

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REENGROSSED

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

LLS NO. 09-0315.01 Duane Gall

SENATE BILL 09-050

SENATE SPONSORSHIP

Scheffel,

HOUSE SPONSORSHIP

Murray,

Senate Committees
Local Government and Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT AT LEAST ONE MEMBER OF THE**
102 **LIMITED GAMING CONTROL COMMISSION BE A RESIDENT OF A**
103 **LOCALITY IN WHICH LIMITED GAMING TAKES PLACE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Requires that at least one member of the 5-member limited gaming control commission reside in Gilpin or Teller county.

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

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.

SENATE
3rd Reading Unamended
February 2, 2009

SENATE
Amended 2nd Reading
January 30, 2009

1 **SECTION 1.** The introductory portion to 12-47.1-301 (1) and
2 12-47.1-301 (1) (a), Colorado Revised Statutes, are amended to read:

3 **12-47.1-301. Colorado limited gaming control commission -**
4 **creation.** (1) There is hereby created, within the division of gaming, the
5 Colorado limited gaming control commission. The commission shall
6 consist of five members, all of whom shall be citizens of the United
7 States and residents of this state who have been residents of the state for
8 the past five years. The members shall be appointed by the governor,
9 with the consent and approval of the senate. No member shall have been
10 convicted of a felony or gambling-related offense, notwithstanding the
11 provisions of section 24-5-101, C.R.S. No more than three of the five
12 members shall be members of the same political party and no more than
13 one member shall be from any one congressional district. === At the
14 first meeting of each fiscal year, a ~~chairman~~ CHAIR and ~~vice-chairman~~
15 VICE-CHAIR of the commission shall be chosen from the membership by
16 a majority of the members. Membership and operation of the commission
17 shall additionally meet the following requirements:

18 (a) One member of the commission shall have had at least five
19 years' law enforcement experience as a peace officer certified pursuant to
20 section 24-31-305, C.R.S.; one member shall be an attorney admitted to
21 the practice of law in Colorado for not less than five years and who has
22 experience in regulatory law; one member shall be a certified public
23 accountant or public accountant who has been practicing in Colorado for
24 at least five years and who has a comprehensive knowledge of the
25 principles and practices of corporate finance; one member shall have been
26 engaged in business in a management-level capacity for at least five
27 years; and one member shall be a registered elector of the state who is not

1 TELLER OR GILPIN COUNTY. THE REGISTERED ELECTOR MEMBER OF THE
2 COMMISSION MAY BE employed in any A profession or industry otherwise
3 described in this paragraph (a), BUT SHALL NOT OCCUPY THE PLACE ON
4 THE COMMISSION THAT IS RESERVED FOR A PERSON EMPLOYED IN THAT
5 PROFESSION OR INDUSTRY.

6 **SECTION 2.** 12-47.1-401 (1) (a) and (1) (b), Colorado Revised
7 Statutes, are amended to read:

8 **12-47.1-401. Conflict of interest.** (1) Members of the
9 commission and employees of the division are declared to be in positions
10 of public trust. In order to ensure the confidence of the people of the state
11 in the integrity of the division, its employees, and the commission, the
12 following restrictions shall apply:

13 (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS
14 SUBSECTION (1), no member of the commission, an ancestor or descendant
15 of a member, including a natural child, child by adoption, or stepchild, or
16 a brother or sister of the whole or half blood of a member, or an uncle,
17 aunt, nephew, or niece of the whole blood of a member, shall have any
18 interest of any kind in a license issued pursuant to this article or own or
19 have any interest in property in any county where limited gaming is
20 permitted. The provisions of this paragraph (a) shall apply to spouses of
21 commission members in like fashion as to members.

22 (b) No member of the commission or employee of the division,
23 including the director, and no member of the immediate family of a
24 member or employee of the division, shall have any interest, direct or
25 indirect, in any licensee, licensed premises, establishment, or business
26 involved in or with limited gaming. Further, no such person shall own,
27 in whole or in part, property in the cities of Central, Black Hawk, or

1 Cripple Creek; except that:

2 (I) THE MEMBER OF THE COMMISSION WHO IS A REGISTERED
3 ELECTOR OF TELLER OR GILPIN COUNTY MAY LIVE WITH HIS OR HER
4 FAMILY IN THE CITY OF CENTRAL, BLACK HAWK, OR CRIPPLE CREEK OR
5 IN GILPIN OR TELLER COUNTY, AND MAY OWN PRIVATE PROPERTY IN
6 THOSE AREAS FOR RESIDENTIAL PURPOSES; AND

7 (II) Employees of the division assigned to work regularly in
8 Gilpin or Teller county may live with their families in those counties, and
9 may own private property ~~therein~~ IN THOSE COUNTIES for residential
10 purposes, with commission approval.

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