

## CHAPTER 115

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**GOVERNMENT - STATE**

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## SENATE BILL 18-182

BY SENATOR(S) Coram and Guzman, Merrifield, Priola, Tate;  
also REPRESENTATIVE(S) Catlin and Arndt, Gray, Herod, Jackson, Rosenthal, Salazar, Valdez.

## AN ACT

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

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

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

**12-60-202. Director - qualifications - powers and duties.** (3) The director, as administrative head of the division, shall direct and supervise all administrative and technical activities of the division. In addition to the duties imposed upon the director elsewhere in this ~~article~~ ARTICLE 60, it shall be the director's duty:

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

(II) IN ESTABLISHING AND ADJUSTING THE SOURCE MARKET FEE DEFINED IN SECTION 12-60-102 (25.5), THE DIRECTOR MAY ALLOCATE A PORTION OF THE FEE TO BE CREDITED TO ANY HORSE PURSE TRUST ACCOUNT ESTABLISHED IN ACCORDANCE WITH SECTION 12-60-702 (1)(f) IF THE DIRECTOR DETERMINES THAT SUCH AN ALLOCATION IS NECESSARY TO MAINTAIN A SUFFICIENT AND COMPETITIVE PURSE STRUCTURE. THE TOTAL FEE PAID UNDER THIS SECTION MUST NOT EXCEED THE LIMIT SET FORTH IN SECTION 12-60-501 (2)(d).

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

**SECTION 2.** In Colorado Revised Statutes, 12-60-702, **add** (1)(f)(III) as follows:

**12-60-702. Unlawful to wager - exception - excess - taxes - special provisions for simulcast races.** (1) (f) A licensee or operator shall retain horse purse funds, including funds established in section 12-60-704, payable by the licensee or operator under this section in a trust account in a commercial bank located in Colorado until the purse funds are paid to the horse owners or to the host track for payment to the horse owners; except that:

(III) MONEY CREDITED TO A HORSE PURSE TRUST ACCOUNT FROM THE SOURCE MARKET FEE IN ACCORDANCE WITH SECTION 12-60-202 (3)(h)(II) SHALL BE PAID AS AUTHORIZED BY THE DIRECTOR AS PURSES FOR RACES HELD AT LIVE RACE MEETS IN COLORADO OR AS OTHERWISE AUTHORIZED BY RULES OF THE COMMISSION.

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

Approved: April 12, 2018