

**Amendment 50**  
**Limited Gaming in Central City, Black Hawk, and Cripple Creek**

1     **Ballot Title:** An amendment to the Colorado constitution concerning voter-approved  
2 revisions to limited gaming, and, in connection therewith, allowing the local voters in  
3 Central City, Black Hawk, and Cripple Creek to extend casino hours of operation,  
4 approved games to include roulette and craps or both, and maximum single bets up to  
5 \$100; adjusting distributions to current gaming fund recipients for growth in gaming tax  
6 revenue due to voter-approved revisions in gaming; distributing 78% of the remaining  
7 gaming tax revenue from this amendment for student financial aid and classroom  
8 instruction at community colleges according to the proportion of their respective student  
9 enrollments, and 22% for local gaming impacts in Gilpin and Teller counties and the  
10 cities of Central City, Black Hawk, and Cripple Creek according to the proportion of  
11 increased tax revenue from voter-approved revisions in each city or county; and  
12 requiring any increase in gaming taxes from the levels imposed as of July 1, 2008 to be  
13 approved at a statewide election, if local voters in one or more cities have approved any  
14 revision to limited gaming.

15     **Text of Proposal:**

16     *Be it enacted by the People of the State of Colorado:*

17     **SECTION 1.** Section 9 (3) (d), (4) (b), and (5) (a), and (5) (b) (II) of article XVIII of  
18 the constitution of the state of Colorado are amended to read:

19     **Section 9. Limited gaming permitted.** (3) Limited gaming shall be subject to the  
20 following:

21             (d) Limited gaming operations shall be prohibited between the hours of 2:00 o'clock  
22 a.m. and 8:00 o'clock a.m., UNLESS SUCH HOURS ARE REVISED AS PROVIDED IN  
23 SUBSECTION (7) OF THIS SECTION.

24     (4) As certain terms are used in regards to limited gaming:

25             (b) "Limited gaming" means the use of slot machines and the card games of  
26 blackjack and poker, each game having a maximum single bet of five dollars, UNLESS  
27 SUCH GAMES OR SINGLE BETS ARE REVISED AS PROVIDED IN SUBSECTION (7) OF THIS  
28 SECTION.

29     (5) (a) Up to a maximum of forty percent of the adjusted gross proceeds of limited  
30 gaming shall be paid by each licensee, in addition to any applicable license fees, for the  
31 privilege of conducting limited gaming. SUBJECT TO SUBSECTION (7) OF THIS SECTION,

1 SUCH percentage shall be established annually by the commission according to the  
2 criteria established by the general assembly in the implementing legislation to be enacted  
3 pursuant to paragraph (c) of this subsection (5). Such payments shall be made into a  
4 limited gaming fund that is hereby created in the state treasury.

5 (II) At the end of each state fiscal year, the state treasurer shall distribute the  
6 balance remaining in the limited gaming fund, except for an amount equal to all  
7 expenses of the administration of this section 9 for the preceding two-month period,  
8 according to the following guidelines AND SUBJECT TO THE DISTRIBUTION CRITERIA  
9 PROVIDED IN SUBSECTION (7) OF THIS SECTION: fifty percent shall be transferred to the  
10 state general fund or such other fund as the general assembly shall provide; twenty-eight  
11 percent shall be transferred to the state historical fund, which fund is hereby created in  
12 the state treasury; twelve percent shall be distributed to the governing bodies of Gilpin  
13 county and Teller county in proportion to the gaming revenues generated in each county;  
14 the remaining ten percent shall be distributed to the governing bodies of the cities of: the  
15 City of Central, the City of Black Hawk, and the City of Cripple Creek in proportion to  
16 the gaming revenues generated in each respective city.

17 **SECTION 2.** Section 9 of article XVIII of the constitution of the state of Colorado is  
18 amended BY THE ADDITION OF A NEW SUBSECTION to read:

19 (7) **Local elections to revise limits applicable to gaming — statewide elections**  
20 **to increase gaming taxes.** (a) THROUGH LOCAL ELECTIONS, THE VOTERS OF THE  
21 CITIES OF CENTRAL, BLACK HAWK, AND CRIPPLE CREEK ARE AUTHORIZED TO REVISE  
22 LIMITS ON GAMING THAT APPLY TO LICENSEES OPERATING IN THEIR CITY'S GAMING  
23 DISTRICT TO EXTEND:

24 (I) HOURS OF LIMITED GAMING OPERATION;

25 (II) APPROVED GAMES TO INCLUDE ROULETTE OR CRAPS, OR BOTH; AND

26 (III) SINGLE BETS UP TO ONE HUNDRED DOLLARS.

27 (b) LIMITED GAMING TAX REVENUES ATTRIBUTABLE TO THE OPERATION OF THIS  
28 SUBSECTION (7) SHALL BE DEPOSITED IN THE LIMITED GAMING FUND. THE COMMISSION  
29 SHALL ANNUALLY DETERMINE THE AMOUNT OF SUCH REVENUES GENERATED IN EACH  
30 CITY.

31 (c) FROM GAMING TAX REVENUES ATTRIBUTABLE TO THE OPERATION OF THIS  
32 SUBSECTION (7), THE TREASURER SHALL PAY:

33 (I) THOSE ONGOING EXPENSES OF THE COMMISSION AND OTHER STATE AGENCIES  
34 THAT ARE RELATED TO THE ADMINISTRATION OF THIS SUBSECTION (7);

1 (II) ANNUAL ADJUSTMENTS, IN CONNECTION WITH DISTRIBUTIONS TO LIMITED  
2 GAMING FUND RECIPIENTS LISTED IN SUBSECTION (5)(b)(II) OF THIS SECTION, TO REFLECT  
3 THE LESSER OF SIX PERCENT OF, OR THE ACTUAL PERCENTAGE OF, ANNUAL GROWTH IN  
4 GAMING TAX REVENUES ATTRIBUTABLE TO THIS SUBSECTION (7); AND

5 (III) OF THE REMAINING GAMING TAX REVENUES, DISTRIBUTIONS IN THE FOLLOWING  
6 PROPORTIONS:

7 (A) SEVENTY-EIGHT PERCENT TO THE STATE'S PUBLIC COMMUNITY COLLEGES,  
8 JUNIOR COLLEGES, AND LOCAL DISTRICT COLLEGES TO SUPPLEMENT EXISTING STATE  
9 FUNDING FOR STUDENT FINANCIAL AID PROGRAMS AND CLASSROOM INSTRUCTION  
10 PROGRAMS; PROVIDED THAT SUCH REVENUE SHALL BE DISTRIBUTED TO INSTITUTIONS  
11 THAT WERE OPERATING ON AND AFTER JANUARY 1, 2008, IN PROPORTION TO THEIR  
12 RESPECTIVE FULL-TIME EQUIVALENT STUDENT ENROLLMENTS IN THE PREVIOUS FISCAL  
13 YEAR;

14 (B) TEN PERCENT TO THE GOVERNING BODIES OF THE CITIES OF CENTRAL, BLACK  
15 HAWK, AND CRIPPLE CREEK TO ADDRESS LOCAL GAMING IMPACTS; PROVIDED THAT  
16 SUCH REVENUE SHALL BE DISTRIBUTED BASED ON THE PROPORTION OF GAMING TAX  
17 REVENUES, ATTRIBUTABLE TO THE OPERATION OF THIS SUBSECTION (7), THAT ARE PAID  
18 BY LICENSEES OPERATING IN EACH CITY; AND

19 (C) TWELVE PERCENT TO THE GOVERNING BODIES OF GILPIN AND TELLER  
20 COUNTIES TO ADDRESS LOCAL GAMING IMPACTS; PROVIDED THAT SUCH REVENUE SHALL  
21 BE DISTRIBUTED BASED ON THE PROPORTION OF GAMING TAX REVENUES, ATTRIBUTABLE  
22 TO THE OPERATION OF THIS SUBSECTION (7), THAT ARE PAID BY LICENSEES OPERATING  
23 IN EACH COUNTY.

24 (d) AFTER JULY 1, 2009, THE COMMISSION SHALL IMPLEMENT REVISIONS TO LIMITS  
25 ON GAMING AS APPROVED BY VOTERS IN THE CITIES OF CENTRAL, BLACK HAWK, OR  
26 CRIPPLE CREEK. THE GENERAL ASSEMBLY IS ALSO AUTHORIZED TO ENACT, AS  
27 NECESSARY, LEGISLATION THAT WILL FACILITATE THE OPERATION OF THIS SUBSECTION  
28 (7).

29 (e) IF LOCAL VOTERS IN ONE OR MORE CITIES REVISE ANY LIMITS ON GAMING AS  
30 PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (7), ANY COMMISSION ACTION  
31 PURSUANT TO SUBSECTION (5) OF THIS SECTION THAT INCREASES GAMING TAXES FROM  
32 THE LEVELS IMPOSED AS OF JULY 1, 2008, SHALL BE EFFECTIVE ONLY IF APPROVED BY  
33 VOTERS AT A STATEWIDE ELECTION HELD UNDER SECTION 20(4)(a) OF ARTICLE X OF THIS  
34 CONSTITUTION.

35 (f) GAMING TAX REVENUES ATTRIBUTABLE TO THE OPERATION OF THIS SUBSECTION  
36 (7) SHALL BE COLLECTED AND SPENT AS A VOTER-APPROVED REVENUE CHANGE WITHOUT  
37 REGARD TO ANY LIMITATION CONTAINED IN SECTION 20 OF ARTICLE X OF THIS  
38 CONSTITUTION OR ANY OTHER LAW.