

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

**ENGROSSED**

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

LLS NO. 21-0258.01 Gregg Fraser x4325

**SENATE BILL 21-155**

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**SENATE SPONSORSHIP**

**Hisey and Story,**

**HOUSE SPONSORSHIP**

**Amabile and Baisley,**

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**Senate Committees**  
Local Government

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE APPOINTMENT OF A RESIDENT OF A LOCALITY IN**  
102                    **WHICH LIMITED GAMING TAKES PLACE TO THE LIMITED GAMING**  
103                    **CONTROL COMMISSION.**

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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>.)*

The bill requires that at least one member of the 5-member limited gaming control commission be a registered elector of Gilpin or Teller county.

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

SENATE  
Amended 2nd Reading  
March 19, 2021

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-30-301, **amend**  
3 (1) introductory portion, (1)(a), and (1)(b) as follows:

4 **44-30-301. Colorado limited gaming control commission -**  
5 **creation.** (1) There is hereby created, within the division of gaming, the  
6 Colorado limited gaming control commission. The commission shall  
7 consist of ~~five~~ SEVEN members, all of whom shall be citizens of the  
8 United States and residents of this state who have been residents of the  
9 state for the past five years. The members shall be appointed by the  
10 governor, with the consent and approval of the senate. No member shall  
11 have been convicted of a felony or gambling-related offense,  
12 notwithstanding the provisions of section 24-5-101. No more than ~~three~~  
13 ~~of the five~~ FOUR OF THE SEVEN members shall be members of the same  
14 political party and no more than one member shall be from any one  
15 congressional district; EXCEPT THAT A MEMBER WHO IS SERVING  
16 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION AS A REGISTERED  
17 ELECTOR OF TELLER OR GILPIN COUNTY MAY RESIDE IN THE SAME  
18 CONGRESSIONAL DISTRICT AS ONE OF THE OTHER MEMBERS. At the first  
19 meeting of each fiscal year, a ~~chairman~~ CHAIR and ~~vice-chairman~~  
20 VICE-CHAIR of the commission shall be chosen from the membership by  
21 a majority of the members. Membership and operation of the commission  
22 shall additionally meet the following requirements:

23 (a) One member of the commission shall have had at least five  
24 years' law enforcement experience as a peace officer certified pursuant to  
25 section 24-31-305; one member shall be an attorney admitted to the  
26 practice of law in Colorado for not less than five years and who has  
27 experience in regulatory law; one member shall be a certified public

1 accountant or public accountant who has been practicing in Colorado for  
2 at least five years and who has a comprehensive knowledge of the  
3 principles and practices of corporate finance; one member shall have been  
4 engaged in business in a management-level capacity for at least five  
5 years; and, one member shall be a registered elector of ANY COUNTY IN  
6 the state OTHER THAN GILPIN COUNTY OR TELLER COUNTY who is not  
7 employed in any A profession or industry otherwise described in this  
8 subsection (1)(a); ONE MEMBER SHALL BE A REGISTERED ELECTOR OF  
9 GILPIN COUNTY; AND ONE MEMBER SHALL BE A REGISTERED ELECTOR OF  
10 TELLER COUNTY. THE REGISTERED ELECTOR MEMBERS OF THE  
11 COMMISSION FROM GILPIN AND TELLER COUNTIES MAY BE EMPLOYED IN  
12 A PROFESSION OR INDUSTRY OTHERWISE DESCRIBED IN THIS SUBSECTION  
13 (1)(a), BUT SHALL NOT OCCUPY THE PLACE ON THE COMMISSION THAT IS  
14 RESERVED FOR A PERSON EMPLOYED IN THAT PROFESSION OR INDUSTRY.

15 (b) Initial members shall be appointed to the commission by the  
16 governor as follows: One member to serve until July 1, 1992, one member  
17 to serve until July 1, 1993, one member to serve until July 1, 1994, and  
18 two members to serve until July 1, 1995. ONE OF THE INITIAL MEMBERS  
19 WHO IS A REGISTERED ELECTOR OF GILPIN OR TELLER COUNTY SHALL BE  
20 APPOINTED TO SERVE UNTIL JULY 1, 2023, AND THE OTHER SHALL BE  
21 APPOINTED TO SERVE UNTIL JULY 1, 2025. All subsequent appointments  
22 shall be for terms of four years. No member of the commission shall be  
23 eligible to serve more than two consecutive terms.

24 **SECTION 2.** In Colorado Revised Statutes, 44-30-401, **amend**  
25 (1)(a) and (1)(b) as follows:

26 **44-30-401. Conflict of interest.** (1) Members of the commission  
27 and employees of the division are declared to be in positions of public

1 trust. In order to ensure the confidence of the people of the state in the  
2 integrity of the division, its employees, and the commission, the following  
3 restrictions shall apply:

4 (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b) OF  
5 THIS SECTION, no member of the commission, an ancestor or descendant  
6 of a member, including a natural child, child by adoption, or stepchild, or  
7 a brother or sister of the whole or half blood of a member, or an uncle,  
8 aunt, nephew, or niece of the whole blood of a member, shall have any  
9 interest of any kind in a license issued pursuant to this article 30 or own  
10 or have any interest in property in any county where limited gaming is  
11 permitted. The provisions of this subsection (1)(a) shall apply to spouses  
12 of commission members in like fashion as to members.

13 (b) No member of the commission or employee of the division,  
14 including the director, and no member of the immediate family of a  
15 member or employee of the division, shall have any interest, direct or  
16 indirect, in any licensee, licensed premises, establishment, or business  
17 involved in or with limited gaming. Further, the person shall not own, in  
18 whole or in part, property in the cities of Central, Black Hawk, or Cripple  
19 Creek; except that:

20 (I) A MEMBER OF THE COMMISSION SERVING PURSUANT TO  
21 SUBSECTION (1)(a) OF THIS SECTION AS A REGISTERED ELECTOR OF GILPIN  
22 OR TELLER COUNTY MAY LIVE WITH HIS OR HER FAMILY IN THE CITY OF  
23 CENTRAL, BLACK HAWK, OR CRIPPLE CREEK OR IN GILPIN OR TELLER  
24 COUNTY, AND MAY OWN PRIVATE PROPERTY IN THOSE AREAS FOR  
25 RESIDENTIAL PURPOSES; AND

26 (II) Employees of the division assigned to work regularly in  
27 Gilpin or Teller county may live with their families in those counties, and

1 may own private property ~~therein~~ IN THOSE COUNTIES for residential  
2 purposes, with commission approval.

3           **SECTION 3. Act subject to petition - effective date.** This act  
4 takes effect at 12:01 a.m. on the day following the expiration of the  
5 ninety-day period after final adjournment of the general assembly; except  
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
7 of the state constitution against this act or an item, section, or part of this  
8 act within such period, then the act, item, section, or part will not take  
9 effect unless approved by the people at the general election to be held in  
10 November 2022 and, in such case, will take effect on the date of the  
11 official declaration of the vote thereon by the governor.