

HOUSE CONCURRENT RESOLUTION NO. 1007

BY REPRESENTATIVES Massari, Showalter, Becker, Burns, Callihan, Davoren, Dodge, Hamlin, Hayes, Heerberger, Hinman, Johnson, Kirscht, Knox, Lucero, Orten, Powers, Scherling, Tancredo, Taylor, Theos, Winkler, Witherspoon, Chavez, Hastings, and Jones;
also SENATORS Allshouse, Beno, Clark, D. Sandoval, P. Sandoval, Schaefer, Baca Barragan, Soash, and Stewart.

SUBMITTING TO THE QUALIFIED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO SECTION 2 OF ARTICLE XVIII OF THE CONSTITUTION OF THE STATE OF COLORADO, AUTHORIZING THE ESTABLISHMENT OF A STATE-SUPERVISED LOTTERY WITH THE NET PROCEEDS, UNLESS OTHERWISE AUTHORIZED BY STATUTE, ALLOCATED TO THE CONSERVATION TRUST FUND OF THE STATE FOR DISTRIBUTION TO MUNICIPALITIES AND COUNTIES FOR PARK, RECREATION, AND OPEN SPACE PURPOSES.

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

Section 1. At the next general election for members of the general assembly, there shall be submitted to the qualified 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 of article XVIII of the constitution of the state of Colorado is amended to read:

Section 2. **Lotteries prohibited - exceptions.** (1) The general assembly shall have no power to authorize lotteries for any purpose; except that the conducting of such games of chance as hereinafter provided IN SUBSECTIONS (2) TO (4) OF THIS SECTION shall be lawful from ON and after January 1, 1959, AND THE CONDUCTING OF STATE-SUPERVISED LOTTERIES PURSUANT TO SUBSECTION (7) OF THIS SECTION SHALL BE LAWFUL ON AND AFTER JANUARY 1, 1981.

(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 herein provided shall have FOR IN THIS SUBSECTION (2) HAS been issued to the firm or organization conducting such games of chance. The secretary of state shall, upon application therefor on such forms as shall be prescribed by the secretary of state and upon the payment of an annual fee of \$50.00 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 and which has been in existence continuously for a period of 5 FIVE years immediately prior to the making of said application for such license and has had during the entire 5 year 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 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.

(4) Such games of chance shall be subject to the following restrictions:

1: (a) The entire net proceeds of any game shall be exclusively devoted to the lawful purposes of organizations permitted to conduct such games.

2: (b) No person except a bona fide member of any organization may participate in the management or operation of any such game.

3: (c) No person may receive any remuneration or profit for participating in the management or operation of any such game.

(5) SUBSECTIONS (2) TO (4) OF this section is ARE self-enacting, but laws may be enacted supplementary to and in pursuance of, but not contrary to, the provisions hereof THEREOF.

(6) The enforcement of this amendment SECTION shall be under such official or department of government of the state of Colorado as the general assembly shall provide.

(7) ANY PROVISION OF THIS CONSTITUTION TO THE CONTRARY NOTWITHSTANDING, THE GENERAL ASSEMBLY MAY ESTABLISH A STATE-SUPERVISED LOTTERY. UNLESS OTHERWISE PROVIDED BY STATUTE, ALL PROCEEDS FROM THE LOTTERY, AFTER DEDUCTION OF PRIZES AND EXPENSES, SHALL BE ALLOCATED TO THE CONSERVATION TRUST FUND OF THE STATE FOR DISTRIBUTION TO MUNICIPALITIES AND COUNTIES FOR PARK, RECREATION, AND OPEN SPACE PURPOSES.

Section 2. Each elector voting at said election and desirous of voting for or against said amendment shall cast his vote as provided by law either "Yes" or "No" on the proposition: "An amendment to section 2 of article XVIII of the constitution of the state of Colorado, authorizing the establishment of a state-supervised lottery with the net proceeds, unless otherwise authorized by statute, allocated to the conservation trust fund of the state for distribution to municipalities and counties for park, recreation, and open space purposes."

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.

NOTE: Vote on the above measure at the General Election held November 4, 1980. (See Session Laws of 1979, pages 1676-1677.)

For: 660,213

Against: 443,289

Effective upon proclamation of the Governor, December 19, 1980.