bingo-raffle  
3 licensee may agree to. A landlord licensee may conduct other businesses  
4 and activities in space not included in the bingo-raffle licensee's rental  
5 agreement and in which games of chance are not held.

6 (6) No A landlord licensee or any employee or agent of a landlord  
7 licensee shall NOT be a party responsible for or assisting with the conduct,  
8 management, or operation of any game of chance within Colorado; except  
9 that a landlord licensee that is also a bingo-raffle licensee may conduct  
10 such activities as its bingo-raffle license allows exclusively on its own  
11 behalf.

12 (7) Notwithstanding subsection (6) of this section, a landlord,  
13 supplier, or manufacturer licensee may instruct and train a bingo-raffle  
14 licensee in the repair, operation, and maintenance of bingo-raffle  
15 equipment, subject to specific criteria established by rule.

16 (8) Every landlord licensee shall file with the licensing authority  
17 all leases, agreements, and other documents required in order for a  
18 bingo-raffle licensee to lease its commercial bingo facility.

19 **24-21-509. [Formerly 12-9-105] Application for bingo-raffle**  
20 **license. (1) Each applicant for a bingo-raffle license to be issued under**  
21 **the provisions of this section shall file with the licensing authority a**  
22 **written application in the form prescribed by the licensing authority, duly**  
23 **executed and verified, and in which shall be stated:**

24 **(a) The name and address of the applicant;**

25 **(b) Sufficient facts relating to its incorporation and organization**  
26 **to enable the licensing authority to determine whether or not it is a bona**  
27 **fide chartered branch, lodge, or chapter of a national or state organization**

1 or a bona fide religious, charitable, labor, fraternal, educational, voluntary  
2 firefighters', or veterans' organization that operates without profit to its  
3 members, has been in existence continuously for a period of five years  
4 immediately prior to the making of said application for such license, and  
5 has had during the entire five-year period dues-paying members engaged  
6 in carrying out the objectives of said applicant;

7 (c) The names and addresses of its officers;

8 (d) The specific kind of games of chance intended to be held,  
9 operated, and conducted by the applicant;

10 (e) (I) The place where such games of chance are intended to be  
11 held, operated, and conducted by the applicant under the license applied  
12 for; or

13 (II) In the case of the application of an exempt organization, the  
14 place or places where drawings are intended to be held, operated, and  
15 conducted by the organization under the license applied for;

16 (f) A statement that no commission, salary, compensation, reward,  
17 or recompense will be paid to any person for holding, operating, or  
18 conducting such games of chance or for assisting therein except as  
19 otherwise provided in this article PART 5;

20 (g) Such other information deemed advisable by the licensing  
21 authority to ~~insure~~ ENSURE that the applicant falls within the restrictions  
22 set forth by the state constitution.

23 (2) (a) In each application there shall be designated active  
24 members of the applicant organization under whom the games of chance  
25 described in the application are to be held, operated, and conducted, and  
26 to the application shall be appended a statement executed by the applicant  
27 and by the members so designated that they will be responsible for the

1 holding, operation, and conduct of such games of chance in accordance  
2 with the terms of the license and the provisions of this article PART 5.

3 (b) Each designated games manager shall MUST have been an  
4 active member of the applicant for at least the six months immediately  
5 preceding his or her designation and shall be certified by the licensing  
6 authority pursuant to section ~~12-9-105.1~~ 24-21-510 before assuming  
7 games management duties.

8 (3) In the event any premises are to be leased or rented in  
9 connection with the holding, operating, or conducting of any game of  
10 chance under this article PART 5, a written statement shall accompany the  
11 application signed and verified by the applicant, which shall MUST state  
12 the address of the leased or rented premises and the amount of rent that  
13 will be paid for said premises and which shall MUST certify that the  
14 premises are to be rented from a landlord licensee.

15 **24-21-510. [Formerly 12-9-105.1] Games managers -**  
16 **certification.** (1) The licensing authority shall issue a games manager  
17 certification to any qualified applicant who has demonstrated sufficient  
18 knowledge of this article PART 5, as determined by the licensing authority,  
19 and who has paid the fee established in accordance with section  
20 ~~12-9-103.5 (3)~~ 24-21-506 (2). A games manager certification shall be  
21 valid for a time period to be determined by the licensing authority by rule,  
22 and may be denied, suspended, or revoked for any violation of this article  
23 PART 5 or any rule or order of the licensing authority promulgated or  
24 issued pursuant to this article PART 5.

25 ~~(1.5)~~ (2) A person shall IS not be eligible for certification or TO act  
26 as a games manager in the conduct of a game of chance pursuant to this  
27 article PART 5 unless the person is eighteen years of age or older.

1           ~~(2)~~ (3) A person shall IS not be eligible for certification or TO act  
2 as a games manager in the conduct of any game of chance pursuant to this  
3 article PART 5 if such THE person has been convicted of any  
4 MISDEMEANOR INVOLVING GAMBLING OR ANY felony. or any offense  
5 involving gambling.

6           ~~(3)~~ (4) Unless authorized by the licensing authority in accordance  
7 with the rules of the licensing authority, a person shall not be designated  
8 or serve as a games manager for more than three bingo-raffle licensees  
9 simultaneously. The licensing authority may promulgate rules establishing  
10 the circumstances under which a person may be designated and serve as  
11 games manager for more than three bingo-raffle licensees.

12           **24-21-511. [Formerly 12-9-105.3] Application for landlord**  
13 **license - fee.** (1) Each applicant for a landlord license shall file with the  
14 licensing authority a written application, duly executed and verified, in  
15 the form presented by the licensing authority, which application shall  
16 include, but not be limited to, the following information:

17           (a) The name and address of the landlord and, if such commercial  
18 landlord is a corporation, partnership, association, or other business  
19 entity, the names and addresses of all partners, associates, and persons  
20 holding an ownership interest of ten percent or more;

21           (b) The name and address of the landlord's resident agent if the  
22 commercial landlord does not reside in Colorado and the location in  
23 Colorado where its records will be available to the licensing authority;

24           (c) The location of the premises for which the applicant is seeking  
25 such license;

26           (d) A statement by the landlord or the chief executive officer of  
27 the landlord that the landlord is familiar with the provisions of this article

1 PART 5 as to commercial bingo facilities and landlords thereof and accepts  
2 responsibility for compliance with such provisions:

3 (c) Repealed.

4 (f) (e) A statement by the landlord or the chief executive of the  
5 landlord that the primary purpose of the premises described in paragraph  
6 (c) of this subsection (1) SUBSECTION (1)(c) OF THIS SECTION is the  
7 conduct of bingo occasions.

8 (2) Each application shall designate an individual who shall act as  
9 agent for the landlord and who shall receive all communications  
10 concerning the license.

11 (3) There shall be attached to Each application MUST INCLUDE an  
12 affidavit signed by the applicant stating that WHETHER the landlord has  
13 not been convicted of any felony, THEFT BY DECEPTION, or any  
14 gambling-related offense as defined in article 10 of title 18 C.R.S. WITHIN  
15 THE PREVIOUS TEN YEARS. If the landlord is a corporation, limited liability  
16 company, or partnership, such THE affidavit shall MUST make such THE  
17 verification as to each officer and director of such THE corporation, each  
18 member and manager of such THE limited liability company, or each  
19 partner and associate of such THE partnership. A PERSON THAT HAS BEEN  
20 CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR  
21 GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18  
22 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED  
23 PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF  
24 ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS  
25 DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN  
26 YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION  
27 REQUIRED BY THE LICENSING AUTHORITY.

1           (4) A landlord license shall expire EXPIRES at the end of the  
2 calendar year in which it was issued. Each license issued shall be  
3 conspicuously displayed at the premises for which the license has been  
4 issued. No landlord license is transferable. The annual fee for each  
5 landlord license shall be established in accordance with section  
6 ~~12-9-103.5(3)~~ 24-21-506 (2).

7           **24-21-512. [Formerly 12-9-105.5] Application for**  
8 **manufacturer license.** (1) Each application for a manufacturer license  
9 shall MUST include, but not be limited to, the following information:

- 10           (a) The name and address of the applicant;
- 11           (b) The name and address of the manufacturer and, if the  
12 manufacturer is a corporation, the name and address of each officer,  
13 director, and shareholder holding an ownership interest of ten percent or  
14 more;
- 15           (c) A description of the equipment manufactured in connection  
16 with games of chance activities in Colorado;
- 17           (d) The name and address of the resident agent of the  
18 manufacturer if the applicant does not reside in Colorado and the location  
19 in Colorado where the records of the manufacturer will be available to the  
20 licensing authority;
- 21           (e) The names and addresses of the Colorado suppliers and agents  
22 of the manufacturer; and
- 23           (f) A statement by the manufacturer or the chief executive officer  
24 of the manufacturer that such manufacturer is familiar with the provisions  
25 of this article PART 5 as to bingo-raffle manufacturers and accepts  
26 responsibility for compliance with such provisions.

27           (2) ~~To~~ Each application for a manufacturer license shall be

1 attached MUST INCLUDE a statement that REGARDING WHETHER the  
2 applicant; or its owners; or its officers or directors if a corporation; or its  
3 members, managers, partners, or associates if another business entity, has  
4 not been convicted of any felony, THEFT BY DECEPTION, or any  
5 GAMBLING-RELATED offense involving gambling as defined in article 10  
6 of title 18. C.R.S. A PERSON THAT HAS BEEN CONVICTED OF ANY FELONY,  
7 THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS DEFINED IN  
8 ARTICLE 10 OF TITLE 18 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE  
9 FOR A LICENSE ISSUED PURSUANT TO THIS SECTION. A PERSON THAT HAS  
10 BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR  
11 GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18  
12 WITHIN MORE THAN THE PREVIOUS TEN YEARS SHALL DISCLOSE THE  
13 INFORMATION RELATED TO THE CONVICTION REQUIRED BY THE LICENSING  
14 AUTHORITY.

15 (3) Any bingo-raffle manufacturer, as defined in section 12-9-102  
16 (1.3), upon filing a true, complete, written, verified application in the  
17 form presented by the licensing authority, together with the fee for the  
18 license, is eligible for a manufacturer license. A manufacturer license  
19 shall be renewed annually, on or before March 31 of each year in which  
20 such licensee engages in or anticipates engaging in a licensed activity. A  
21 manufacturer license is nontransferable. The annual fee for each license  
22 shall be established in accordance with section 12-9-103.5 (3) 24-21-506  
23 (2).

24 **24-21-513. [Formerly 12-9-105.7] Application for supplier**  
25 **license.** (1) Each application for a supplier license shall MUST include,  
26 but not be limited to, the following information:

27 (a) The name and address of the applicant;

1           (b) The name and address of the supplier and, if the supplier is a  
2 corporation, the name and address of each officer, director, and  
3 shareholder holding an ownership interest of ten percent or more;

4           (c) A description of the equipment and supplies sold or distributed  
5 in connection with games of chance activities in Colorado;

6           (d) The name and address of the resident agent of the supplier if  
7 the applicant does not reside in Colorado and the location in Colorado  
8 where the records of the supplier will be available to the licensing  
9 authority;

10           (e) The names and addresses of the Colorado MANUFACTURERS  
11 AND COLORADO agents of the supplier; and

12           (f) A statement by the supplier or the chief executive officer of the  
13 supplier that such supplier is familiar with the provisions of this article  
14 PART 5 as to bingo-raffle suppliers and accepts responsibility for  
15 compliance with such provisions.

16           (2) ~~To~~ Each application for a supplier license ~~shall be attached~~  
17 MUST INCLUDE a statement ~~that~~ REGARDING WHETHER the applicant; or its  
18 owners; ~~or~~ its officers or directors if a corporation; or its members,  
19 managers, partners, or associates if another business entity, has ~~not~~ been  
20 convicted of any felony, THEFT BY DECEPTION, or ~~any~~ offense involving  
21 gambling as defined in article 10 of title 18. ~~C.R.S.~~ A PERSON THAT HAS  
22 BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR  
23 GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18  
24 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED  
25 PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF  
26 ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS  
27 DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN



1 YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION  
2 REQUIRED BY THE LICENSING AUTHORITY.

3 (3) Any bingo-raffle supplier, as defined in section 12-9-102(1.4),  
4 upon filing a true, complete, written, verified application in the form  
5 presented by the licensing authority, together with the fee for the license,  
6 is eligible for a supplier license. A supplier license shall be renewed  
7 annually, on or before March 31 of each year in which such licensee  
8 engages in or anticipates engaging in a licensed activity. A supplier  
9 license is nontransferable. The annual fee for each license shall be  
10 established in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2).

11 **24-21-514. [Formerly 12-9-105.9] Application for**  
12 **manufacturer's agent license or supplier's agent license.** (1) Each  
13 application for a manufacturer's agent license or supplier's agent license  
14 shall MUST include, but not be limited to, the following information:

15 (a) The name and address of the applicant;

16 (b) The name and address of the supplier or manufacturer  
17 represented by the applicant;

18 (c) A statement by the applicant that he or she has read,  
19 understands, and will comply with the provisions of this article PART 5 as  
20 to manufacturer's and supplier's agents and the conditions of the agent's  
21 license;

22 (d) A statement by the chief executive officer of the manufacturer  
23 or supplier represented by the agent, which statement acknowledges  
24 consent to representation by the applicant; and

25 (e) The location in Colorado where the agent's records of sales  
26 and distributions of bingo and raffle equipment and supplies will be  
27 available to the licensing authority.

1           (2) To Each agent's application shall be attached MUST INCLUDE  
2           a statement that REGARDING WHETHER the applicant has not been  
3           convicted of any felony, THEFT BY DECEPTION, or any offense involving  
4           gambling as defined in article 10 of title 18. C.R.S. A PERSON THAT HAS  
5           BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR  
6           GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18  
7           WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED  
8           PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF  
9           ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS  
10           DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN  
11           YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION  
12           REQUIRED BY THE LICENSING AUTHORITY.

13           (3) Any supplier's agent or manufacturer's agent, as defined in  
14           section 12-9-102 (13.3) and (20.3); upon filing a complete, written,  
15           verified application in the form presented by the licensing authority,  
16           together with the fee for the license, is eligible for a manufacturer's or  
17           supplier's agent license. A manufacturer's or supplier's agent license shall  
18           be renewed annually, on or before March 31 of each year in which such  
19           licensee engages in or anticipates engaging in a licensed activity. Neither  
20           a manufacturer's agent license nor a supplier's agent license is  
21           transferable. The annual fee for each license shall be established in  
22           accordance with section 12-9-103.5 (3) 24-21-506 (2).

23           **24-21-515. [Formerly 12-9-106] Persons permitted to conduct**  
24           **games of chance - form of bingo-raffle licenses - display.** (1) A person,  
25           firm, or organization within this state shall not conduct a game of chance  
26           without a bingo-raffle license issued by the licensing authority. Only an  
27           active member of the organization to which the bingo-raffle license is

1 issued may hold, operate, or conduct games of chance under a license  
2 issued under this article PART 5, and a person shall not assist in the  
3 holding, operating, or conducting of any games of chance under a  
4 bingo-raffle license except an active member or a member of an  
5 organization or association that is an auxiliary to the licensee, a member  
6 of an organization or association of which the licensee is an auxiliary, or  
7 a member of an organization or association that is affiliated with the  
8 licensee by being, with it, auxiliary to another organization or association.  
9 A licensee shall incur or pay only bona fide expenses in a reasonable  
10 amount for goods, wares, and merchandise furnished or services rendered  
11 that are reasonably necessary for the holding, operating, or conducting of  
12 a game of chance.

13 (2) Each bingo-raffle license must contain a statement of the name  
14 and address of the licensee and the place where bingo or lotto games or  
15 the drawing of the raffles is to be held. If the bingo-raffle licensee moves  
16 from the games or drawing location listed on its license, the bingo-raffle  
17 licensee must notify the licensing authority in writing prior to  
18 commencing bingo or conducting a raffle drawing at the new location.  
19 The licensing authority may issue a letter of authorization to move the  
20 location of the bingo or lotto games or the drawing of the raffles. The  
21 letter of authorization must remain with the original license and must be  
22 available for inspection at the place where games or drawings are to be  
23 held. A license issued for an exempt organization must include the place  
24 or places where drawings are to be held. EXCEPT AS SPECIFIED IN  
25 SUBSECTION (4) OF THIS SECTION, each bingo-raffle license issued for the  
26 conduct of any games of chance must be conspicuously displayed at the  
27 place where the game is to be conducted or the drawings held at all times

1 during the conduct thereof. An exempt organization may comply with this  
2 section by providing written notice of a license to all employees of a  
3 participating private business or government agency holding a  
4 fund-raising drive that includes a drawing on behalf of the organization.  
5 The notice must state that the license is available for public inspection  
6 during reasonable business hours and must specify where the license is  
7 maintained for inspection.

8 (3) A licensee shall conspicuously display, at the place where a  
9 game is being conducted, its license issued for the conduct of games of  
10 chance at all times during the conduct of the game and for at least thirty  
11 minutes after the last game has been concluded.

12 (4) Notwithstanding subsection (2) of this section, a bingo-raffle  
13 licensee conducting a pull tab game for the benefit of its members and  
14 guests on premises that are owned by it, or leased by it for purposes other  
15 than the conduct of a bingo occasion, may display a copy of its license,  
16 in a format approved by the licensing authority, on the premises during  
17 any time the licensee is also conducting a bingo or raffle occasion at a  
18 separate location.

19 **24-21-516. [Formerly 12-9-106.5] Form of landlord license -**  
20 **display - fee.** (1) Each landlord license shall MUST contain a statement  
21 of the name and address of the licensee and the location of the premises.  
22 Each license issued shall be conspicuously displayed at the premises for  
23 which the license has been issued.

24 (2) A landlord license shall be issued to qualified applicants by the  
25 licensing authority upon payment of a fee and completion and approval  
26 of the landlord license application pursuant to section ~~12-9-105.3~~. Such  
27 ~~24-21-511~~. THE license shall expire EXPIRES at the end of the calendar

1 year in which it was issued by the licensing authority and may be renewed  
2 upon the filing and approval of an application for renewal provided by the  
3 licensing authority and the payment of a fee. No landlord license is  
4 transferable. The fees required to be paid for new and renewed licenses  
5 shall be established in accordance with section ~~12-9-103.5~~(3) 24-21-506  
6 (2).

7 **24-21-517. [Formerly 12-9-107] General conduct games of**  
8 **chance - premises - equipment - expenses - rules.** (1) A licensee shall  
9 not hold, operate, or conduct a game of bingo or lotto more often than as  
10 specified by the licensing authority by rule, after consultation with the  
11 board.

12 (2) A person or licensee shall not permit any person under  
13 eighteen years of age to purchase the opportunity to participate in any  
14 game of chance or purchase pull tab games.

15 (3) A person or licensee shall not permit any person under  
16 fourteen years of age to assist in the conduct of bingo or pull tabs.

17 (4) A licensee shall not offer or give an alcoholic beverage as a  
18 prize in a game of chance.

19 (5) The licensing authority shall establish by rule the method of  
20 play and amount of prizes that may be awarded; except that the maximum  
21 prize that may be awarded must be at least five hundred dollars.

22 (6) Food offered in the course of a volunteer duty shift and  
23 consumed on the premises where the game of chance is being conducted  
24 is not remuneration if the retail value of the food offered does not exceed  
25 the maximum amount per volunteer set by rule.

26 (7) (a) The officers of a bingo-raffle licensee shall designate one  
27 or more bona fide, active members of the licensee as its games managers

1 to be in charge of and primarily responsible for the conduct of the games  
2 of bingo or lotto on each occasion. The games managers shall supervise  
3 all activities on the occasion for which they are in charge and are  
4 responsible for making all required reports. The games managers,  
5 governing board of the licensee, and the individual acting in the role of  
6 a treasurer on behalf of the licensee must be familiar with all applicable  
7 provisions of state law, the rules of the licensing authority, and the  
8 license. The governing board of the licensee is ultimately responsible for  
9 the maintenance of books and records and the filing of the reports  
10 pursuant to this section. At least one games manager shall be present on  
11 the premises continuously during the games and for a period sufficient to  
12 ensure that all books and records for the occasion have been closed and  
13 that all supplies and equipment have been secured.

14 (b) An exempt organization may designate more than one of its  
15 bona fide, active members in order to comply with this subsection (7).

16 (8) The officers of a bingo-raffle licensee shall designate an  
17 officer to be in full charge of and primarily responsible for the proper  
18 utilization of the entire net proceeds of any game in accordance with the  
19 state law.

20 (9) The premises where any game of chance is being held,  
21 operated, or conducted, or is intended to be held, operated, or conducted,  
22 or where it is intended that any equipment be used, must be kept open to  
23 inspection at all times by the licensing authority, its agents and  
24 employees, and peace officers of any political subdivision of the state.

25 (10) (a) In conducting a bingo or pull tab game, a bingo-raffle  
26 licensee may operate equipment if the bingo-raffle licensee:

27 (I) Leases the equipment from a manufacturer licensee or supplier

1 licensee on premises that are owned, leased, or rented by the licensee,  
2 used as the licensee's principal place of business, and controlled so that  
3 admittance to the premises is limited to the licensee's members and bona  
4 fide guests;

5 (II) Owns the equipment; or

6 (III) Leases equipment that is owned or leased by a landlord  
7 licensee.

8 (b) Nothing in this subsection (10) prohibits a bingo-raffle  
9 licensee from leasing electronic devices used as aids in the game of  
10 bingo.

11 (11) A licensee shall not possess, use, sell, offer for sale, or put  
12 into play any bingo or pull tab game, ticket, card, or sheet unless it  
13 conforms to the definitions and requirements of this article PART 5 and  
14 was purchased by the licensee from a licensed bingo-raffle manufacturer  
15 or supplier or licensed agent thereof. A licensee shall not possess, use,  
16 sell, offer for sale, or put into play any electronic device used as an aid in  
17 the game of bingo unless it conforms to the requirements of this article  
18 PART 5 and was purchased or leased by the licensee from a licensed  
19 bingo-raffle manufacturer or supplier or licensed agent thereof.

20 (12) In order to possess, use, sell, offer for sale, or put into play  
21 any bingo or pull tab game, ticket, card, or sheet, a licensee must have at  
22 the location of the game an invoice from its licensed supplier showing at  
23 least the name, description, color code, if any, and serial number of the  
24 pull tab, card, or sheet.

25 (13) The licensing authority shall establish, by rule, safeguards to  
26 protect the bingo-raffle licensee's players against defaults in charitable  
27 gaming debts owed or to become payable by the bingo-raffle licensee.

1           (14) The net proceeds derived from the holding of games of  
2 chance must be devoted, within one year, to the lawful purposes of the  
3 organization permitted to conduct the game of chance. Any organization  
4 desiring to hold the net proceeds of games of chance for a period longer  
5 than one year must apply to the licensing authority for special permission  
6 and, upon good cause shown, the licensing authority may grant the  
7 request.

8           (15) The licensing authority may require a licensee that does not  
9 report, during any one-year licensing period, positive net proceeds to  
10 show cause before the licensing authority why its right to conduct games  
11 of chance should not be suspended or revoked. The licensing authority  
12 may establish by rule the conditions for suspending, revoking, or refusing  
13 to renew a license to conduct charitable gaming for failure to report  
14 positive net proceeds.

15           **24-21-518. [Formerly 12-9-107.1] Conduct of bingo games.**

16           (1) In the playing of bingo, only persons who are physically present on  
17 the premises where the game is actually conducted may participate as  
18 players in the game.

19           (2) (a) A person shall not act as a caller or assistant to the caller  
20 in the conduct of any game of bingo unless the person has been a member  
21 in good standing of the bingo-raffle licensee conducting the game or one  
22 of its licensed auxiliaries for at least three months immediately prior to  
23 the date of the game, is of good moral character, and never has been  
24 convicted of a MISDEMEANOR INVOLVING GAMBLING OR ANY felony. ~~or a~~  
25 crime involving gambling.

26           (b) An owner, co-owner, or lessee of premises or, if a corporation  
27 is the owner of the premises, any officer, director, or stockholder owning



1 more than ten percent of the outstanding stock must not be a person  
2 responsible for or assisting in the holding, operating, or conducting of any  
3 game of bingo.

4 (3) (a) The equipment used in the playing of bingo and the method  
5 of play must be such that each card has an equal opportunity to win. The  
6 objects or balls to be drawn must be essentially the same as to size, shape,  
7 weight, balance, and all other characteristics that may influence their  
8 selection. All objects or balls must be present in the receptacle before  
9 each game begins. All numbers announced must be plainly and clearly  
10 audible to all the players present. Where more than one room is used for  
11 any one game, the receptacle and the caller must be present in the room  
12 where the greatest number of players are present, and all numbers  
13 announced must be plainly audible to the players in the aforesaid room  
14 and also audible to the players in the other rooms.

15 (b) The receptacle and the caller must be visible to all the players  
16 at all times except where more than one room is used for any one game,  
17 in which case paragraph (a) of this subsection (3) SUBSECTION (3)(a) OF  
18 THIS SECTION applies.

19 (c) The particular arrangement of numbers required to be covered  
20 in order to win the game and the amount of the prize must be clearly and  
21 audibly described and announced to the players immediately before each  
22 game begins.

23 (d) An operator shall not reserve or allow to be reserved any bingo  
24 cards for use by players except braille cards or other cards for use by  
25 legally blind players. A person who is legally blind may use his or her  
26 personal braille cards when a licensed organization does not provide such  
27 cards. A licensed organization may inspect and reject any personal braille

1 card. A person who is legally blind or an individual with a disability may  
2 use a braille card or hard card in place of a purchased disposable paper  
3 bingo card.

4 (e) Any player may call for a verification of all numbers drawn at  
5 the time a winner is determined and for a verification of the objects or  
6 balls remaining in the receptacle and not yet drawn. The verification shall  
7 be made in the immediate presence of the member designated to be in  
8 charge of the occasion, but if that member is also the caller, then in the  
9 immediate presence of any officer of the licensee.

10 (4) When any merchandise prize is awarded in a game of bingo,  
11 its value is its current retail price. A merchandise prize is not redeemable  
12 or convertible into cash directly or indirectly.

13 (5) (a) Notwithstanding the limitations stated in section 12-9-107  
14 24-21-517 (5), during a bingo occasion a bingo-raffle licensee may also  
15 start a single game of progressive bingo, in an amount established by rule  
16 by the licensing authority, in which the game is won when a previously  
17 designated arrangement of numbers or spaces on the card or sheet is  
18 covered within a previously designated number of objects or balls drawn.  
19 If the game is not won within the drawing of the previously designated  
20 number of objects or balls, the game must be replayed either during each  
21 subsequent occasion the licensee conducts at the same location or during  
22 each subsequent occasion that falls on the same day of the week at the  
23 same location, using the previously designated arrangement of numbers  
24 or spaces.

25 (b) A bingo-raffle licensee may award a consolation prize for a  
26 game of progressive bingo. The bingo-raffle licensee determines the  
27 amount of the consolation prize. Notice of the amount must be

1 conspicuously displayed before the beginning of the bingo-raffle  
2 occasion, and the amount is included as part of the aggregate amount of  
3 all prizes offered or given in games played on a single occasion, as set  
4 forth in paragraph (a) of this subsection (5) SUBSECTION (5)(a) OF THIS  
5 SECTION. If a consolation prize is offered and the progressive prize is not  
6 won, the game continues until the previously designated arrangement of  
7 numbers or spaces on the card or sheet is covered, regardless of the  
8 number of balls drawn, in order to determine the winner of the  
9 consolation prize. If a consolation prize is not offered, the progressive  
10 game ends when the last of the previously designated number of balls is  
11 drawn and must be replayed in accordance with paragraph (a) of this  
12 subsection (5) SUBSECTION (5)(a) OF THIS SECTION. If a consolation prize  
13 is offered and the progressive prize is won, the licensee may opt to award  
14 the consolation prize during that occasion. If the consolation prize is  
15 awarded, the licensee must include the total amount of the consolation  
16 prize in the total amount of any subsequent games offered in the session,  
17 not to exceed the maximum allowed for the occasion.

18 (c) A bingo-raffle licensee may fund a secondary jackpot from ten  
19 percent of the gross proceeds collected from the sale of progressive cards  
20 or sheets at the occasion where the game is offered. Notwithstanding the  
21 limitation stated in paragraph (a) of this subsection (5) SUBSECTION (5)(a)  
22 OF THIS SECTION, the amount in the secondary jackpot may be used to start  
23 a single game of progressive bingo after a previous progressive jackpot  
24 is won.

25 (d) The licensing authority may establish by rule the maximum  
26 jackpot that may be awarded in a progressive bingo game; except that the  
27 maximum jackpot must be at least fifteen thousand dollars.

1           (e) The licensing authority may establish by rule the maximum  
2 number of progressive bingo games, not less than one, that may be  
3 conducted during an occasion. In order to ensure that all prizes offered  
4 are timely awarded, the licensing authority may limit by rule the number  
5 of occasions in which a progressive bingo game may be conducted before  
6 a prize must be awarded; except that the maximum number of occasions  
7 must be at least thirty.

8           (6) (a) Equipment, prizes, and supplies for games of bingo must  
9 not be purchased or sold at prices in excess of the usual price thereof. A  
10 licensee shall not sell or offer for sale any game of chance, or supplies for  
11 a game of chance, that is not authorized by this article PART 5 or by rules  
12 adopted by the licensing authority pursuant to this article PART 5.

13           (b) Cards and sheets that are designed or intended for use with  
14 electronic devices used as aids in the game of bingo shall not be  
15 purchased or sold at prices in excess of the usual price of cards and sheets  
16 that are not designed or intended for use with electronic devices used as  
17 aids in the game of bingo. Charges imposed by any manufacturer,  
18 supplier, agent thereof, or bingo-raffle licensee for cards and sheets that  
19 are designed or intended for use with electronic devices used as aids in  
20 the game of bingo shall be stated and imposed separately from any  
21 charges imposed by the manufacturer, supplier, agent thereof, or  
22 bingo-raffle licensee for the purchase, lease, or use of electronic devices  
23 used as aids in the game of bingo. Manufacturers, suppliers, and their  
24 agents shall not include costs attributable to the manufacture or  
25 distribution of electronic devices used as aids in the game of bingo in  
26 charges imposed for the purchase or lease of equipment, including cards  
27 and sheets.

1           (7) (a) If a card or sheet is played with the aid of an electronic  
2 device, a winning bingo may be determined and verified either by  
3 reference to the card or sheet or by reference to the electronic device.  
4 Nothing in this article PART 5 authorizes the playing of bingo solely by  
5 means of an electronic device.

6           (b) A bingo-raffle licensee shall adequately mark, destroy, or  
7 dispose of cards or sheets played with the aid of an electronic device in  
8 order to prevent the reuse of those cards or sheets.

9           (c) The licensing authority may establish by rule the maximum  
10 number of bingo cards that a bingo player who plays using the aid of an  
11 electronic device is permitted to use with the aid of such a device per  
12 game; except that the maximum number must be at least ~~thirty-six~~  
13 FORTY-TWO.

14           (d) A bingo-raffle licensee is not required to use or offer the use  
15 of electronic devices used as aids in the game of bingo during a bingo  
16 session.

17           (8) (a) With the application for a letter ruling pursuant to section  
18 ~~12-9-103~~ 24-21-505 (1)(d) for the approval of a new type of electronic  
19 device used in the aid of bingo, the manufacturer of the device must  
20 provide the following to the licensing authority:

21           (I) A prototype of the new type of electronic device used in the aid  
22 of bingo with a prototype bingo aid computer system and a user's manual  
23 used for such electronic device; and

24           (II) A certification by the manufacturer that the new type of  
25 electronic device used in the aid of bingo and all such electronic devices  
26 used in the state meet the following standards:

27           (A) The electronic device provides a means for the input of

1 numbers announced by a bingo caller:

2 (B) The electronic device compares the numbers entered to the  
3 numbers contained on bingo cards previously stored in the electronic  
4 database of the electronic device:

5 (C) The electronic device identifies winning bingo patterns; and

6 (D) The electronic device signals when a winning bingo pattern  
7 is achieved.

8 (b) The licensing authority shall return the prototype electronic  
9 device used in the aid of bingo, the prototype bingo aid computer system,  
10 and the user's manual submitted pursuant to subparagraph (1) of paragraph  
11 (a) of this subsection (8) SUBSECTION (8)(a)(1) OF THIS SECTION no later  
12 than forty-five days after receiving the items.

13 (c) When a complaint regarding an electronic device used in the  
14 aid of bingo that is in use in the state of Colorado has been filed with the  
15 licensing authority, the manufacturer of the device shall provide to the  
16 licensing authority a sample of the device and bingo aid computer system  
17 to assist the investigation by the licensing authority. The licensing  
18 authority shall return the electronic device and bingo aid computer system  
19 no later than forty-five days after receiving them unless they are needed  
20 longer to complete the investigation.

21 (d) Any electronic device used in the aid of bingo, bingo aid  
22 computer system, or user's manual for such a device that is in the custody  
23 of the licensing authority pursuant to this section is not a public record.

24 (9) A bingo aid computer system used by a bingo-raffle licensee  
25 for bingo sessions must meet the following standards:

26 (a) The system must contain a record of all transactions occurring  
27 during a bingo-raffle session. The record must be retained in memory

1 until the transactions have been totaled, printed, and cleared by the  
2 bingo-raffle licensee, regardless of whether the power supply has been  
3 interrupted.

4 (b) The system must be able to compute and total all transactions  
5 processed by the system during a bingo-raffle session and to print all  
6 information required by the licensing authority, in the form prescribed by  
7 the licensing authority.

8 (c) The system must maintain and control the time, date of sale,  
9 and transaction number, keeping the information secure enough that only  
10 a manufacturer's qualified personnel can change or reset the information.  
11 The manufacturer's qualified personnel shall retain a detailed record for  
12 each service call that involves a change of the time, date of sale, or  
13 transaction number.

14 (10) If an electronic device used as an aid in the game of bingo  
15 complies with sub-subparagraphs (A) to (D) of subparagraph (II) of  
16 paragraph (a) of subsection (8) SUBSECTIONS (8)(a)(II)(A) TO  
17 (8)(a)(II)(D) of this section, and if the bingo aid computer system for the  
18 electronic device substantially complies with the requirements of  
19 subsection (9) of this section, the licensing authority shall approve the  
20 electronic device and computer system for use by a letter ruling pursuant  
21 to section ~~12-9-103~~ 24-21-505 (1)(d).

22 **24-21-519. [Formerly 12-9-107.2] Conduct of pull tabs - license**  
23 **revocation - rules - definitions.** (1) A licensee shall not sell, offer for  
24 sale, or put into play any pull tab ticket except at the location of and  
25 during its licensed bingo occasions or upon premises that are:

26 (a) Owned, leased, or rented by the bingo-raffle licensee, used as  
27 its principal place of business, and controlled so that admittance to the

1 premises is limited to the bingo-raffle licensee's members and bona fide  
2 guests; or

3 (b) Owned, leased, or rented by a landlord licensee.

4 (2) A bingo-raffle licensee may offer a prize to the purchaser of  
5 a last sale ticket in a pull tab game, deal, or series without regard to its  
6 winning or nonwinning status as revealed if broken or torn apart.

7 (3) A bingo-raffle licensee may offer an event pull tab series. For  
8 the purposes of this subsection (3):

9 (a) "Event pull tab series" means a pull tab series that includes a  
10 predetermined number of pull tabs that allow a player to advance to an  
11 event round.

12 (b) "Event round" means a secondary element of chance where the  
13 prizes are determined based on pull tabs that match specific winning  
14 numbers drawn in a bingo game and the winning numbers shall fall  
15 within numbers one to seventy-five, inclusive.

16 (4) (a) A bingo-raffle licensee may offer a progressive pull tab  
17 game in which a prize may be carried over and increased from one deal  
18 to another until a prize is awarded. The game may include a subsequent  
19 pull tab deal bearing a different serial number from that offered in a  
20 previous deal. A licensee shall not offer or give a prize greater, in amount  
21 or value, than five thousand dollars in any progressive pull tab game. The  
22 licensing authority may limit by rule the types of progressive pull tab  
23 games allowed to be sold by supplier licensees.

24 (b) When a deal of progressive pull tabs is received in two or  
25 more packages, boxes, or other containers, all of the progressive pull tabs  
26 from the respective packages, boxes, or other containers must be placed  
27 out for play at the same time.



1           (5) (a) A licensee shall not possess, use, sell, offer for sale, or put  
2 into play any computerized or electromechanical facsimile of a pull tab  
3 game.

4           (b) A licensee shall not possess, use, sell, offer for sale, or put into  
5 play any device that reveals the winning or nonwinning status of a pull  
6 tab ticket unless the device has been tested, approved, and licensed  
7 pursuant to subsection (6) of this section and not subsequently altered or  
8 tampered with.

9           (c) Any of the following persons that are found to have violated  
10 paragraph (b) of this subsection (5) SUBSECTION (5)(a) OF THIS SECTION  
11 are subject to immediate and permanent revocation of all licenses issued  
12 under this article PART 5:

13           (I) The manufacturer of the device;

14           (II) The supplier through which the device was supplied;

15           (III) The landlord licensee on whose premises the device was  
16 found; and

17           (IV) The bingo-raffle licensee of the occasion during which the  
18 device was present.

19           (6) (a) The licensing authority shall test, inspect, and license every  
20 mechanical, electronic, or electromechanical device that reveals the  
21 winning or nonwinning status of a pull tab ticket before the device is used  
22 in charitable gaming. The licensing authority shall employ an independent  
23 contractor to conduct the tests and inspections, the cost of which shall be  
24 borne by the manufacturer or supplier seeking approval of the device. The  
25 licensing authority shall not issue a license for a device until the device  
26 is secured in a manner prescribed by the licensing authority and the  
27 contractor receives payment in full for the cost of all tests and

1 inspections.

2 (b) Every person shipping or importing into Colorado a device  
3 subject to paragraph (a) of this subsection (6) SUBSECTION (6)(a) OF THIS  
4 SECTION shall provide the licensing authority with a copy of the shipping  
5 invoice at the time of shipment. The invoice must contain, at a minimum,  
6 the destination of the shipment and the serial number and description of  
7 each device being transported.

8 (c) Every person receiving a device subject to paragraph (a) of this  
9 subsection (6) SUBSECTION (6)(a) OF THIS SECTION shall, upon receipt of  
10 the device, provide the licensing authority with the serial number and  
11 description of each device received and information describing the  
12 location of each device. The requirements of this paragraph (c)  
13 SUBSECTION (6)(c) apply regardless of whether the device is received  
14 from a licensed supplier or from any other source.

15 (d) A device licensed pursuant to this subsection (6) is licensed  
16 for and may only be used in one specific licensed location identified by  
17 the licensing authority. Any movement of the device from the licensed  
18 location for use at another licensed location shall be reported to AND  
19 MUST BE APPROVED BY the licensing authority in advance.

20 (e) The licensing authority may adopt rules and prescribe all  
21 necessary forms in furtherance of this subsection (6).

22 (f) Notwithstanding any other provision of this article PART 5, the  
23 licensing authority shall not license:

24 (I) A pull tab game that is stored, electronically or otherwise,  
25 within a device and designed to be played on such device; or

26 (II) Any device that qualifies as a slot machine pursuant to section  
27 9 (4)(c) of article XVIII of the Colorado constitution.

1           (g) The prohibition contained in paragraph (f) of this subsection  
2 (6) SUBSECTION (6)(f) OF THIS SECTION does not prohibit the licensing of:

3           (I) A device that merely dispenses pull tab tickets to players; or  
4           (II) A device that merely reads or validates a pull tab ticket  
5 inserted by a player, if:

6           (A) The pull tab ticket itself displays its winning or nonwinning  
7 status so that use of the device is not required to determine such status;  
8 and

9           (B) The device cannot be used in a manner that would qualify it  
10 as a slot machine pursuant to section 9 (4)(c) of article XVIII of the  
11 Colorado constitution.

12           **24-21-520. [Formerly 12-9-107.3] Conduct of raffles - rules.**

13           (1) The licensing authority shall not require an exempt organization to  
14 use raffle tickets in any particular form or displaying any particular  
15 information that would cause undue expense to the exempt organization  
16 and therefore interfere with the charitable fund-raising drive of the  
17 organization.

18           (2) (a) A bingo-raffle licensee may offer a progressive raffle in  
19 which a jackpot may be carried over and increased from one drawing to  
20 another until the jackpot is awarded. If the jackpot is not awarded at a  
21 drawing, the bingo-raffle licensee shall conduct a new drawing at the  
22 same location at a time and date determined by the bingo-raffle licensee.

23           (b) A bingo-raffle licensee may award a consolation prize for a  
24 progressive raffle, in which the jackpot is not won. The bingo-raffle  
25 licensee may designate the consolation prize as either a specified amount  
26 or a specified percentage of the gross proceeds collected from the sale of  
27 raffle tickets for a particular drawing. The bingo-raffle licensee may

1 determine the amount of the jackpot based on the gross proceeds  
2 collected from the sale of raffle tickets for a particular drawing plus the  
3 value of the jackpot carried over from previous drawings in which the  
4 jackpot was not awarded. IF A CONSOLATION PRIZE IS OFFERED AND THE  
5 PROGRESSIVE PRIZE IS WON, THE LICENSEE MAY OPT TO AWARD THE  
6 CONSOLATION PRIZE FOR THAT PARTICULAR DRAWING.

7 (c) If the bingo-raffle licensee offers a consolation prize, the  
8 bingo-raffle licensee shall, before the drawing:

9 (I) Designate the specific amount or specific percentage of the  
10 gross proceeds collected from the sale of raffle tickets that the consolation  
11 prize equals; and

12 (II) Conspicuously display the amount or percentage of the gross  
13 proceeds collected that the consolation prize equals.

14 (d) The licensing authority may establish by rule the maximum  
15 jackpot that a bingo-raffle licensee may award for a progressive raffle;  
16 except that, notwithstanding section ~~12-9-107~~ 24-21-517 (5), the  
17 maximum jackpot must be at least fifteen thousand dollars. The maximum  
18 jackpot does not include the aggregate amount of consolation prizes  
19 awarded.

20 (e) The licensing authority may establish by rule the maximum  
21 number of progressive raffles that a bingo-raffle licensee may conduct  
22 simultaneously. To ensure that all prizes offered are timely awarded, the  
23 licensing authority may limit by rule the number of drawings that a  
24 bingo-raffle licensee may conduct before a jackpot must be awarded;  
25 except that the maximum number of drawings must be at least thirty.

26 (f) (I) The licensing authority may establish by rule the permitted  
27 methods of conducting a progressive raffle.

1           (II) The licensing authority may not prohibit those methods of  
2 conducting a progressive raffle in which the participant whose ticket  
3 number is drawn wins both a prize for the winning ticket number and a  
4 chance to win the jackpot.

5           **24-21-521. [Formerly 12-9-107.5] Persons permitted to**  
6 **manufacture and distribute games of chance equipment - reporting**  
7 **requirements.** (1) ~~No~~ A person other than a manufacturer licensee or  
8 licensed agent shall NOT act as a bingo-raffle manufacturer within  
9 Colorado. The manufacture of electronic devices used as aids in the game  
10 of bingo, and the printing of raffle tickets other than pull tabs, as designed  
11 and requested by a licensee, does not constitute the manufacture of games  
12 of chance equipment; except that such electronic devices ~~shall be~~ ARE  
13 subject to the reporting requirements of subsections ~~(5) and (6)~~ (4) AND  
14 (5) of this section, and the fees established by the licensing authority in  
15 accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2) and subsection ~~(5)~~  
16 (4) of this section.

17           ~~(2) (Deleted by amendment, L. 99, p. 1425, § 1, effective June 5,~~  
18 ~~1999.)~~

19           ~~(3)~~ (2) ~~No~~ AN individual shall NOT act for or represent a landlord,  
20 manufacturer, or supplier licensee with respect to an activity covered by  
21 such license unless such individual is the licensee's owner, officer,  
22 director, partner, member, or ten percent or more shareholder of record  
23 with the licensing authority, or is the manufacturer's or supplier's licensed  
24 agent. ~~No~~ A manufacturer or supplier licensee shall NOT allow any person  
25 not authorized by this subsection ~~(3)~~ (2) to represent it or serve as its  
26 agent with regard to any Colorado transaction.

27           ~~(4)~~ (3) Except to the extent otherwise provided in section

1 12-9-106 24-21-515 (1), a manufacturer or supplier licensee or licensed  
2 agent shall not buy, receive, sell, lease, furnish, or distribute any pull tabs,  
3 bingo cards or sheets, electronic devices used as aids in the game of  
4 bingo, or other games of chance equipment from or to any person within  
5 Colorado other than manufacturer or supplier licensees or agents and  
6 bingo-raffle licensees; except that:

7 (a) A landlord licensee, supplier, or manufacturer or its agent may  
8 sell, DONATE, or distribute cards, sheets, equipment, or electronic devices  
9 used as aids in the game of bingo for the playing of bingo not for resale  
10 to nursing homes and other entities that distribute the cards, sheets, or  
11 electronic devices and allow playing of the game free of charge, without  
12 consideration given or received by any person for the privilege of playing;  
13 and

14 (b) A bingo-raffle licensee may sell OR DONATE its used  
15 equipment to another bingo-raffle licensee.

16 (5) (4) Every manufacturer and supplier licensee shall file, upon  
17 forms prescribed by the licensing authority, quarterly reports on its  
18 licensed activities within Colorado. Such THE reports shall MUST be  
19 accompanied by quarterly fees established by the licensing authority in  
20 accordance with section 12-9-103.5 (3) 24-21-506 (2) and deposited in  
21 the bingo-raffle DEPARTMENT OF STATE cash fund Such CREATED IN  
22 SECTION 24-21-104 (3)(b). THE reports shall be filed with the licensing  
23 authority no later than April 30, July 31, October 31, and January 31 of  
24 each year licensed, and each report shall MUST cover the preceding  
25 calendar quarter. Reports shall MUST enumerate by quantity, purchaser or  
26 lessee, and price the pull tabs, bingo cards or sheets, electronic devices  
27 used as aids in the game of bingo, and other games of chance equipment

1 manufactured, conveyed, or distributed within Colorado or for use or  
2 distribution in Colorado and shall MUST include the licensee's total sales,  
3 including amounts realized from leases, of equipment as defined in  
4 section 12-9-102 (5) and electronic devices used as aids in the game of  
5 bingo and the names and addresses of all Colorado suppliers or agents of  
6 the licensee and shall be signed and verified by the owner or the chief  
7 executive officer of the licensee. These quarterly reports shall ARE not be  
8 public records as defined in section 24-72-202. C.R.S.

9 (6) (5) Every manufacturer or supplier licensee, and every  
10 licensed agent for such licensee, shall keep and maintain complete and  
11 accurate records, in accord with generally accepted accounting principles,  
12 of all licensed activities. The records shall include invoices for all games  
13 of chance equipment or electronic devices used as aids in the game of  
14 bingo conveyed or distributed within Colorado, or for use or distribution  
15 in Colorado, which invoices are specific as to the nature, description,  
16 quantity, and serial numbers of the pull tabs, bingo cards or sheets,  
17 electronic devices used as aids in the game of bingo, and other equipment  
18 so conveyed or distributed. The records shall also show all receipts and  
19 expenditures made in connection with licensed activities, including, but  
20 not limited to, records of sales by dates, purchasers, and items sold or  
21 leased, monthly bank account reconciliations, disbursement records, and  
22 credit memos for any returned items. These records shall be maintained  
23 for a period of at least three years.

24 (7) (6) No A manufacturer or supplier licensee or licensed agent  
25 shall MUST NOT be a person responsible for or assisting in the conduct,  
26 management, or operation of any game of chance within Colorado.

27 24-21-522. [Formerly 12-9-108] Bingo-raffle licensee's

1 statement of receipts - expenses - fee - definitions. (1) (a) On or before  
2 April 30, July 31, October 31, and January 31 of each year, every  
3 bingo-raffle licensee shall file with the licensing authority upon forms  
4 prescribed by the licensing authority a duly verified statement covering  
5 the preceding calendar quarter showing the amount of the gross receipts  
6 derived during said periods from games of chance, the expenses incurred  
7 or paid, and a brief description of the classification of such expenses, the  
8 net proceeds derived from games of chance, and the uses to which such  
9 net proceeds have been or are to be applied. It is the duty of Each licensee  
10 to SHALL maintain and keep such books and records as may be necessary  
11 to substantiate the particulars of each such report.

12 (b) Exempt organizations shall ARE not be subject to the  
13 requirements of this subsection (1), except to the extent that they shall file  
14 with the licensing authority statements showing the amount of the gross  
15 proceeds from their fund-raising drives and identifying all organizations  
16 receiving portions of such proceeds and the amounts received by each  
17 such organization.

18 (2) (a) If a bingo-raffle licensee fails to file reports within the time  
19 required or if reports are not properly verified or not fully, accurately, and  
20 truthfully completed, any existing license may be suspended until such  
21 time as the default has been corrected.

22 (b) Exempt organizations shall be ARE subject to the requirements  
23 of this subsection (2) only to the extent that such requirements apply to  
24 paragraph (b) of subsection (1) SUBSECTION (1)(b) of this section.

25 (3) (a) All moneys MONEY collected or received from the sale of  
26 admission, extra regular cards, special game cards, sale of supplies, and  
27 all other receipts from the games of bingo, raffles, and pull tab games



1 shall be deposited in a special checking or savings account, or both, of the  
2 licensee, which must contain only these moneys THIS MONEY. If the  
3 licensee conducts progressive games of chance, the licensee may maintain  
4 one additional checking or savings account, which must contain only  
5 money received from the sale of progressive games. The licensee may  
6 withdraw money from these accounts only by consecutively numbered  
7 checks or withdrawal slips or by electronic transactions referenced by  
8 transaction number or date. A check or withdrawal slip must not be drawn  
9 to "cash" or a fictitious payee. The licensee shall maintain all of its books  
10 and records in accordance with generally accepted accounting principles.

11 (b) Exempt organizations shall ARE not be subject to the  
12 requirements of this subsection (3).

13 (4) No part of the net proceeds, after they have been given over  
14 to another organization, shall be used by the donee organization to pay  
15 any person for services rendered or materials purchased in connection  
16 with the conducting of bingo by the donor organization.

17 (5) No item of expense shall be incurred or paid in connection  
18 with holding, operating, or conducting a game of chance pursuant to a  
19 bingo-affle license except bona fide expenses of a reasonable amount.  
20 Such expenses include those incurred in connection with all games of  
21 chance, for the following purposes:

22 (a) Advertising and marketing;

23 (b) Legal fees related to any action brought by the licensing  
24 authority against the bingo-affle licensee in connection with games of  
25 chance;

26 (c) The purchase of goods, wares, and merchandise furnished to  
27 the licensee for the purpose of operating games of chance pursuant to this

1 article PART 5:

2 (d) The purchase or lease of electronic devices used as aids in the  
3 game of bingo;

4 (e) Payment for services rendered that are reasonably necessary  
5 for repairs of equipment and operating or conducting games of chance;

6 (f) Rent, if the premises are rented, or for janitorial services if not  
7 rented;

8 (g) Accountant's fees; and

9 (h) License fees.

10 (6) (a) For the purposes enumerated in subsection (5) of this  
11 section, the following terms shall have the following meanings:

12 (I) "Goods, wares, and merchandise" means prizes, equipment, as  
13 defined in section 12-9-102 (5), and articles of a minor nature.

14 (II) "Services rendered" means:

15 (A) The repair of equipment;

16 (B) Compensation to bookkeepers or accountants for services in  
17 preparing financial reports for a reasonable amount as determined by the  
18 licensing authority by rule. ~~No~~ A landlord, manufacturer, or supplier  
19 licensee, or employee of a landlord, manufacturer, or supplier licensee,  
20 shall NOT act as a bookkeeper or accountant for a bingo-raffle licensee,  
21 nor shall a landlord, manufacturer, or supplier licensee offer or provide  
22 accounting or bookkeeping services in connection with the preparation of  
23 financial reports on bingo-raffle activities, except for the transfer or  
24 encoding of data necessitated by the sale, upgrade, or maintenance of  
25 accounting software sold or leased to a bingo-raffle licensee by a  
26 landlord, manufacturer, or supplier licensee. A landlord licensee that is  
27 also a bingo-raffle licensee may act as a bookkeeper or accountant on

1 such licensee's own behalf.

2 (C) The rental of premises;

3 (D) A reasonable amount for janitorial service as determined by  
4 the licensing authority in rules for each occasion; and

5 (E) A reasonable amount for security expense based on  
6 established need as determined by the licensing authority in rules for each  
7 occasion.

8 (b) There shall be paid to the licensing authority an administrative  
9 fee, established in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2),  
10 upon the gross receipts of any game of chance held, operated, or  
11 conducted under the provisions of this article PART 5; except that an  
12 exempt organization shall not be charged more than twenty dollars per  
13 year. All administrative fees collected by the licensing authority under  
14 this article PART 5 shall be deposited in the department of state cash fund  
15 created in section 24-21-104 (3)(b). C.R.S.

16 (7) Each licensee, at the time each financial report is submitted to  
17 the licensing authority, shall pay to the order of the licensing authority the  
18 amount of administration expense provided in subsection (6) of this  
19 section.

20 **24-21-523. [Formerly 12-9-109] Examination of books and**  
21 **records - rules.** The licensing authority and its agents have power to  
22 examine or cause to be examined the books and records of any licensee  
23 to which any license is issued pursuant to this article PART 5 insofar as  
24 they may relate to any transactions connected with activities under the  
25 license. The licensing authority may require by rule that licensees that  
26 have failed to keep proper books and records, or to maintain their books  
27 and records in accordance with generally accepted accounting principles,

1 adopt certain internal financial controls and attend training to ensure the  
2 integrity of the reporting of games of chance activities pursuant to this  
3 article PART 5.

4 **24-21-524. [Formerly 12-9-110] Forfeiture of license -**  
5 **ineligibility to apply for license.** Any A person who makes any A false  
6 statement in any AN application for any such A license or in any statement  
7 annexed thereto, fails to keep sufficient books and records to substantiate  
8 the quarterly reports required under section ~~12-9-108~~ 24-21-522, falsifies  
9 any books or records insofar as they relate to any transaction connected  
10 with the holding, operating, and conducting of any A game of chance  
11 under any such THE license, or violates any of the provisions of this  
12 article PART 5 or of any term of such THE license, if convicted, in addition  
13 to suffering any other penalties that may be imposed, shall forfeit any  
14 license issued to it under this article PART 5 and shall be IS ineligible to  
15 apply for a license under this article PART 5 for at least NO MORE THAN  
16 one year thereafter.

17 **24-21-525. [Formerly 12-9-111] Volunteer services -**  
18 **legislative declaration - immunity.** (1) The Colorado constitution  
19 recognizes that the conduct of charitable gaming activities is directly  
20 related to the need of nonprofit organizations to fulfill their lawful  
21 purposes. Notwithstanding this recognition, however, the willingness of  
22 bingo-raffle volunteers to offer their services has been increasingly  
23 deterred by a perception that they put personal assets at risk should a tort  
24 action be filed seeking damages arising from their volunteer activities.

25 (2) All bingo-raffle volunteers shall be ARE immune from civil  
26 actions and liabilities pursuant to section 13-21-115.5, C.R.S., which  
27 provides that volunteers shall ARE not be personally liable for their acts

1 or omissions if they are acting in good faith and within the scope of their  
2 official function and duty for a charitable organization, with respect to  
3 such organization's conduct of games of chance. Bingo-raffle volunteers  
4 shall ARE not be liable under this section if the harm is not caused by  
5 willful and wanton misconduct, gross negligence, reckless misconduct,  
6 or a conscious, flagrant indifference to the rights or safety of the  
7 individual harmed.

8 **24-21-526. [Formerly 12-9-112] Unfair trade practices.**

9 (1) The provisions of the "Unfair Practices Act", article 2 of title 6,  
10 C.R.S., and the "Colorado Antitrust Act of 1992", article 4 of title 6,  
11 C.R.S., are specifically applicable to charitable gaming activities  
12 conducted by any licensee. Within thirty days after receiving a complaint  
13 alleging a violation of either of said acts, the licensing authority shall  
14 transmit such complaint to the attorney general.

15 (2) THE LICENSING AUTHORITY SHALL REVOKE THE LICENSE OF a  
16 licensee that violates any provision of article 2 of title 6 C.R.S., or article  
17 4 of title 6 C.R.S., shall have its license revoked by the licensing authority  
18 for a period of one year from AFTER the date of the finding of such THE  
19 violation. Upon the expiration of such period, the licensee may apply for  
20 the issuance of a new license.

21 **24-21-527. [Formerly 12-9-112.5] Common members -**

22 **bingo-raffle licensees - definition.** (1) For the purposes of this section,  
23 "bingo-raffle licensee affiliate" means the following:

24 (a) Any A person that directly or indirectly through one or more  
25 intermediaries controls, is controlled by, or is under common control  
26 with, a bingo-raffle licensee specified; or

27 (b) Any A person that has an officer, director, member, manager,

1 partner, games manager, salaried employee, or IMMEDIATE FAMILY  
2 member of their immediate families in common with a bingo-raffle  
3 licensee.

4 (2) Proceeds from a bingo or raffle game that are transferred from  
5 a bingo-raffle licensee to a bingo-raffle licensee's affiliate shall not be  
6 used to pay the salary, remuneration, or expenses of any officer, director,  
7 member, manager, partner, games manager, or employee of such affiliate.  
8 THE DONEE ENTITY OR ORGANIZATION SHALL DEPOSIT all such transferred  
9 proceeds shall be deposited by the donee entity or organization in a  
10 segregated account that contains only such donations, and such THE  
11 transferred proceeds shall not be commingled with other funds of the  
12 donee entity or organization. The licensing authority and its agents may  
13 examine or cause to be examined the books and records of any donee  
14 entity or organization insofar as they may relate to account or to any  
15 transactions connected with bingo or raffle proceeds.

16 **24-21-528. [Formerly 12-9-113] Enforcement.** It is the duty of  
17 all sheriffs and police officers to enforce the provisions of this article  
18 PART 5, to receive complaints, to initiate investigations, and to arrest and  
19 complain against any person violating any provisions of this article PART  
20 5. It is the duty of the district attorney of the respective districts of this  
21 state to prosecute all violations of this article PART 5 in the manner and  
22 form as is now provided by law for the prosecutions of crimes and  
23 misdemeanors, and it is a violation of this article PART 5 for any such  
24 person knowingly to fail to perform his OR HER duty under this section.

25 **24-21-529. [Formerly 12-9-114] Penalties for violation.** Every  
26 licensee and every officer, agent, or employee of the licensee and every  
27 other person or corporation who willfully violates or who procures, aids,

1 or abets in the willful violation of this ~~article~~ PART 5 commits a class 2  
2 misdemeanor and shall be punished as provided in section 18-1.3-501;  
3 C.R.S.; except that, if the underlying factual basis of the violation  
4 constitutes a crime as defined by any other provision of law, then ~~such~~  
5 THE person may be charged, prosecuted, and punished in accordance with  
6 such other provision of law.

7 **24-21-530. [Formerly 12-9-201] Colorado bingo-raffle**  
8 **advisory board - creation.** (1) There is hereby created, within the  
9 department of state, the Colorado bingo-raffle advisory board.

10 (2) The board ~~shall consist~~ CONSISTS of nine members, all of  
11 whom ~~shall~~ MUST be citizens of the United States who have been  
12 residents of the state for at least the past five years. ~~No~~ A member ~~shall~~  
13 MUST NOT have been convicted of a felony or gambling-related offense,  
14 notwithstanding the provisions of section 24-5-101. C.R.S. No more than  
15 five of the nine members ~~shall~~ MAY be members of the same political  
16 party. At the first meeting of each fiscal year, A MAJORITY OF THE  
17 MEMBERS MUST CHOOSE a chair and vice-chair of the board ~~shall be~~  
18 chosen from the membership. ~~by a majority of the members.~~ Membership  
19 and operation of the board ~~shall~~ MUST additionally meet the following  
20 requirements:

21 (a) (I) Three members of the board ~~shall~~ MUST be bona fide  
22 members of a bingo-raffle licensee that is classified as a religious  
23 organization, a charitable organization, a labor organization, an  
24 educational organization, or a voluntary firefighter's organization; except  
25 that no more than one member shall be appointed from any one such  
26 classification;

27 (II) One member of the board ~~shall~~ MUST be a bona fide member

1 of a bingo-affle licensee that is a veterans' organization;

2 (III) One member of the board shall MUST be a bona fide member  
3 of a bingo-affle licensee that is a fraternal organization;

4 (IV) One member of the board shall MUST be a supplier licensee;

5 (V) Two members of the board shall MUST be landlord licensees;  
6 and

7 (VI) One member of the board shall MUST be a registered elector  
8 of the state who is not employed by or an officer or director of a licensee,  
9 does not have a financial interest in any license, and does not have an  
10 active part in the conduct or management of games of chance by any  
11 bingo-affle licensee.

12 (b) (I) Of the five members of the board who are categorized as  
13 bona fide members of a bingo-affle licensee, two shall be appointed by  
14 the president of the senate, two shall be appointed by the speaker of the  
15 house of representatives, and one shall be appointed jointly by the  
16 president and the speaker.

17 (II) Of the two members of the board who are categorized as  
18 landlord licensees, one shall be appointed by the president of the senate  
19 and one shall be appointed by the speaker of the house of representatives.

20 (III) The president of the senate shall appoint the member of the  
21 board who is a supplier licensee. The speaker of the house shall appoint  
22 the member of the board who is a registered elector.

23 (c) Initial members shall be appointed to the board as follows:  
24 Two members to serve until July 1, 2000, two members to serve until July  
25 1, 2001, two members to serve until July 1, 2002, and three members to  
26 serve until July 1, 2003. All subsequent appointments shall be ARE for  
27 terms of four years. No member of the board shall be IS eligible to serve



1 more than two consecutive terms.

2 (d) Any vacancy on the board shall be filled for the unexpired  
3 term in the same manner as the original appointment. The member  
4 appointed to fill such vacancy shall be from the same category described  
5 in paragraph (a) of this subsection (2) SUBSECTION (2)(a) OF THIS SECTION  
6 as the member vacating the position.

7 (e) Any A member of the board having a direct personal or private  
8 interest in any matter before the board shall disclose such fact on the  
9 board's record. A member may disqualify himself or herself for any cause  
10 deemed by him or her to be sufficient.

11 (f) The APPOINTING OFFICER SHALL TERMINATE THE term of any  
12 member of the board who misses more than two consecutive regular  
13 board meetings without good cause, or who no longer meets the  
14 requirements for membership imposed by this section. shall be terminated  
15 by the appointing officer. Such THE member's successor shall be  
16 appointed in the manner provided for appointments under this section.

17 (g) Board members shall ARE ENTITLED TO receive as  
18 compensation for their services fifty dollars for each day spent in the  
19 conduct of board business, not to exceed five hundred dollars per member  
20 per year, and shall ARE ENTITLED TO be reimbursed for necessary travel  
21 and other reasonable expenses incurred in the performance of their  
22 official duties.

23 (h) Prior to commencing his or her term of service, each person  
24 nominated to serve on the board shall file with the secretary of state a  
25 financial disclosure statement in the form required and prescribed by the  
26 secretary of state LICENSING AUTHORITY and as commonly used for other  
27 Colorado boards and commissions. Such statement shall be renewed as

1 of each January 1 during the member's term of office.

2 (i) The board shall hold at least ~~six~~ TWO meetings each year and  
3 such additional meetings as the members may deem necessary. In  
4 addition, special meetings may be called by the chair, any three board  
5 members, or the ~~secretary of state~~ LICENSING AUTHORITY if written  
6 notification of ~~such~~ THE meeting is delivered to each member at least  
7 seventy-two hours ~~prior to such~~ BEFORE THE meeting. Notwithstanding  
8 the provisions of section 24-6-402, C.R.S., in emergency situations in  
9 which a majority of the board certifies that exigencies of time require that  
10 the board meet without delay, the requirements of public notice and of  
11 seventy-two hours' actual advance written notice to members may be  
12 dispensed with, and board members as well as the public shall receive  
13 such notice as is reasonable under the circumstances.

14 (j) A majority of the board ~~shall constitute~~ CONSTITUTES a  
15 quorum, and the concurrence of a majority of the members present ~~shall~~  
16 be IS required for any final determination by the board.

17 (k) The board shall keep a complete and accurate record of all its  
18 meetings.

19 **24-21-531. [Formerly 12-9-202] Board - duties.** (1) In addition  
20 to any other duties set forth in this part ~~2~~ 5, the board shall: ~~have the~~  
21 following duties:

22 (a) ~~To~~ Conduct a continuous study of charitable gaming  
23 throughout the state for the purpose of ascertaining any defects in this  
24 article PART 5 or in the rules promulgated pursuant to this article PART 5;  
25 AND

26 (b) ~~To~~ Formulate and recommend changes to this article PART 5  
27 to the general assembly.

- 1           (c) Repealed.
- 2           (2) The board shall offer advice to the licensing authority upon  
3 subjects ~~which shall~~ THAT include, but are not limited to, the following:
- 4           (a) The types of charitable gaming activities to be conducted, the  
5 rules for those activities, and the number of occasions per year upon  
6 which a licensee may hold, operate, or conduct a game of bingo or lotto;
- 7           (b) The requirements, qualifications, and grounds for the issuance  
8 of all types of permanent and temporary licenses required for the conduct  
9 of charitable gaming;
- 10          (c) The requirements, qualifications, and grounds for the  
11 revocation, suspension, and summary suspension of all licenses required  
12 for the conduct of charitable gaming;
- 13          (d) Activities that constitute fraud, cheating, or illegal activities;
- 14          (e) The granting of licenses with special conditions or for limited  
15 periods, or both;
- 16          (f) The establishment of a schedule of reasonable fines to be  
17 assessed in lieu of license revocation or suspension for violations of this  
18 article PART 5 or any rule adopted pursuant to this article PART 5;
- 19          (g) The amount of fees for licenses issued by the licensing  
20 authority and for the performance of administrative services pursuant to  
21 this article PART 5;
- 22          (h) The establishment of criteria under which a person may serve  
23 as a games manager;
- 24          (i) The content and conduct of classes or training seminars to  
25 benefit bingo-raffle charitable licensees, officers, and volunteers to better  
26 account for funds collected from games of chance;
- 27          (j) Standardized rules, procedures, and policies to clarify and

1 simplify the auditing of licensees' records:

2 (k) The types of charitable gaming activities to be conducted in  
3 the future, based upon a continuing review of the available state of the art  
4 of equipment in Colorado and elsewhere, and the policies and procedures  
5 approved and implemented by other states for the conduct of their  
6 charitable gaming activities; and

7 (l) The conditions for a licensee's plan for disposal of any  
8 equipment and the distribution of any remaining net proceeds upon  
9 termination of a bingo-raffle license for the licensee's failure to timely or  
10 sufficiently renew such license.

11 **24-21-532. [Formerly 12-9-301] Repeal - review of functions.**

12 This article PART 5 is repealed, effective July 1, 2017. Prior to such  
13 SEPTEMBER 1, 2026. BEFORE THE repeal, the licensing functions of the  
14 secretary of state LICENSING AUTHORITY and the functions of the Colorado  
15 bingo-raffle advisory board in the department of state shall be reviewed  
16 as provided for in ARE SCHEDULED FOR REVIEW IN ACCORDANCE WITH  
17 section 24-34-104. C.R.S.

18 **SECTION 3. Repeal of relocated provisions in this act. In**  
19 **Colorado Revised Statutes, repeal article 9 of title 12.**

20 **SECTION 4. In Colorado Revised Statutes, 12-47-901, amend**  
21 **(5) introductory portion and (5)(n)(I) as follows:**

22 **12-47-901. Unlawful acts - exceptions - definitions. (5) It is**  
23 **unlawful for any person licensed to sell at retail pursuant to this article**  
24 **ARTICLE 47 or article 46 of this title TITLE 12:**

25 (n) (I) To authorize or permit any gambling, or the use of any  
26 gambling machine or device, except as provided by the "Bingo and  
27 Raffles Law", article 9 of this title. The provisions of this paragraph (n)

1 shall PART 5 OF ARTICLE 21 OF TITLE 24. THIS SUBSECTION (5)(n) DOES NOT  
2 apply to those activities, equipment, and devices authorized and legally  
3 operated pursuant to articles 47.1 and 60 of this title TITLE 12.

4 SECTION 5. In Colorado Revised Statutes, amend 24-35-217 as  
5 follows:

6 24-35-217. Other laws inapplicable. Any other state or local law  
7 in conflict with this part 2 shall be IS inapplicable, but this section shall  
8 DOES NOT BE CONSTRUED TO supersede or affect the provisions of article 9 of  
9 title 12, C.R.S. PART 5 OF ARTICLE 21 OF THIS TITLE 24.

10 SECTION 6. Applicability. This act applies to conduct occurring  
11 on or after the effective date of this act.

12 SECTION 7. Safety clause. The general assembly hereby finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, and safety.