

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 09-050

BY SENATOR(S) Scheffel, Gibbs;
also REPRESENTATIVE(S) Murray, Liston, Middleton, Schafer S.,
Stephens, Vigil.

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

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

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

12-47.1-301. Colorado limited gaming control commission - creation. (1) There is hereby created, within the division of gaming, the Colorado limited gaming control commission. The commission shall consist of five members, all of whom shall be citizens of the United States and residents of this state who have been residents of the state for the past five years. The members shall be appointed by the governor, with the consent and approval of the senate. No member shall have been convicted of a felony or gambling-related offense, notwithstanding the provisions of section 24-5-101, C.R.S. No more than three of the five members shall be members of the same political party and no more than one member shall be

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

from any one congressional district; EXCEPT THAT THE MEMBER WHO IS A REGISTERED ELECTOR OF TELLER OR GILPIN COUNTY MAY RESIDE IN THE SAME CONGRESSIONAL DISTRICT AS ONE OF THE OTHER MEMBERS. At the first meeting of each fiscal year, a ~~chairman~~ CHAIR and ~~vice-chairman~~ VICE-CHAIR of the commission shall be chosen from the membership by a majority of the members. Membership and operation of the commission shall additionally meet the following requirements:

(a) One member of the commission shall have had at least five years' law enforcement experience as a peace officer certified pursuant to section 24-31-305, C.R.S.; one member shall be an attorney admitted to the practice of law in Colorado for not less than five years and who has experience in regulatory law; one member shall be a certified public accountant or public accountant who has been practicing in Colorado for at least five years and who has a comprehensive knowledge of the principles and practices of corporate finance; one member shall have been engaged in business in a management-level capacity for at least five years; and, EFFECTIVE JULY 1, 2011, one member shall be a registered elector of ~~the state who is not~~ TELLER OR GILPIN COUNTY. THE REGISTERED ELECTOR MEMBER OF THE COMMISSION MAY BE employed in ~~any~~ A profession or industry otherwise described in this paragraph (a), BUT SHALL NOT OCCUPY THE PLACE ON THE COMMISSION THAT IS RESERVED FOR A PERSON EMPLOYED IN THAT PROFESSION OR INDUSTRY.

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

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

(a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1), no member of the commission, an ancestor or descendant of a member, including a natural child, child by adoption, or stepchild, or a brother or sister of the whole or half blood of a member, or an uncle, aunt, nephew, or niece of the whole blood of a member, shall have any interest of any kind in a license issued pursuant to this article or own or have any interest in property in any county where limited gaming is permitted. The

provisions of this paragraph (a) shall apply to spouses of commission members in like fashion as to members.

(b) No member of the commission or employee of the division, including the director, and no member of the immediate family of a member or employee of the division, shall have any interest, direct or indirect, in any licensee, licensed premises, establishment, or business involved in or with limited gaming. Further, no such person shall own, in whole or in part, property in the cities of Central, Black Hawk, or Cripple Creek; except that:

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

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

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Peter C. Groff
PRESIDENT OF
THE SENATE

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO