

CONFLICT OF INTEREST CHECKS

- 1. Commissioner applicants are vetted by Division of Gaming**
- 2. Governor proposes Commissioners; Senate must consent to appointment**
- 3. Statutes dealing with conflicts of interest**
 - a. General Conflict of Interest Statute for all public officials – CRS 24-18-101 et seq.** sets out the code of ethics and standards of conduct for all public employees and officers – including those appointed to Commissions and Boards.
 - i. CRS 24-18-103 defines what is a breach of the fiduciary duty of public officials
 - ii. CRS 24-18-104 sets out detailed rules of conducts for all public officials, including self-dealing and conflicts of interest
 - iii. CRS 24-18-108.5 sets out rules of conduct specific to members of boards and commissions
 - iv. CRS 24-118-110 requires mandatory disclosure of conflicts of interest for all public officials
 - v. CRS 24-18-201 et seq. sets out rules applicable to contracts involving public officials (generally makes them voidable if a conflict arises)
 - b. Independent Ethics Commission – CRS 24-18.5.-101 et seq** establishes an independent ethics commission to investigate and prosecute improper actions and conflicts of interest by public officials
 - c. CRS 12-47.1-401** sets out the conflict of interest laws specifically applicable to Gaming Commissioners (in addition to 24-18-101 and 24-18.5-101)
- 4. Gaming Specific Administrative Rules.** The Division of Gaming has also promulgated rules governing conflict of interest. Those rules are:
 - a. 47.1-701 Prohibitions on gaming (Commissioners cannot engage in any gaming activities)
 - b. 47.1-702 Prohibitions on receiving anything of value (Commissioners cannot receive anything of value from any licensee)
 - c. 47.1-703 Prohibitions on giving anything of value (Licensees may not give Commissioners anything of value)
- 5. Practical Considerations.**
 - a. There are 4 other Commissioners and the staff of the Division of Gaming involved in decisions.
 - b. In small communities – e.g., Teller and Gilpin counties – it is impossible to commit nefarious acts without your neighbors knowing about it