

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

REREVISED

This Version Includes All Amendments
Adopted in the Second House

LLS NO. R22-0973.02 Jery Payne x2157

HCR22-1006

HOUSE SPONSORSHIP

Will and Ortiz, Hooton, Lindsay

SENATE SPONSORSHIP

Rodriguez and Smallwood,

House Committees

Business Affairs & Labor
Finance
Appropriations

Senate Committees

State, Veterans, & Military Affairs
Finance
Appropriations

HOUSE CONCURRENT RESOLUTION 22-1006

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

Resolution Summary

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

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

SENATE
3rd Reading Unamended
May 10, 2022

SENATE
2nd Reading Unamended
May 9, 2022

HOUSE
3rd Reading Unamended
May 2, 2022

HOUSE
Amended 2nd Reading
April 29, 2022

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

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

- Repealing the 5-year continuous existence requirement to obtain a charitable gaming license; and
- Authorizing a manager or operator of a charitable game to make minimum wage until 2024, when the provision repeals the prohibition on paying managers or operators.

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

3 **SECTION 1.** At the election held on November 8, 2022, the
4 secretary of state shall submit to the registered electors of the state the
5 ballot title set forth in section 2 for the following amendment to the state
6 constitution:

7 In the constitution of the state of Colorado, section 2 of article
8 XVIII, **amend** (2), (4)(c), and (6) as follows:

9 **Section 2. Lotteries prohibited - exceptions - repeal.** (2) No
10 game of chance pursuant to this subsection (2) and subsections (3) and (4)
11 of this section shall be conducted by any person, firm, or organization,
12 unless a license as provided for in this subsection (2) has been issued to
13 the firm or organization conducting ~~such~~ games of chance. The secretary
14 of state shall, upon application ~~therefor~~ FOR A LICENSE on such forms as
15 shall be prescribed by the secretary of state and upon the payment of an
16 annual fee as determined by the general assembly, issue a license for the
17 conducting of such games of chance to any bona fide chartered branch or
18 lodge or chapter of a national or state organization or to any bona fide
19 religious, charitable, labor, fraternal, educational, voluntary firemen's, or
20 veterans' organization ~~which~~ THAT operates without profit to its members

1 and which THAT IS REGISTERED WITH THE SECRETARY OF STATE AND has
2 been in existence continuously for a period of ~~five~~ THREE years
3 immediately prior to the making of ~~said~~ ITS application for ~~such~~ THE
4 license OR, ON AND AFTER JANUARY 1, 2025, FOR SUCH PERIOD AS THE
5 GENERAL ASSEMBLY MAY ESTABLISH UNDER SUBSECTION (5) OF THIS
6 SECTION, and has had during the entire ~~five-year~~ period OF ITS EXISTENCE
7 a dues-paying membership engaged in carrying out the objects of said
8 corporation or organization, such license to expire at the end of each
9 calendar year in which it was issued.

10 (4) Such games of chance shall be subject to the following
11 restrictions:

12 (c) (I) No person may receive any remuneration or profit IN
13 EXCESS OF THE APPLICABLE MINIMUM WAGE for participating in the
14 management or operation of any such game.

15 (II) THIS SUBSECTION (4)(c) IS REPEALED, EFFECTIVE JULY 1, 2024.

16 (6) (a) The enforcement of this section shall be under such official
17 or department of government of the state of Colorado as the general
18 assembly shall provide.

19 (b) THIS SECTION DOES NOT REQUIRE OR AUTHORIZE THE
20 SECRETARY OF STATE TO RECEIVE OR REVIEW CLAIMS CONCERNING
21 EMPLOYEE WAGES OR COMPENSATION, INCLUDING TAX CLAIMS, OR OTHER
22 ASSOCIATED LABOR, EMPLOYMENT, OR CONTRACTUAL MATTERS.

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

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

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