HOUSE CONCURRENT RESOLUTION 09-1003

BY REPRESENTATIVE(S) Lambert, Kerr J., Labuda, Stephens; also SENATOR(S) King K.

SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO SECTION 2 OF ARTICLE XVIII OF THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING THE REGULATION OF GAMES OF CHANCE BY AN AUTHORITY SPECIFIED BY THE GENERAL ASSEMBLY.

Be It Resolved by the House of Representatives of the Sixty-seventh General Assembly of the State of Colorado, the Senate concurring herein:

SECTION 1. At the next election at which such question may be submitted, there shall be submitted to the registered electors of the state of Colorado, for their approval or rejection, the following amendment to the constitution of the state of Colorado, to wit:

Section 2 (2), (3), and (6) of article XVIII of the constitution of the state of Colorado are amended to read:

Section 2. Lotteries prohibited - exceptions. (2) No game of chance pursuant to this subsection (2) and subsections (3) and (4) of this section shall be conducted by any person, firm, or organization, unless a
license as provided for in this subsection (2) has been issued to the firm or organization conducting such games of chance. The secretary of state LICENSING AUTHORITY DESIGNATED IN ACCORDANCE WITH SUBSECTION (6) OF THIS SECTION shall, upon application therefor on such forms as shall be prescribed by the secretary of state LICENSING AUTHORITY and upon the payment of an annual fee as determined by the general assembly, issue a license for the conducting of such games of chance to any bona fide chartered branch or lodge or chapter of a national or state organization or to any bona fide religious, charitable, labor, fraternal, educational, voluntary firemen's or veterans' organization which operates without profit to its members. The general assembly may provide by law a minimum period of time for which a corporation or organization shall have existed continuously and had a dues-paying membership in order to qualify for a license. The general assembly may also provide by law for the period of time during which a license shall be in effect. Until such time as the general assembly provides such minimum periods of time, in order to be eligible for licensure, a corporation or organization shall have been in existence continuously for a period of five years immediately prior to the making of said application for such license and shall have had during the entire five-year period a dues-paying membership engaged in carrying out the objects of said corporation or organization, such license to expire at the end of each calendar year in which it was issued.

(3) The license issued by the secretary of state LICENSING AUTHORITY shall authorize and permit the licensee to conduct games of chance, restricted to the selling of rights to participate and the awarding of prizes in the specific kind of game of chance commonly known as bingo or lotto, in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in the specific game of chance commonly known as raffles, conducted by the drawing of prizes or by the allotment of prizes by chance.

(6) All licensing UNDER, AND enforcement of, this section shall be under such official or department of government of the state of Colorado as the general assembly shall provide. Until such time as the general assembly so provides, said authority shall be vested in the executive director of the department of revenue.

SECTION 2. Each elector voting at said election and desirous of
voting for or against said amendment shall cast a vote as provided by law either "Yes" or "No" on the proposition: "SHALL THERE BE AN AMENDMENT TO SECTION 2 OF ARTICLE XVIII OF THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING THE REGULATION OF GAMES OF CHANCE BY AN AUTHORITY SPECIFIED BY THE GENERAL ASSEMBLY?"

SECTION 3. The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress, and if a majority of the electors voting on the question shall have voted "Yes", the said amendment shall become a part of the state constitution.

Terrance D. Carroll
SPEAKER OF THE HOUSE OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES

Karen Goldman
SECRETARY OF THE SENATE