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ELECTIONS
SECRETARY OF STATE

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FINAL

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

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

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

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

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

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

(5) (a) Up to a maximum of forty percent of the adjusted gross proceeds of limited gaming shall be paid by each licensee, in addition to any applicable license fees, for the privilege of conducting limited gaming. SUBJECT TO SUBSECTION (7) OF THIS SECTION, SUCH percentage shall be established annually by the commission according to the criteria established by the general assembly in the implementing legislation to be enacted pursuant to paragraph (c) of this subsection (5). Such payments shall be made into a limited gaming fund that is hereby created in the state treasury.

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

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

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

(I) HOURS OF LIMITED GAMING OPERATION;

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

(III) SINGLE BETS UP TO ONE HUNDRED DOLLARS.

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

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

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

(II) ANNUAL ADJUSTMENTS, IN CONNECTION WITH DISTRIBUTIONS TO LIMITED GAMING FUND RECIPIENTS LISTED IN SUBSECTION (5)(b)(II) OF THIS SECTION, TO REFLECT INFLATION; AND

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

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

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

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

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

FACILITATE THE OPERATION OF THIS SUBSECTION (7).

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

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