

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

**INTRODUCED**

LLS NO. 01-0587.01 Thomas Morris

**HOUSE BILL 01-1339**

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**HOUSE SPONSORSHIP**

**Cloer**, Alexander, Johnson, Kester, Larson, Stafford, and Witwer

**SENATE SPONSORSHIP**

**(None)**,

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**House Committees**

Agriculture, Livestock, & Natural Resources

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE USE OF PROCEEDS FROM UNCLAIMED PARI-MUTUEL**  
102             **TICKETS FROM GREYHOUND RACING TO FACILITATE THE**  
103             **ADOPTION OF UNWANTED GREYHOUNDS.**

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**Bill Summary**

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

Transfers 50% of unclaimed greyhound racing prize money to a greyhound adoption trust fund (fund). Creates the fund. Authorizes the Colorado racing commission in the department of revenue to make grants from the fund to nonprofit greyhound adoption associations to provide for the care, medical rehabilitation, spaying and neutering, and facilitation of the adoption of injured, abandoned, and retired racing greyhounds.

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.*

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

2           **SECTION 1.** 12-60-702 (1) (i) and (1) (j), Colorado Revised  
3 Statutes, are amended to read:

4           **12-60-702. Unlawful to wager, exception - excess - taxes -**  
5 **special provisions for simulcast races - repeal.** (1) (i) The proceeds  
6 derived from all unclaimed pari-mutuel tickets for each greyhound race  
7 meet shall be retained by the licensee under whose license such  
8 greyhound race meet was held. ~~and~~, After a period of one year following  
9 the end of such race meet, FIFTY PERCENT OF SUCH PROCEEDS shall revert  
10 and belong to such licensee and shall be used by the licensee for capital  
11 improvements to the track at which the race meet was held, AND THE  
12 LICENSEE SHALL TRANSMIT THE REMAINING FIFTY PERCENT OF SUCH  
13 PROCEEDS TO THE GREYHOUND ADOPTION TRUST FUND CREATED IN  
14 SECTION 12-60-704.5.

15           (j) The proceeds derived from all unclaimed pari-mutuel tickets for  
16 each simulcast race of greyhounds received by an in-state simulcast  
17 facility shall be retained by the operator of such simulcast facility and,  
18 after a period of one year following such simulcast race, THE OPERATOR  
19 SHALL TRANSMIT FIFTY PERCENT OF SUCH PROCEEDS TO THE GREYHOUND  
20 ADOPTION TRUST FUND CREATED IN SECTION 12-60-704.5. THE REMAINING  
21 FIFTY PERCENT OF SUCH PROCEEDS shall revert and belong to such  
22 operator; except that, in the case of simulcast races received from an  
23 in-state host track, such proceeds shall be paid to the licensee of such  
24 in-state host track within sixty days after the end of the race meet from  
25 which the simulcast race was broadcast and, after a period of one year  
26 following the end of such race meet, shall revert and belong to such

1 licensee and shall be used by the licensee for capital improvements to the  
2 track at which the race meet was held.

3 **SECTION 2.** Part 7 of article 60 of title 12, Colorado Revised  
4 Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

5 **12-60-704.5. Greyhound adoption trust fund - rules.** (1) FOR  
6 PURPOSES OF THIS SECTION:

7 (a) "FUND" MEANS THE GREYHOUND ADOPTION TRUST FUND  
8 CREATED BY THIS SECTION.

9 (b) "GREYHOUND" MEANS A GREYHOUND THAT IS REGISTERED WITH  
10 THE NATIONAL GREYHOUND ASSOCIATION OR ANY SUCCESSOR  
11 ORGANIZATION; THAT IS INJURED, ABANDONED, OR PUT UP FOR ADOPTION;  
12 AND THAT WILL NOT BE USED FOR COMMERCIAL RACING.

13 (c) "GREYHOUND ADOPTION ASSOCIATION" MEANS A PRIVATE  
14 NONPROFIT ASSOCIATION THAT COMPLIES WITH THE FOLLOWING  
15 REQUIREMENTS:

16 (I) THE BOARD OF DIRECTORS OF THE ASSOCIATION SHALL CONSIST  
17 OF MEMBERS FROM THE FOLLOWING ORGANIZATIONS IN THE FOLLOWING  
18 RATIO:

19 (A) FOUR VOTING MEMBERS FROM THE GREYHOUND KENNEL  
20 INDUSTRY;

21 (B) TWO VOTING MEMBERS FROM ANIMAL ADVOCACY  
22 ORGANIZATIONS;

23 (C) TWO VOTING MEMBERS FROM GREYHOUND ADOPTION  
24 ORGANIZATIONS; AND

25 (D) ONE MEMBER FROM THE DEPARTMENT OF AGRICULTURE, WHO  
26 SHALL BE ENTITLED TO VOTE ONLY WHEN THE REMAINING BOARD  
27 MEMBERS' VOTES ON A MATTER ARE TIED;

1           (II) THE ASSOCIATION’S ARTICLES OF INCORPORATION, CHARTER,  
2 OR BYLAWS SHALL PROVIDE THAT MONEYS DISTRIBUTED TO THE  
3 ASSOCIATION PURSUANT TO THIS SECTION SHALL BE USED ONLY TO PROVIDE  
4 FOR THE CARE, MEDICAL REHABILITATION, SPAYING AND NEUTERING, AND  
5 FACILITATION OF THE ADOPTION OF GREYHOUNDS.

6           (2) THERE IS HEREBY CREATED THE GREYHOUND ADOPTION TRUST  
7 FUND. THE FUND SHALL CONSIST OF MONEYS DEPOSITED THEREIN  
8 PURSUANT TO SECTION 12-60-702 (1) (i) AND (1) (j), AND SHALL BE USED  
9 ONLY FOR THE PURPOSES SPECIFIED IN SUBSECTION (3) OF THIS SECTION.  
10 THE FUND SHALL BE HELD IN A TRUST ACCOUNT TO BE PAID OUT AS  
11 PROVIDED BY THIS SECTION AND BY RULES OF THE COMMISSION. MONEYS  
12 IN OR EXPENDED FROM THE FUND SHALL NOT CONSTITUTE STATE REVENUES  
13 OR FISCAL YEAR SPENDING OF THE STATE FOR PURPOSES OF SECTION 20 OF  
14 ARTICLE X OF THE STATE CONSTITUTION, AND SUCH MONEYS SHALL BE  
15 DEEMED CUSTODIAL FUNDS THAT ARE NOT SUBJECT TO APPROPRIATION BY  
16 THE GENERAL ASSEMBLY. ALL INTEREST DERIVED FROM THE DEPOSIT AND  
17 INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND  
18 AND SHALL NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

19           (3) THE COMMISSION SHALL PROMULGATE RULES GOVERNING  
20 DISTRIBUTIONS FROM THE FUND. SUCH RULES SHALL ENSURE THAT:

21           (a) NOTWITHSTANDING SECTION 24-30-204, C.R.S.,  
22 DISTRIBUTIONS FROM THE FUND ARE MADE ON A QUARTERLY BASIS;

23           (b) DISTRIBUTIONS FROM THE FUND ARE MADE ONLY TO  
24 GREYHOUND ADOPTION ASSOCIATIONS;

25           (c) GREYHOUND ADOPTION ASSOCIATIONS SHALL USE  
26 DISTRIBUTIONS FROM THE FUND ONLY TO PROVIDE FOR THE CARE, MEDICAL  
27 REHABILITATION, SPAYING AND NEUTERING, AND FACILITATION OF THE

1 ADOPTION OF GREYHOUNDS, WHICH INCLUDES, BUT IS NOT LIMITED TO:

2 (I) TAKING CUSTODY OF GREYHOUNDS TO TRANSPORT THE  
3 GREYHOUNDS TO:

4 (A) A VETERINARIAN, A PRIVATE NONPROFIT GREYHOUND KENNEL  
5 OWNERS' ASSOCIATION, OR AN ENTITY THAT ADOPTS GREYHOUNDS OR  
6 PROVIDES FOSTER CARE TO INJURED OR ABANDONED GREYHOUNDS; OR

7 (B) IF NO ENTITY DESCRIBED IN SUB-SUBPARAGRAPH (A) OF THIS  
8 SUBPARAGRAPH (I) IS AVAILABLE TO TAKE TEMPORARY OR PERMANENT  
9 CUSTODY OF A GREYHOUND, AN ANIMAL SHELTER OR POUND; AND

10 (II) MAKING GRANTS TO THIRD PARTIES TO FURTHER ANY OF THE  
11 ENUMERATED PURPOSES OF THIS SECTION; AND

12 (d) ANY PET ANIMAL FACILITY, AS DEFINED IN SECTION 35-80-102  
13 (11), C.R.S., THAT RECEIVES MONEYS FROM THE FUND, EITHER DIRECTLY  
14 OR THROUGH AN ASSOCIATION, SHALL BE SUBJECT TO AND COMPLY WITH  
15 THE "PET ANIMAL CARE AND FACILITIES ACT", ARTICLE 80 OF TITLE 35,  
16 C.R.S.

17 (4) AFTER MONEYS FROM THE FUND HAVE BEEN DISTRIBUTED TO A  
18 GREYHOUND ADOPTION ASSOCIATION, FURTHER DISTRIBUTION SHALL BE  
19 GOVERNED BY THE BYLAWS OF SUCH ASSOCIATION.

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