

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. R14-0931.01 Jery Payne x2157

SCR14-001

SENATE SPONSORSHIP

Crowder,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

SENATE CONCURRENT RESOLUTION 14-001

101 SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF
102 COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION
103 CONCERNING LIMITED GAMING IN KIOWA COUNTY.

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 available at <http://www.leg.state.co.us/billsummaries>.)

The concurrent resolution allows the voters of Kiowa county to authorize limited gaming activities within 5 miles of the boundaries of the town of Eads. Limited gaming is not authorized in the town of Eads, or in any area of Kiowa county that is more than 5 miles from the boundaries

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.

of the town of Eads.

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

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

7 In the constitution of the state of Colorado, section 9 of article
8 XVIII, **amend** (1), (3) introductory portion, (3) (a), (5) (b) (II), (5) (b)
9 (III), (7) (a) introductory portion, (7) (b), (7) (c) (III) (B), (7) (c) (III) (C),
10 (7) (d), and (7) (e) as follows:

11 **Section 9. Limited gaming permitted.** (1) Any provisions of
12 section 2 of this article XVIII or any other provisions of ~~this~~ THE STATE
13 constitution to the contrary notwithstanding, limited gaming in the city of
14 Central, the city of Black Hawk, ~~and~~ the city of Cripple Creek, ~~shall be~~
15 AND THE UNINCORPORATED AREAS OF KIOWA COUNTY IS lawful. ~~as of~~
16 ~~October 1, 1991.~~

17 (3) Limited gaming ~~shall be~~ IS subject to the following:

18 (a) (I) Limited gaming ~~shall~~ MAY take place only in the existing
19 Colorado cities AND COUNTIES of: The city of Central, county of Gilpin;
20 the city of Black Hawk, county of Gilpin; ~~and~~ the city of Cripple Creek,
21 county of Teller; ~~Such limited gaming shall be further confined to the~~
22 ~~commercial districts of said cities as said districts are respectively defined~~
23 ~~in the city ordinances adopted by: the City of Central on October 7, 1981,~~
24 ~~the City of Black Hawk on May 4, 1978, and the City of Cripple Creek~~
25 ~~on December 3, 1973~~ AND THE UNINCORPORATED AREAS OF KIOWA

1 COUNTY.

2 (II) LIMITED GAMING IS FURTHER CONFINED TO THE COMMERCIAL
3 DISTRICTS OF THE FOLLOWING CITIES AS RESPECTIVELY DEFINED IN THE
4 ORDINANCES ADOPTED BY: THE CITY OF CENTRAL ON OCTOBER 7, 1981,
5 THE CITY OF BLACK HAWK ON MAY 4, 1978, AND THE CITY OF CRIPPLE
6 CREEK ON DECEMBER 3, 1973. LIMITED GAMING IS NOT CONFINED TO ANY
7 COMMERCIAL DISTRICT IN THE UNINCORPORATED AREAS OF KIOWA
8 COUNTY.

9 (III) LIMITED GAMING IN THE UNINCORPORATED AREAS OF KIOWA
10 COUNTY IS CONFINED TO THOSE AREAS THAT ARE LESS THAN FIVE MILES
11 FROM THE BOUNDARIES OF THE TOWN OF EADS, AS THOSE BOUNDARIES
12 EXISTED ON JANUARY 1, 2014.

13 (5) (b) (II) At the end of each state fiscal year, the state treasurer
14 shall distribute the balance remaining in the limited gaming fund, except
15 for an amount equal to all expenses of the administration of this section
16 9 for the preceding two-month period, according to the following
17 guidelines and subject to the distribution criteria provided in subsection
18 (7) of this section: Fifty percent ~~shall be transferred~~ to the state general
19 fund or such other fund as the general assembly shall provide;
20 twenty-eight percent ~~shall be transferred~~ to the state historical fund,
21 which fund is hereby created in the state treasury; twelve percent ~~shall be~~
22 ~~distributed~~ to the governing bodies of Gilpin county, ~~and~~ Teller county,
23 AND KIOWA COUNTY in proportion to the gaming revenues generated in
24 each county; the remaining ten percent ~~shall be distributed~~ to the
25 governing bodies of KIOWA COUNTY AND the cities of ~~the City of Central,~~
26 ~~the City of Black Hawk, and the City of Cripple Creek~~ in proportion to
27 the gaming revenues generated in each respective city OR COUNTY.

1 (III) ~~Of the moneys in the state historical fund, from which The~~
2 state treasurer shall ~~also make annual distributions,~~ ANNUALLY
3 DISTRIBUTE twenty percent ~~shall be used~~ OF THE MONEYS IN THE STATE
4 HISTORICAL FUND for the preservation and restoration of THE
5 UNINCORPORATED AREAS OF KIOWA COUNTY AND the cities of ~~the City of~~
6 Central, ~~the City of Black Hawk,~~ and ~~the City of Cripple Creek,~~ and ~~such~~
7 THE STATE TREASURER SHALL DISTRIBUTE THESE moneys ~~shall be~~
8 ~~distributed,~~ to the governing bodies of the respective cities AND COUNTIES
9 according to the proportion of the gaming revenues generated in each
10 respective city OR COUNTY. The GENERAL ASSEMBLY SHALL APPROPRIATE
11 THE remaining eighty percent OF THE MONEYS in the state historical fund
12 ~~shall be used~~ for the historic preservation and restoration of historical
13 sites and municipalities throughout the state. ~~in a manner to be~~
14 ~~determined by the general assembly.~~

15 (7) **Local elections to revise limits applicable to gaming -**
16 **statewide elections to increase gaming taxes.** (a) Through local
17 elections, the voters of THE UNINCORPORATED AREAS OF KIOWA COUNTY
18 AND the cities of Central, Black Hawk, and Cripple Creek are authorized
19 to revise limits on gaming that apply to licensees operating in their city's
20 ~~gaming district~~ RESPECTIVE JURISDICTIONS to extend:

21 (b) THE STATE TREASURER SHALL DEPOSIT THE limited gaming tax
22 revenues attributable to the operation of this subsection (7) ~~shall be~~
23 ~~deposited~~ in the limited gaming fund. The commission shall annually
24 determine the amount of ~~such~~ GAMING TAX revenues generated in each
25 city OR COUNTY.

26 (c) From gaming tax revenues attributable to the operation of this
27 subsection (7), the treasurer shall pay:

1 (III) Of the remaining gaming tax revenues, distributions in the
2 following proportions:

3 (B) Ten percent to the governing bodies of KIOWA COUNTY AND
4 the cities of Central, Black Hawk, and Cripple Creek to address local
5 gaming impacts. ~~provided that such~~ THE PORTION OF GAMING TAX
6 revenue ~~shall be~~ distributed UNDER THIS SUB-SUBPARAGRAPH (B) IS based
7 on the proportion of gaming tax revenues, attributable to the operation of
8 this subsection (7), that are paid by licensees operating in each city, and
9 JURISDICTION.

10 (C) Twelve percent to the governing bodies of Gilpin, and Teller,
11 AND KIOWA counties to address local gaming impacts. ~~provided that such~~
12 THE PORTION OF GAMING TAX revenue ~~shall be~~ distributed UNDER THIS
13 SUB-SUBPARAGRAPH (C) IS based on the proportion of gaming tax
14 revenues, attributable to the operation of this subsection (7), that are paid
15 by licensees operating in each county.

16 (d) ~~After July 1, 2009~~ AS SOON AS PRACTICABLE, the commission
17 shall implement revisions to limits on gaming as approved by voters in
18 the UNINCORPORATED AREAS OF KIOWA COUNTY AND THE cities of
19 Central, Black Hawk, ~~or~~ AND Cripple Creek. The general assembly is also
20 authorized to enact, as necessary, legislation that will facilitate the
21 operation of this subsection (7).

22 (e) If local voters in one or more cities OR COUNTIES revise any
23 limits on gaming as ~~provided~~ SET FORTH in paragraph (a) of this
24 subsection (7), any commission action pursuant to subsection (5) of this
25 section that increases gaming taxes from the levels imposed as of July 1,
26 2008, ~~shall be~~ IS effective only if approved by voters at a statewide
27 election held under section 20 (4) (a) of article X of ~~this~~ THE STATE

1 constitution.

2 **SECTION 2.** Each elector voting at said election and desirous of
3 voting for or against said amendment shall cast a vote as provided by law
4 either "Yes/For" or "No/Against" on the proposition: "Shall there be an
5 amendment to the Colorado constitution concerning limited gaming in
6 Kiowa county?"

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