



## Notice of Adoption

### Office of the Secretary of State Rules Concerning Bingo and Raffles Games 8 CCR 1505-2

February 6, 2013

#### I. Adopted Rule Amendments

As authorized by the Colorado bingo and raffles laws<sup>1</sup> and the State Administrative Procedure Act<sup>2</sup>, the Colorado Secretary of State gives notice that the following amendments to the rules concerning bingo and raffles games<sup>3</sup> are adopted on a permanent basis.

The following rules were considered at the January 15, 2013 rulemaking hearing in accordance with the State Administrative Procedure Act<sup>4</sup>.

(SMALL CAPS indicate proposed additions to the current rules. ~~Stricken type~~ indicates proposed deletions from current rules. *Annotations* may be included):

#### Repeal of current Rule 1.0:

#### ~~1.0 INTRODUCTION.~~

~~The following Rules Covering and Regulating Bingo/Raffles are enacted pursuant to section 12-9-101 et seq., C.R.S., and Article XVIII, section 2 of the Colorado Constitution.~~

#### ~~A. Authority~~

~~These rules and regulations are adopted pursuant to the authority in section 12-9-103(1)(b), C.R.S., and are intended to be consistent with the requirements of the State Administrative Procedure Act, section 24-4-101 et seq. (the "APA"), C.R.S., and the Bingo and Raffles Law, sections 12-9-101 et seq., C.R.S. (the "Law").~~

~~B. Scope and Purpose. These rules shall govern all licenses, certificate holders, affiliates and auxiliaries as defined in the Bingo and Raffles Law.~~

<sup>1</sup> Article XVIII, Section 2 of the Colorado Constitution and Article 9, Title 12 of the Colorado Revised Statutes.

<sup>2</sup> Section 24-4-103(3)(a), C.R.S. (2012).

<sup>3</sup> 8 CCR 1505-2.

<sup>4</sup> Section 24-4-103(3)(a), C.R.S. (2012).

Current Rule 2.0 is amended and re-codified as Rule 1:

## **2.0 DEFINITION OF BINGO AND RAFFLE TERMS**

### **RULE 1. DEFINITIONS**

~~A. **Bingo Game:** A bingo game starts when the first numbered object, ball or number is selected at random or randomly generated by machine, and called, and continues until all the objects or balls have been returned to the receptacle or the machine has been cleared. A game may have two or more parts with different winning patterns for each part, if the total amount of prizes offered or given for all parts of one game does not exceed, in amount or value, the maximum prize that may be offered or given in a single game of bingo.~~

*[Language concerning the start and end of a bingo game is stricken from former Rule 2.0(A) and is relocated to New Rule 3.1.1]*

~~B.-1.1 **Bingo raffle licensee rules:** The “BINGO-RAFFLE LICENSEE RULES” MEANS rules established by each bingo raffle A licensee for items THE PAYMENT FOR AND PLAYING OF GAMES OF CHANCE not covered by the bingo raffle law or the Rules Covering and Regulating Bingo/Raffles relating to the payment for, and playing of, games of chance. THE STATE CONSTITUTION, THE COLORADO REVISED STATUTES, OR THESE RULES.~~

~~C.-1.2 **Bucket raffle:** An “BUCKET RAFFLE” MEANS AN event where A LICENSEE CONDUCTS many small raffles are conducted at the same time. In a bucket raffle, the bingo raffle licensee may sell tickets from the same series of theater style tickets. The purchaser of raffle tickets TICKET PURCHASERS may deposit one or more of the purchased tickets into various receptacles containing tickets from which a winner or winners will be drawn for a prize or prizes. The bingo raffle licensee shall display merchandise prizes or may display photographs and descriptions of merchandise prizes so that a player can easily determine the types and value of merchandise prizes offered for each receptacle.~~

*[Language concerning the display of merchandise prizes is stricken from this Rule 1.2 (formerly Rule 2.0(C)) and is relocated to New Rule 8.3.3.]*

1.3 “CALL FULFILLMENT CENTER” MEANS A REGISTERED COMPANY THAT EMPLOYS TELEPHONE OPERATORS TO ANSWER CALLS AND PROVIDE DATA ENTRY SERVICES.

~~D.-1.4 **Concealed face card:** A “CONCEALED FACE CARD” MEANS A non-reusable bingo card containing five rows of five squares with a free center space, one number preprinted on each of the remaining 24 spaces, and the letters B, I, N, G, O “B I N G O” printed in order over the five columns, the card so constructed that no. NO part of its THE CARD’S face is detectable or discernible until the card is purchased and opened by the player.~~

~~E. **Deal:** Each separate package or series of packages consisting of pull tabs with the same game name, form number, serial number, and color code.~~

F.-1.5 **Double Action Game:** A “DOUBLE ACTION GAME” MEANS A bingo game that uses a bingo card containing the letters B,I,N,G,O “B I N G O” placed horizontally over a five

by five matrix of squares with the center square blank, where each of the other squares contains two numbers in the range of ~~1~~ONE to 75.

~~G-1.6~~ **Face:** A “FACE” MEANS A bingo card.

~~H-1.7~~ **Flare:** A “FLARE” MEANS A piece of heavy paper stock or other material accompanying a pull tab deal ~~which~~ THAT shows at least MINIMUM the following ~~descriptive information~~ about the matching deal:

~~1-1.7.1~~ The name and form number of the game;

~~2-1.7.2~~ The manufacturer name or logo;

~~3-1.7.3~~ The number of tickets in the deal and the cost per play; and

~~4-1.7.4~~ The prize structure, including the number of winning tickets by denomination and their respective winning symbol combinations.

~~I-1.8~~ **Licensed Premises:** ~~Includes~~ “LICENSED PREMISES” MEANS the premises owned, or leased by, or under the control of CONTROLLED BY a bingo raffle licensee and used for games of chance, ~~by the bingo raffle licensee for its own members or the public but~~ which are not leased to other bingo raffle licensees for the conduct of games of chance.

1.9 “LICENSEE” MEANS, FOR THE PURPOSES OF THESE RULES AND UNLESS OTHERWISE SPECIFIED, A BINGO-RAFFLE LICENSEE AS DEFINED IN SECTION 12-9-102(1.2), C.R.S.

~~J-1.10~~ **Master Board:** ~~The master board is~~ “MASTER BOARD” MEANS the rack ~~that balls are~~ IN WHICH A BINGO BALL IS placed ~~in after a ball has been~~ IT IS taken from the receptacle. ~~The IF~~ A master board ~~may be~~ IS electronically connected to a lighted display board ~~that indicates the called ball. In the case of~~ WITH an electronic random number generator that calls numbers, the lighted display board is the master board.

~~K-1.11~~ **Pack:** A “PACK” MEANS A collation of disposable paper bingo cards or sheets ~~sold during a bingo occasion.~~

~~L-1.12~~ **Pre Draw Concealed Face Game:** A “PRE-DRAW CONCEALED FACE GAME” MEANS A bingo game in which a designated number of balls, ~~or objects, are drawn~~ or numbers are DRAWN OR randomly generated ~~during the occasion with a separate set of balls and~~ in the presence of at least ten ~~(10)~~ players PRIOR TO THE PURCHASE OF THE CARDS. Players ~~may~~ purchase concealed face cards after the designated number of balls, ~~or objects, is drawn~~ or numbers ~~are~~ IS DRAWN OR randomly generated. The bingo raffle licensee announces the resumption of the game and continues to draw balls or generate numbers until a player signals a bingo.

M-1.13 **Progressive Pull Tab:** A “PROGRESSIVE PULL TAB” MEANS A game consisting of one or more seal pull tab deals with identical form numbers that offers a cumulative or carryover jackpot prize. The prize structure for a progressive pull tab game is predetermined by the game’s manufacturer ~~and built into the game.~~ The structure

includes a cumulative jackpot prize, to which each deal of the game in which the jackpot prize is not won contributes a specifically pre-designated amount.

~~N-1.14 **Progressive Jackpot ("Progressive") Bingo Game:** A "PROGRESSIVE JACKPOT ("PROGRESSIVE") BINGO GAME" MEANS A progressive jackpot bingo game is one in which a prize amount is carried over to the subsequent game IN THE PROGRESSION if no bingo is achieved within a specified number of balls drawn and called.~~

~~Ø-1.15 **Remuneration:** Any "REMUNERATION" MEANS A monetary or non-monetary payment no matter how small, given to a member of an organization in return for that member's participation in the operation of charitable gaming. Items that are included in the THE definition includes, but are IS not limited to:~~

~~1.15.1 direct payments of eCash;~~

~~1.15.2 reduced pack prices REDUCED-PRICE or free packs to a member who plays bingo when that member is not participating in the operation of the charitable gaming;~~

~~1.15.3 Reduced dues based on the number of volunteer hours that the member works in the operation of charitable gaming;~~

~~1.15.4 Meal vouchers;~~

~~1.15.5 Reimbursement of travel expenses when other members who do not participate in the operation of charitable gaming are not reimbursed for travel;~~

~~1.15.6 Non-competitive scholarships where the selection of the scholarship recipient is based on the amount of time volunteered in the operation of charitable gaming OPERATIONS, whether by the recipient or a member of the organization related to the recipient; OR~~

~~1.15.7 Tips received from players by a member A PLAYER as a result of the member's participation in the operation of charitable gaming OPERATIONS.~~

~~P-1.16 **Renewal Application:** An "RENEWAL APPLICATION" MEANS AN application received from a FOR BINGO-RAFFLE LICENSE RENEWAL FILED BY A qualified organization which organization THAT holds a bingo-raffle license for the IMMEDIATELY-PRECEDING calendar year immediately preceding the year for which the renewal application is submitted.~~

~~Q-1.17 **Seal Pull tab:** A "SEAL PULL TAB" MEANS A pull tab game that offers one or more prizes by means of a flare or a jackpot card that is part of a pull tab deal. The flare or jackpot card includes a section bearing a tab or tabs that must be torn or broken apart to reveal a winning combination or combinations.~~

~~1. Each seal pull tab deal shall include:~~

~~a. A ticket or tickets that entitle the purchaser to a chance to win the prize(s) identified by the winning combination(s) imprinted on the flare or jackpot card; and~~

- b. ~~A flare preprinted, or otherwise prepared by the game's manufacturer, to show:~~
- (1) ~~the serial number of the pull tab deal;~~
  - (2) ~~a section that shall record the names of all holders of tickets that entitle the bearer to a chance on the seal prizes, together with the potential winning combination of each such ticket; and~~
  - (3) ~~all other information required by this rule to be shown on pull tab flares. The jackpot card, if separate from the flare, shall be preprinted with the name and form number of the game and the manufacturer's name~~

*[See Rule 5.2]*

R. ~~Sheet: A leaf of paper upon which are printed two or more disposable paper bingo cards.~~

S. ~~Repealed.~~

T-1.18 ~~Stub: That~~ "STUB" MEANS THE portion of a raffle ticket kept by the bingo raffle licensee. ~~In the case of a raffle prize that has a value greater than \$1,000.00, the stub is that portion of the ticket containing the name, address and telephone number of the purchaser of the ticket.~~

U-1.19 ~~Ticket: As used in these rules, "ticket"–"TICKET"~~ means a slip of paper or any other object that is discrete from every other object sold ~~or that contains a discrete number or symbol,~~ which evidences that the person to whom it is issued, or the CURRENT holder thereof, is entitled to some right or privilege ~~therein mentioned or described~~ AS INDICATED BY THE LICENSEE.

V. ~~Repealed.~~

**Current Rule 3.0 is amended and re-codified as Rule 2:**

### **3.0 BINGO-RAFFLE LICENSEES**

#### **RULE 2. BINGO-RAFFLE LICENSEES**

##### **A-2.1 Application**–APPLICATION

###### **1-2.1.1 Initial Application**–INITIAL APPLICATION

- a. ~~Application for a bingo raffle license shall be made on forms provided by the Licensing Authority~~
- b. (A) ~~In addition to any other items required on the application form, each new application shall consist of:~~ AN APPLICANT SEEKING A BINGO-RAFFLE LICENSE MUST SUBMIT A COMPLETE APPLICATION, USING THE FORM PRESCRIBED BY THE SECRETARY OF STATE, IN ADDITION TO THE FOLLOWING:
  - (1) The application fee;

- (2) A list of all members of the organization, ~~who will participate in the operation of games of chance and a list of~~ AND all members of auxiliary and affiliate organizations who will participate in the operation of games of chance.— If the organization has a large number of members, the applicant may submit a copy of the entire membership;
- (3) The names, addresses, and titles of all officers and directors of the organization; AND
- (4) Proof that the organization has ~~existed and has been functioning~~ FUNCTIONED for ~~at least~~ THE five years ~~prior to~~ IMMEDIATELY PRECEDING the APPLICATION date ~~of application~~ and that the organization has HAD members THROUGHOUT THIS PERIOD.— Proof of existence ~~may consist of one or more of the following~~ CONSISTS OF:

- ~~(a)~~(I) Articles of Incorporation dated more than five years from the date of application, stating that the organization has members; AND

- ~~(b)~~(II) Copies of at least one bank statement per year for the five-YEAR PERIOD ~~years preceding the date of application, showing that the organization has maintained a bank account for the requisite period of time;~~

- ~~(c)~~(III) Copies of minutes from at least one general membership meeting per year for the five-YEAR PERIOD ~~years preceding the date of application;~~ OR

- ~~(d)~~(IV) A copy of the IRS letter recognizing that the organization is exempt from taxation ~~pursuant to~~ IN ACCORDANCE WITH the Internal Revenue Code ~~section 501(c)~~ (26 U.S.C. § 501(c)). ~~In order to qualify for a bingo raffle license, such organization must also demonstrate that it qualifies under Article XVIII, Section 2, paragraph 2 of the Colorado constitution.~~

~~e.~~(B) ~~The application will not be considered complete and subject to the 45-day provision of section 12-9-103(1)(a)(1), C.R.S., until all of the items in Rule 3.0 A.1.b. have been received by the licensing authority. THE 45 DAY PERIOD FOR APPROVAL OR REJECTION OF THE APPLICATION WILL START UPON NOTIFICATION THAT THE SECRETARY OF STATE RECEIVED THE REQUIRED INFORMATION OUTLINED IN RULE 2.1.1(A). [SECTION 12-9-103(1)(a)(I), C.R.S.]~~

2-2.1.2 ~~Renewal Application.~~ RENEWAL APPLICATION. ~~In addition to any other items required on the application form, each renewal application shall consist of~~ TO RENEW A BINGO-RAFFLE LICENSE, A LICENSEE MUST SUBMIT A COMPLETE

RENEWAL APPLICATION, USING THE FORM PRESCRIBED BY THE SECRETARY OF STATE, IN ADDITION TO THE FOLLOWING:

- ~~a.-(A) A list of all members of the organization who will participate in the operation of games of chance. If the organization has a large number of members, the applicant may submit a copy of the entire membership. THE ITEMS LISTED IN RULE 2.1.1(A)(1-3); AND~~
- ~~b. The names, addresses and titles of all officers and directors of the organization;~~
- ~~e.-(B) Evidence of any change in name of the organization if it is applying for a renewal of a bingo raffle license under a name different than the name on the license issued for the preceding year. In the case of an entity organized under Colorado law, evidence shall consist of copies of Articles of Amendment, Articles of Merger or such other change to the constituent documents that are submitted to the Licensing Authority for filing. IF THE ORGANIZATION CHANGED NAMES IN THE LAST YEAR, EVIDENCE OF THE NAME CHANGE. FOR ENTITIES ORGANIZED UNDER COLORADO LAW, ARTICLES OF AMENDMENT, ARTICLES OF MERGER, OR OTHER DOCUMENTATION OF CHANGES FILED WITH THE SECRETARY OF STATE QUALIFY AS EVIDENCE OF THE NAME CHANGE.~~

~~3-2.1.3 Board only organizations without members. BOARD-ONLY ORGANIZATIONS WITHOUT MEMBERS. An organization that does not have members but is managed by a board of directors or trustees may apply for a bingo-affle license but only in the name of the board of directors. Only the members of the board BOARD MEMBERS may participate in the operation of charitable gaming.~~

~~4-2.2 Requirement to participate in games of chance. A bingo-affle licensee may, as a membership condition or qualification, require all of its active members to assist with its charitable gaming operations. Such members shall be MEMBERS ARE considered bona fide volunteer workers when operating or assisting with the licensee's bingo-affle activities if:~~

~~a-2.2.1 The bingo-affle licensee does not provide any remuneration, reward, recompense, enhanced membership benefit, or other thing of value, including but not limited to, any fee, expense, travel, tuition, or other credit that is based on the amount of service or assistance rendered or time spent by such A member in the course of operation of OPERATING any licensed bingo-affle activity; and~~

~~b-2.2.2 The bingo-affle licensee does not offer or give to any member an option to pay money or donate any thing ANYTHING of value to the licensee in lieu of assisting with the licensee's bingo-affle activities, nor does the licensee NOR offer or give a reduction in any member's benefits, privileges, or powers as an alternative to that member's assistance with bingo-affle activities.~~

~~5-2.3 Games managers. GAMES MANAGERS.~~

2.3.1 A bingo-affle licensee shall MAY not conduct any bingo, raffle, or other game of chance activity until and unless at least one of its designated games managers holds a current, valid games manager certificate ISSUED BY THE SECRETARY OF STATE AS FOLLOWS: ~~has agreed to be responsible for the lawful conduct of such bingo-affle licensee's games of chance activities and has filed a games manager's oath with the licensing authority.~~

a. ~~Every games manager must be certified by the licensing authority prior to acting as a games manager at any licensed activity.~~

b.(A) The licensing authority SECRETARY OF STATE may issue a games manager certificate to any ~~qualified~~ individual who has successfully completed a games manager training program and ~~successfully~~ passed a test as ~~prescribed by the licensing authority for new and renewing games managers.~~

e.(B) The licensing authority SECRETARY OF STATE may issue GAMES MANAGER certificates that are ~~unlimited and~~ valid for the management of all licensed bingo-affle activities or may issue a limited certificate valid only for ~~the~~ conduct of licensed raffles.

d.(C) Each games manager MUST ~~shall~~ execute a games manager's oath on a form prescribed by the SECRETARY OF STATE ~~licensing authority prior to being issued a games manager's certificate.~~

e.(D) ~~Every~~A games manager's certificate is valid for a period of four (4) years from the date of issuance, EXCEPT THAT A  ~~.~~ A games manager's certificate that is renewed in the six months prior to the expiration date of ~~the certificate will be~~ IS valid for a period of four (4) years from the expiration date of the prior certificate.

2.3.2 THE DESIGNATED GAMES MANAGER MUST BE PRESENT DURING ALL CHARITABLE GAMING ACTIVITIES AND HE OR SHE MUST REMAIN PRESENT FOR AT LEAST 30 MINUTES AFTER ACTIVITIES END.

~~B-2.4 Notices and material required to be posted~~ MATERIALS AND NOTICES THAT A LICENSEE MUST POST

1-2.4.1 ~~Constitution, Statutes and Rules.~~ CONSTITUTION, STATUTES AND RULES. Each bingo-affle licensee shall MUST obtain, maintain and keep a current copy of the BINGO-RAFFLE constitutional provisions, and Colorado bingo-affles law STATUTES, and rules AT THE LOCATION AND DURING THE TIME THAT AN ACTIVITY IS HELD. ~~regarding licensed games of chance, which shall be located upon the premises used for the conduct of a licensed activity by a bingo-affle licensee at all times the activity is conducted there.~~ The LICENSEE MUST SHOW THE LAW AND RULES ~~law and rules shall be produced by the bingo-affle licensee and shown to any person on demand.~~ or displayed on a computer screen available to any person.

~~a.~~(A) Before the start of the first bingo game, THE LICENSEE MUST INFORM the players in attendance, ~~will also be informed by posting or announcement, that they~~ THE PLAYERS may obtain copies of the ~~state bingo raffles law~~ BINGO AND RAFFLES LAW and rules from the ~~Licensing Authority's~~ SECRETARY OF STATE'S office. ~~Each such notice shall~~ THE NOTICE MUST include the SECRETARY OF STATE'S address and phone number ~~of the Licensing Authority's office.~~

~~b.~~(B) ~~Each bingo raffle licensee will also post at a conspicuous location a sign in at least 12 point font stating that a reference copy of the Colorado bingo and raffles laws and rules is available from the games manager.~~ THE LICENSEE MUST POST A SIGN STATING THAT THE GAMES MANAGER HAS A COPY OF THE BINGO AND RAFFLES LAW AND RULES AVAILABLE FOR INSPECTION. THE LICENSEE MUST USE AT LEAST 12-POINT FONT AND POST THE SIGN IN A CONSPICUOUS LOCATION.

~~e.~~(C) ~~Each bingo raffle licensee shall~~ THE LICENSEE MUST post any material as required by the ~~Licensing Authority~~ SECRETARY OF STATE from time to time.

~~2-2.4.2~~ **License.** LICENSE. A LICENSEE MUST POST A copy of the license ~~shall be posted~~ for all players to see ~~and shall remain posted until after~~ the conclusion of the occasion.

~~3-2.4.3~~ **Occasion Rules.** OCCASION RULES. Each ~~bingo raffle licensee shall~~ MUST post at a conspicuous location a sign in at least 12-point font stating:

~~a.~~(A) All ~~bingo raffle licensee rules in effect during that occasion, NONE OF WHICH MAY BE IN CONFLICT WITH THE BINGO AND RAFFLES LAW OR THESE RULES.~~

~~b.~~(B) That the games manager is the final authority in the event ~~any game is~~ OF A disputed.

~~e.~~(C) The procedure for determining refunds and the amount of the refund in the event of a power failure.

~~d.~~ ~~Bingo occasion rules shall not be in conflict with the bingo raffles law or these rules.~~

~~4-2.4.4~~ **Prizes.** PRIZE INFORMATION.

(A) The ~~bingo raffle licensee shall~~ conspicuously post information at the beginning of each occasion specifying the number AND AMOUNT of CASH prizes ~~to be awarded, whether in cash or merchandise, and the method by which such~~ HOW THE prizes may be won, including the cost to players.

(B) The ~~bingo raffle licensee may~~ MUST EITHER display the available MERCHANDISE prizes ~~upon the premises where the games are operated or~~

post a list and complete description thereof, together with the cost to participate in the game of chance OF THE PRIZES, AND HOW THE PRIZES MAY BE WON, INCLUDING THE COST TO PLAYERS. IF THE LICENSEE DESIGNATES AN ALTERNATIVE CASH PRIZE IN THE CASE OF MULTIPLE BINGO WINNERS, THE LICENSEE MUST POST DETAILS ABOUT THE ALTERNATIVE PRIZE IN ACCORDANCE WITH RULE 2.4.4(A).

- (C) MERCHANDISE PRIZES ARE NOT REDEEMABLE OR CONVERTIBLE INTO CASH DIRECTLY OR INDIRECTLY, IN ACCORDANCE WITH SECTION 12-9-107(8), C.R.S.
- (D) If the bingo raffle licensee offers prize payouts on the basis of number of players or gross amount of sales, THE LICENSEE MUST CONSPICUOUSLY POST a statement to that effect ~~will be conspicuously posted.~~

~~5-2.4.5~~ **Notice of Cancellation of Bingo Occasion.**—NOTICE OF CANCELLATION OF BINGO OCCASION. A ~~bingo raffle~~ licensee may only cancel a previously scheduled occasion by posting a notice of cancellation at the location of the scheduled game; at least one hour prior to the scheduled beginning of the occasion.

- (A) For occasions played at commercial bingo facilities, the scheduled beginning of the occasion is ~~that time~~ THE OCCASION START TIME stated in the rental agreement ~~as the occasion start time.~~
- (B) For occasions played at facilities owned by the licensee or used without charge, ~~this~~ THE START TIME is the time the licensee normally admits players into the facility.

Current Rule 4.0 is amended and re-codified as Rule 3:

## ~~4.0 BINGO GAMES~~

### ~~RULE 3. BINGO GAMES~~

#### ~~A-3.1 Conduct of Bingo Games in General~~ CONDUCT OF BINGO GAMES IN GENERAL

3.1.1 BINGO GAME. A BINGO GAME STARTS WHEN THE FIRST NUMBERED OBJECT, BALL OR NUMBER IS SELECTED AT RANDOM OR RANDOMLY GENERATED BY MACHINE, AND CALLED. THE GAME CONTINUES UNTIL ALL THE OBJECTS OR BALLS HAVE BEEN RETURNED TO THE RECEPTACLE OR THE MACHINE HAS BEEN CLEARED. A GAME MAY HAVE TWO OR MORE PARTS WITH DIFFERENT WINNING PATTERNS FOR EACH PART, IF THE TOTAL AMOUNT OF PRIZES OFFERED OR GIVEN FOR ALL PARTS OF ONE GAME DOES NOT EXCEED, IN AMOUNT OR VALUE, THE MAXIMUM PRIZE THAT MAY BE OFFERED OR GIVEN IN A SINGLE GAME OF BINGO.

*[Language concerning the start and end of a bingo game is stricken from former Rule 2.0(A) and is relocated to this New Rule 3.1.1]*

~~1-3.1.2~~ **Authorized equipment and cards.**—AUTHORIZED EQUIPMENT AND CARDS. A LICENSEE MUST KEEP ~~A~~Authorized equipment and cards, including all bingo-related items ~~used in the conduct of bingo, shall be maintained~~ in good repair and sound working condition.— ~~Authorized representatives of the Licensing Authority~~ THE SECRETARY OF STATE may order, IN WRITING, any equipment, cards, or related items immediately repaired or replaced; ~~if after examination, they are found to be defective.—Authorized representatives of the Licensing Authority shall make such order in writing at the time of inspection.~~

~~a-~~(A) A LICENSEE MAY NOT USE ~~B~~balls with creases, holes or other damage ~~shall not be used during any~~A bingo game.

~~b-~~(B) ~~All~~balls used during bingo games ~~shall be present~~ MUST BE in the master board before each occasion, and at least one ~~bingo~~player ~~shall~~MUST verify that all balls are present immediately prior to the first game of the occasion. ~~Bingo raffle~~ Licensees that use electronic random number generators ~~for selecting numbers~~ must ensure that all ~~of~~numbers on the lighted board can be illuminated.

~~e-~~(C) Once a ball is removed from the receptacle, it may not be returned until the conclusion of that game.

~~d-~~(D) ~~Only one ball may be selected~~A LICENSEE MUST SELECT BALLS ONE at a time.

~~2-3.1.3~~ **Call and display of balls.**—CALL AND DISPLAY OF BALLS. ~~Immediately following the drawing of a ball from the receptacle, the caller shall display, or cause to be displayed to the players, the letter and number on the ball—The caller may use a camera and monitor or may physically show the letter and number to the players so that the players may know that the proper number has been called.—If monitors are used, a sign shall be placed by each monitor that shall read: “Ball on TV is not official until called.”~~

~~a-~~—A CALLER MUST DRAW A BALL FROM THE RECEPTACLE AND IMMEDIATELY DISPLAY THE LETTER AND NUMBER ON THE BALL TO THE PLAYERS. The CALLER MUST LOUDLY AND CLEARLY ANNOUNCE THE letter and number on the ball ~~shall be called out loudly and clearly and announced~~SO THAT ALL PLAYERS CAN HEAR. THE CALLER MUST MAKE THE ANNOUNCEMENT ~~twice prior to the~~ BEFORE drawing ~~of the~~ next ball.— The ball is not official until it has been properly called.

~~b-~~(A) ~~Where~~IF more than one room is used ~~for any one game~~, the receptacle and the caller must be ~~present~~in the room ~~where~~ WITH the greatest number of players ~~is present, and all balls called shall be plainly audible to the players in all of the rooms where players are present.~~

(B) THE CALLER MAY USE A CAMERA AND MONITOR TO DISPLAY THE LETTER AND NUMBER. IF THE CALLER USES A MONITOR, THE LICENSEE MUST POST A

SIGN BY EACH MONITOR THAT READS: "BALL ON TV IS NOT OFFICIAL UNTIL CALLED."

~~3-3.1.4~~ **Master board.**—MASTER BOARD. The master board is the only official scorer UNLESS THE LICENSEE IS USING A RANDOM NUMBER GENERATOR, IN WHICH CASE A LIGHTED DISPLAY BOARD MAY SERVE AS THE OFFICIAL SCORER.—~~A bingo raffle licensee may use a lighted display board but it is not official.~~

~~a.~~(A) ~~After the letter and number on the ball are called, the corresponding letter and number on the lighted display, if any, shall be lit for participant viewing.~~ IF A LIGHTED DISPLAY IS USED, THE LETTER AND NUMBER OF THE CALLED BALL MUST BE LIT IMMEDIATELY AFTER THE BALL IS CALLED.

~~b.~~(B) If the ~~bingo~~ caller discovers that the wrong LETTER OR number ~~has been~~ WAS called, the caller ~~will~~ MUST announce: "I am reading the correct number, please correct your card or sheet."— The caller ~~will~~ MUST then correct the master board, ~~and~~ the lighted display, if applicable, ~~and continue~~ BEFORE CONTINUING with the game.

~~4-3.1.5~~ **Closing a bingo game.**—CLOSING A BINGO GAME. Each bingo game ~~will~~ MUST ~~be closed~~ CLOSE IN ACCORDANCE with the following procedure:

~~a.~~(A) The ~~game must be stopped~~ LICENSEE MUST STOP THE GAME after "Bingo" ~~has been~~ IS signaled by a player or a worker ~~indicates that a player has called a "Bingo".~~— It is the player's responsibility to ensure A PLAYER IS RESPONSIBLE FOR ENSURING that a signaled "Bingo" ~~has been~~ IS acknowledged by a floor worker, the bingo caller, or both.;

~~b.~~(B) The caller ~~will~~ MAY not call the next ball removed from the machine or ~~was~~ otherwise selected, ~~pending verification of~~ UNTIL the signaled bingo IS VERIFIED OR INVALIDATED.— If the signaled bingo is verified, the caller ~~shall~~ MUST return the ball to the machine unless the verified bingo is part of a multi-part or continuing game.

~~e.~~(C) The last number called ~~is not a requirement for~~ DOES NOT NEED TO BE PART OF THE SIGNALLED ~~a good~~ bingo, unless the ~~bingo raffle~~ licensee has conspicuously posted a bingo occasion rule WITH THIS REQUIREMENT ~~to the contrary.~~

~~d.~~(D) When a player OR WORKER signals "Bingo", ~~or a worker on the floor signals to the caller that a player has called "Bingo",~~ a worker on the floor must place the card, sheet, or electronic bingo aid ~~to be checked~~ DEVICE in front of at least one other player ~~at a different table who can~~ TO confirm ~~that the bingo is a good bingo.~~

~~e.~~(E) The worker ~~on the floor shall~~ MUST call the numbers of the winning combination to the ~~bingo~~ caller or, in the case of a coverall or blackout bingo, the caller may announce the numbers that have not been called,

unless an electronic bingo number verification device is used to verify the bingo.

- f.-(F) If AN ELECTRONIC VERIFICATION DEVICE IS USED TO INVALIDATE a signaled bingo, ~~is determined to not be a good bingo by the electronic verification device, the caller shall require~~ the worker on the floor ~~to~~ MUST announce the numbers of the winning combination so ~~that~~ THE CALLER CAN CHECK the numbers ~~can be checked~~ against ~~the numbers~~ THOSE actually called.
- g.-(G) The ~~bingo~~ caller must then ask the players TWO TIMES: “Are there any other bingos?”— If no player answers ~~after at least two such inquiries~~, the caller ~~shall~~ MUST announce “This game is completed.”—

~~5-3.1.6~~ **Multiple bingo winners.**—MULTIPLE BINGO WINNERS.

- (A) ~~When~~ IF multiple bingos are announced and verified AND THE PRIZE IS A CASH PRIZE, the LICENSEE MUST DIVIDE THE prize for that game or game part ~~shall be divided~~—so that each verified bingo receives the— appropriate amount, regardless of the number or identity of players involved.— If a prize is divided, the LICENSEE MAY ROUND UP THE prize amount given to any player holding a verified bingo ~~may only be rounded up~~ ONLY to the nearest dollar.
- (B) IF THE LICENSEE IS OFFERING A MERCHANDISE PRIZE, THE LICENSEE MAY DESIGNATE AN ALTERNATIVE CASH PRIZE IN THE CASE THAT MORE THAN ONE PERSON ACHIEVES A VALID BINGO. THE ALTERNATIVE CASH PRIZE MUST BE EQUAL TO THE CURRENT RETAIL VALUE OF THE MERCHANDISE PRIZE, AND INFORMATION ON THE ALTERNATIVE PRIZE MUST BE POSTED IN ACCORDANCE WITH RULE 2.4.4.

~~6-3.1.7~~ **Workers.**—WORKERS.

- a.-(A) ~~A bingo raffle licensee shall not allow any~~ NO person INDIVIDUAL who works or assists at a bingo occasion ~~in any capacity, to~~ MAY play bingo or ~~to~~ purchase or play any pull tabs at the occasion which that person INDIVIDUAL works, ~~whether for that person or on behalf of another.~~
- b.-(B) A ~~bingo raffle~~ licensee ~~shall~~ MUST file with the ~~licensing authority~~ SECRETARY OF STATE a revised list of members who will work ANY BINGO-RAFFLE ACTIVITIES ~~bingo, pull tabs or raffles~~ if the list submitted with the licensee’s application is changed by the addition of new members.
- e.-(C) ~~A bingo raffle licensee shall not allow a person to~~ AN INDIVIDUAL MAY NOT work or assist in the operation of licensed activities unless that person INDIVIDUAL is a member of the ~~bingo raffle~~ licensee or ~~is a member~~ of an auxiliary as defined in ~~rule 4.0.A.7~~—RULE 3.1.8 and the ~~bingo raffle~~ licensee has provided a list of members CONTAINING THAT INDIVIDUAL’S

NAME to the ~~licensing authority~~ SECRETARY OF STATE that ~~contains that person's name.~~

- d. (D) ~~Any person who is~~ AN INDIVIDUAL working or assisting at any BINGO-RAFFLE ACTIVITY ~~occasion, bar and club room or raffle shall~~ MUST present ~~personal~~ photo identification upon request of ~~any employee or authorized agent of the licensing authority~~ THE SECRETARY OF STATE.

#### 7.3.1.8 ~~Auxiliaries~~ AUXILIARIES

- a. (A) ~~Auxiliaries of bingo raffle licensee.~~ —AUXILIARIES OF LICENSEE. ~~For purposes of identifying those members of auxiliary organizations who may participate in the conduct or operations of bingo raffle activities of the bingo raffle licensee, an~~ AN association or organization shall ~~be deemed to be~~ IS an auxiliary of a ~~bingo raffle licensee~~; if:

- (1) It is subsidiary to the ~~bingo raffle licensee~~; and
- (2) It is subordinate to the ~~bingo raffle licensee~~; and
- (3) Its primary purpose is ~~the~~ TO support and ~~assistance~~ ASSIST, particularly by donations and volunteer services, ~~of the bingo raffle licensee~~; and
- (4) It is constituted, chartered, governed, or otherwise formally recognized as an adjunct by the ~~bingo raffle licensee to which it is subsidiary.~~
- (5) ~~An example of this relationship is a women's auxiliary of a bingo raffle licensee where the auxiliary was created and exists solely by action of the members of the bingo raffle licensee and the bingo raffle licensee formally recognizes the auxiliary in its articles of incorporation or bylaws.~~

- b. (B) ~~Bingo raffle licensee auxiliary of another organization.~~ —LICENSEE AUXILIARY OF ANOTHER ORGANIZATION. ~~For purposes of identifying those members of organizations who may participate in the conduct or operations of bingo raffle activities of the bingo raffle licensee, a bingo raffle~~ A licensee shall ~~be deemed to be~~ IS an auxiliary of an association or organization if:

- (1) The ~~bingo raffle licensee~~ is subsidiary to the association or organization; and
- (2) The ~~bingo raffle licensee~~ is subordinate to the association or organization; and
- (3) The primary purpose of the ~~bingo raffle licensee~~ is ~~the~~ TO support and ~~assistance~~ ASSIST, particularly by donations and volunteer

services, of the association or organization to which it is subsidiary; and

(4) The bingo raffle licensee is constituted, chartered, governed, or otherwise formally recognized as an adjunct by the association or organization to which it is subsidiary.

~~(5) An example of this relationship is a bingo raffle licensee such as a Colorado lodge of the Benevolent Protective Order of Elks that is a subsidiary of a statewide or national organization where the bingo raffle licensee was created and exists solely by action of the members of the state or national organization and the state or national organization formally recognizes the bingo raffle licensee in its articles of incorporation or bylaws.~~

e.(C) **Auxiliary affiliated with bingo raffle licensee.**—AUXILIARY AFFILIATED WITH LICENSEE. ~~For purposes of identifying those members of affiliated organizations who may participate in the conduct of operations of bingo raffle activities of the bingo raffle licensee, an~~ AN association or organization is affiliated with a bingo raffle licensee and ~~it~~ THE ASSOCIATION OR ORGANIZATION and the bingo raffle licensee are auxiliaries of another organization or association if:

(1) The bingo raffle licensee and the affiliated organization are both subsidiary to an association or organization; ~~and~~

(2) The bingo raffle licensee and the affiliated organization are both subordinate to the association or organization; ~~and~~

(3) The primary purpose of the bingo raffle licensee and the affiliated organization is ~~the~~ TO support and ~~assistance~~ ASSIST, particularly by donations and volunteer services, of the association or organization to which they both are subsidiary; and

(4) Both the bingo raffle licensee and the affiliate are constituted, chartered, governed, or otherwise formally recognized as adjuncts by the association or organization to which they are subsidiary.

~~(5) An example of this relationship is two individual lodges of the Benevolent Protective Order of Elks where each is a subsidiary of a statewide or national organization and where one is a bingo raffle licensee. Both of the lodges were created and exist solely by action of the members of the state or national organization and the state or national organization formally recognizes the bingo raffle licensee and the other lodge in its articles of incorporation or bylaws. In this case, members of the lodge that is not a bingo raffle licensee may assist the lodge that is a bingo raffle licensee in the operation of its games of chance.~~

- a.-(A) ~~A bingo raffle licensee shall identify all paid or volunteer sSecurity personnel by MUST WEAR A badge or uniform at each occasion.~~
- b.-(B) ~~A bingo raffle licensee shall not permit sSecurity personnel, whether volunteer or paid, to MAY NOT play or participate in the operation of ANY BINGO-RAFFLE ACTIVITIES bingo, the sale or redemption of pull tabs or the conduct of a raffle.~~

9.3.1.10 ~~Number of games allowed.~~—NUMBER OF GAMES ALLOWED. No licensee may hold, operate, or conduct ~~a game of bingo or lotto more often than two hundred twenty~~ 220 BINGO occasions in any calendar year.

3.1.11 PROHIBITION ON SAVING SEATS AND PLAYING SPACE. A SEAT OR PLAYING SPACE MAY ONLY BE RESERVED TO PROVIDE A REASONABLE ACCOMMODATION FOR A PLAYER WITH A DISABILITY.

B.3.2 ~~Progressive Jackpot Bingo Games.~~—PROGRESSIVE JACKPOT BINGO GAMES. The following requirements ~~and procedures, in addition to those applicable to bingo games generally,~~ shall apply specifically to the conduct of progressive jackpot bingo.

1.3.2.1 ~~Required Postings.~~—REQUIRED POSTINGS. In addition to any postings otherwise required by these rules, a ~~bingo raffle~~ licensee that conducts a progressive jackpot game shall MUST also post, ~~prior to each occasion at which a progressive game is offered,~~ a sign with IN at least 12-point font stating:

- a.-(A) The amount of the progressive jackpot at the beginning of the bingo occasion;
- b.-(B) The percentage of gross sales of progressive cards that is contributed to the jackpot and whether the contribution amount is added to the jackpot during the present occasion or during the next occasion;
- e.-(C) The price and description, including color and design, of the cards ~~to be used~~ for the progressive game;
- d.-(D) The bingo pattern or NUMBER arrangement ~~of numbers~~ a player must complete ~~in order~~ to win the progressive jackpot prize, together with a clear diagram of ~~such~~ THE NUMBER arrangement ~~of numbers~~, if any pattern other than a full card (“blackout”- or “coverall”-) is required to win;
- e.-(E) The maximum number of calls in which a player must complete the required pattern in order to win the progressive jackpot prize;
- f.-(F) The date, time, and location of the ~~next~~ occasion at which the next game in the progression will be conducted if the jackpot is not awarded-;
- g.-(G) If the ~~bingo raffle~~ licensee elects to continue a progressive game as a regular game in the event that the progressive jackpot is not won, ~~the notice shall state~~ the amount of the regular game prize; AND:

~~h.~~(H) If the bingo raffle licensee is operating a progressive jackpot bingo game and is withholding 10% of the gross sales of progressive cards as a secondary jackpot, a statement to that effect.

~~i.~~ A bingo raffle licensee that operates a progressive jackpot bingo game must continue the game to the conclusion of the progression without any changes in the percentage amount added to the jackpot or the timing of when the percentage amount is added to the jackpot.

~~2-3.2.2~~ **Number of Progressive Games Allowed.** NUMBER OF PROGRESSIVE GAMES ALLOWED. ~~Only~~ NO MORE THAN three (3) distinct progressive type PROGRESSIVE games shall MAY be conducted at any ONE bingo occasion, Notwithstanding anything to the contrary regarding multiple bingo occasions, EXCEPT THAT a bingo raffle licensee that conducts a bingo occasion for ONLY its members ~~only~~, may conduct successive games of a progression during ~~any~~ A single bingo occasion.

~~3-3.2.3~~ **Method of Play.** METHOD OF PLAY.

~~a.~~(A) A bingo raffle licensee may start a single game of progressive bingo, in an amount not to exceed ~~five hundred dollars~~ \$500 or the amount of the secondary jackpot from a prior progression, whichever is greater., ~~in which the~~ A PROGRESSIVE game is won when a previously designated arrangement of numbers or spaces on a card or sheet is covered within a previously designated number of objects or balls drawn.

~~b.~~(B) If the game is not won within the drawing of the previously designated number of objects or balls, the LICENSEE MUST REPLAY THE game ~~shall be replayed during~~ OVER successive occasions at the same location using the previously designated arrangement of numbers or spaces, ~~with or without a change in the number of objects or balls drawn~~, until the game is won.

~~e.~~(C) On the second and subsequent occasions, the jackpot amount ~~shall be increased~~ INCREASES by a percentage of the gross proceeds, not greater than 70%, collected from the sale of progressive bingo cards or sheets during that occasion or on the prior occasion. —If a bingo raffle licensee is conducting a progressive jackpot bingo game with a secondary jackpot, ~~ten (10) percent~~ 10% of the gross proceeds collected from the sale of progressive bingo cards or sheets at that occasion or the prior occasion ~~will~~ MUST be set aside and segregated from the jackpot amount in the bingo-raffle account. — For example, if \$600 of progressive bingo cards or sheets are sold at an occasion, the bingo raffle licensee may apply up to \$360 to the jackpot available at that occasion or at the next bingo occasion and will apply \$60 to the amount in the secondary jackpot account. — \$180 will be deposited to the bingo raffle account for bona fide expenses or lawful purposes of the bingo raffle licensee.

~~d.~~(D) ~~No~~ A progressive jackpot shall MAY NOT exceed ~~fifteen thousand dollars~~ \$15,000. — Upon reaching ~~fifteen thousand dollars~~ \$15,000, the LICENSEE

MUST AWARD THE jackpot ~~shall be awarded~~ to the player completing the designated pattern regardless of the number of objects or balls called. IF ~~The jackpot of fifteen thousand dollars REACHES \$15,000, THE LICENSEE may be awarded on the occasion during which~~ AWARD the jackpot reaches fifteen thousand dollars or may be awarded on THAT OR the FOLLOWING occasion following the occasion on which the maximum amount was achieved.

- (E) A LICENSEE MAY IMPOSE A PROGRESSIVE JACKPOT MAXIMUM BELOW THE \$15,000 MAXIMUM CEILING SET BY RULE. UPON REACHING THE SELF-IMPOSED MAXIMUM, THE LICENSEE MUST AWARD THE JACKPOT TO THE PLAYER COMPLETING THE DESIGNATED PATTERN REGARDLESS OF THE NUMBER OF OBJECTS OR BALLS CALLED. WHEN THE MAXIMUM IS REACHED, THE LICENSEE MAY CHOOSE TO STOP CONTRIBUTING THE SET PERCENTAGE OF THE PROCEEDS TO THE JACKPOT (HARD CAP) OR CONTINUE TO CONTRIBUTE THE SAME PERCENTAGE UNTIL THE JACKPOT PRIZE IS WON (SOFT CAP). THE LICENSEE MUST AWARD THE JACKPOT AT THE OCCASION DURING WHICH THE MAXIMUM WAS REACHED OR AT THE FOLLOWING OCCASION. THE LICENSEE MUST POST NOTICE OF SELF-IMPOSED CAPS IN ACCORDANCE WITH RULE 3.2.1.

~~4-3.2.4~~ **Members' only occasions.** MEMBERS' ONLY OCCASIONS. A LICENSEE MUST RESTRICT A members' only occasion ~~must be restricted~~ to bona fide members of the bingo-affle licensee and ACCOMPANYING SPOUSES ~~a member's spouse who accompanies the member.~~ The public ~~must~~ MAY NOT have access to the premises where members' only bingo is being conducted.

~~5-3.2.5~~ **Successive bingo occasions.** SUCCESSIVE BINGO OCCASIONS. Once a progressive jackpot bingo game has begun BEGINS, it ~~shall be continued~~ MUST CONTINUE at each successive bingo occasion of the bingo-affle licensee at the SAME location at which the progression was started, until the A PLAYER WINS THE jackpot has been won.

~~6-3.2.6~~ **Card type.** CARD TYPE. The LICENSEE MUST USE THE SAME type of PROGRESSIVE GAME card ~~used for a progressive game, whether concealed face or open face, shall be the same~~ throughout all games in a progression.

~~7-3.2.7~~ **Bingo pattern.** BINGO PATTERN. The LICENSEE MUST REQUIRE THE SAME bingo pattern or NUMBER arrangement ~~of numbers required~~ to win the progressive jackpot prize ~~shall be the same~~ throughout all games in a progression.

~~8-3.2.8~~ **Number of balls called during successive occasions.** NUMBER OF BALLS CALLED DURING SUCCESSIVE OCCASIONS. For each successive game in a progression, the number of balls called ~~in which a player must complete the pattern or arrangement of numbers required to win the jackpot prize~~ may remain the same or may be increased INCREASE.

3.2.9 PERCENTAGE ADDED TO THE JACKPOT. FOR EACH SUCCESSIVE GAME IN A PROGRESSION, THE LICENSEE MUST NOT CHANGE THE PERCENTAGE OF GROSS PROCEEDS ADDED TO THE JACKPOT OR THE TIMING OF WHEN THE AMOUNT IS ADDED.

~~9-3.2.10~~ **Number of balls called to win.**—PRE-GAME ANNOUNCEMENTS. Immediately ~~prior to the~~ BEFORE drawing of the first ball for any progressive game, the caller ~~shall~~ MUST clearly announce the maximum number of balls to be called in which a player must complete the pattern or NUMBER arrangement ~~or numbers~~ required to win the progressive jackpot prize, the JACKPOT PRIZE amount ~~of the jackpot prize~~, the CARD description ~~of the card for the progressive game~~, and the date and time of the next occasion ~~at which the next game in the progression will be conducted~~ if the jackpot prize is not awarded.

~~10-3.2.11~~ **No winner of progressive.**—NO WINNER OF PROGRESSIVE. If ~~there is~~ no PLAYER WINS A progressive jackpot ~~winner~~ in the designated number of balls called ~~for a progressive game~~, the entire jackpot prize amount, without deduction for consolation prizes, ~~shall be carried~~ WILL CARRY over to the next game in the progression. —After the designated number of balls ~~has been~~ IS called, the ~~bingo-raffle~~ licensee may either proceed to its next regular bingo game or continue the CURRENT game ~~that was previously begun as a progressive game~~ as its next regular game. —~~The~~ IF THE GAME IS CONTINUED AS A REGULAR GAME, THE pattern or arrangement required to win ~~shall~~ MAY not change, —If the licensee ~~elects to continue the game as a regular bingo,~~ AND the prize amount ~~for the game shall be~~ IS subject to the limitations set forth in these rules ~~and shall not, when aggregated with all other bingo prizes offered or given at the occasion, cause the total prize amount for the occasion to exceed the maximum amount specified in these rules.~~

~~11-3.2.12~~ **Winner of progressive.** WINNER OF PROGRESSIVE. THE CALLER, A FLOOR WORKER, AND A PLAYER OTHER THAN THE WINNING PLAYER MUST VERIFY A ~~Winning progressive bingo cards~~ CARD ~~shall be verified by the caller, a floor worker and at least one player other than the winning player, all of whom shall verify;~~ the card by manufacturer's identification number, series number, and balls ~~called in addition to any other rules regarding the verification of a "Bingo".~~

~~12-3.2.13~~ **Award of jackpot in case of suspension, revocation or surrender of license.**—LOSS OF LICENSE BEFORE AWARD OF JACKPOT. If a ~~bingo-raffle licensee is conducting a progressive jackpot game and~~ LICENSEE'S ~~before a jackpot has been awarded,~~ a ~~bingo-raffle licensee's~~ license expires, is not renewed, is suspended, revoked, or surrendered, or if the ~~bingo-raffle~~ licensee permanently terminates its bingo operations or terminates its operations at a particular location ~~for whatever reason~~ BEFORE A PROGRESSIVE JACKPOT IS AWARDED, the LICENSEE MUST DETERMINE A WINNER AND AWARD THE jackpot prize ~~winner shall be determined and the prize awarded~~ on the licensee's last authorized bingo occasion at the location where the progression was started, regardless of the number of balls called ~~to determine a winner.~~

~~13-3.2.14~~ **Inability to conduct occasion at regular licensed premises.**—INABILITY TO CONDUCT OCCASION AT REGULAR LICENSED PREMISES. ~~In the event that~~ IF a

~~bingo raffle licensee is prevented from conducting~~ CANNOT CONDUCT the next game in the progression at the location where the progression was started, the ~~bingo raffle licensee shall~~ MUST post a notice on the premises where the last game in the progression was conducted announcing the date, time, and location of the next game in the progression. ~~and if~~ IF known at the time, the ~~bingo caller shall~~ MUST MAKE THIS ~~announce~~ ANNOUNCEMENT ~~to the players~~ at the conclusion of the progressive jackpot game BEFORE THE CHANGE IN LOCATION ~~the date, time and location of the next game in the progression.~~

~~14.3.2.15~~ **Multiple locations.**—MULTIPLE LOCATIONS. If a ~~bingo raffle licensee~~ regularly conducts bingo occasions at least weekly at each of two licensed commercial bingo facilities, the ~~bingo raffle licensee~~ may offer and continue one progressive jackpot bingo progression at each facility ~~provided that~~ AS LONG AS each progression is conducted pursuant to these rules and further ~~provided that~~ all games in a single progression are conducted at the location where the progression was ~~begun~~ BEGAN except where the provisions of ~~Rule 4.0.B.12) or 4.0.B.13~~ RULES 3.2.13 OR 3.2.14 apply.

~~15.3.2.16~~ **Multiple progressive type bingo games.**—MULTIPLE PROGRESSIVE TYPE BINGO GAMES. A ~~bingo raffle licensee~~ intending to conduct more than one progressive type bingo game(s) ~~shall~~ MUST provide the following information in writing to the ~~licensing authority~~ SECRETARY OF STATE for ~~review and~~ approval not less than ten days ~~prior to commencing such~~ BEFORE COMMENCING THE games(s):

~~a.(A)~~ **Conduct of games**—CONDUCT OF GAMES

- (1) Method of play ~~of~~ FOR the new progressive type bingo game(s);
- (2) All applicable rules for the new progressive type bingo game(s);  
AND
- (3) Accounting methods to ensure distinctness of the new progressive type bingo games.

~~b.(B)~~ **Restrictions.**—RESTRICTIONS. ~~No~~ THE RESULTS OF A progressive type bingo game may NOT have its results dependent upon ~~DEPEND ON~~ any other bingo game, pull tab and/or raffle.

~~C.3.3~~ **Disputed games.**—DISPUTED GAMES.

3.3.1 If the ~~bingo raffle licensee~~ discovers ~~that there are~~ verifiable problems with the bingo balls, ~~bingo~~ equipment, or the operation of the ~~bingo~~ equipment, the games manager ~~shall determine how the dispute will be handled based on~~ MUST SETTLE THE DISPUTE IN the following MANNER:

~~1.(A)~~ **Discovered before start of next game.**—DISCOVERED BEFORE START OF NEXT GAME. If ~~it is~~ A PROBLEM IS discovered before the start of the next

game; and if the error affected the outcome of the PREVIOUS game, then the ~~just completed~~ LICENSEE MUST VOID AND REPLAY THE PREVIOUS game ~~shall be declared void and shall be replayed~~ during the same occasion at no cost to players.

- 2.-(B) ~~Discovered after occasion.~~—DISCOVERED AFTER OCCASION. If ~~it is~~ A PROBLEM IS discovered after a bingo occasion is completed, then no games ~~shall~~ WILL be replayed.
- 3.-(C) ~~Void game.~~—VOID GAME. If ~~the games manager declares a game to be void~~—A GAME IS VOIDED and the number of bingo cards THAT each player was playing during the ~~affected~~ VOIDED game can be determined, then each player ~~shall~~ MUST receive that same number of bingo cards for the ~~replay of the game.~~— If the number of bingo cards played cannot be determined for all players, ~~then~~—THE LICENSEE MUST GIVE EACH PLAYER an equal number of bingo cards ~~shall be given to each player.~~
- 4.-(D) ~~Mechanical defect of electronic aid.~~—MECHANICAL DEFECT OF ELECTRONIC BINGO AID DEVICE. If the ~~bingo raffle~~ licensee discovers or is advised by a player that the player's electronic bingo aid device ~~has~~ malfunctioned during a game, the licensee is not required to suspend the calling of new balls or numbers until the player ~~has replaced~~ REPLACES the malfunctioning device ~~with a new device.~~
- 5.-(E) ~~Mechanical failure of electronic bingo system.~~—MECHANICAL FAILURE OF ELECTRONIC BINGO SYSTEM. If the ~~bingo raffle~~ licensee discovers or is advised by a player that the computer system ~~that controls the transmission of~~ CONTROLLING radio frequency ~~signals~~ SIGNAL TRANSMISSION to all of the electronic bingo aids in the premises DEVICES has failed, the games manager ~~shall~~ MUST either:
- a.-(1) Instruct players using electronic bingo aid devices to manually daub the numbers of the balls called;
  - b.-(2) Provide packs or sheets to ~~those~~ players using electronic bingo aid devices and continue the occasion if the failure of the bingo aid system does not render the blower and master board inoperative; or
  - e.-(3) Terminate the occasion and refund all or a portion of the pack and sheet sales and rental of electronic bingo aids DEVICES.
- 6.-(F) ~~Player has no right to prize.~~—PLAYER HAS NO RIGHT TO PRIZE. If the ~~bingo raffle~~ licensee discovers after ~~the close of a game and~~ the start of another game that a winner does not have the right to claim a PREVIOUS GAME'S prize, the LICENSEE MUST REPLAY THE disputed game ~~shall be~~ replayed.

~~7.~~(G) **Payment of prize money in disputed game.**—PRIZE MONEY PAYMENT IN DISPUTED GAME. In the case of a disputed game, including a progressive jackpot game, the bingo raffle licensee shall MAY not pay any prize money to a player until the dispute has been IS resolved pursuant to Rule 4.0 of these rules IN ACCORDANCE WITH RULE 3.

~~8.~~(H) **Payment exceeds occasion limit.**—PAYMENT EXCEEDS OCCASION LIMIT. If PRIZE payment of prizes in accordance with this rule causes the licensee to exceed EXCEEDS the maximum prize limit permitted by these rules, then the LICENSEE MUST NOTE THE cause of the over payment shall OVER-PAYMENT be noted in the game records and in the corresponding financial report for that time period. THE SECRETARY OF STATE MAY CONSIDER RRepeated or excessive overpayments of this nature may be considered a violation of these rules.

~~9.~~(I) **Loss of electrical power.**—LOSS OF ELECTRICAL POWER. If electrical power is lost during an occasion, the games manager shall MUST wait a minimum of thirty (30) 30 minutes but no more than one hour before declaring TERMINATING an occasion terminated. —Reimbursement for games not played or for the rental of electronic BINGO aids DEVICES will be as set forth in the occasion rules posted prior to the game.

~~10.~~(J) **Licensing authority.**—SECRETARY OF STATE. In the investigation of WHILE INVESTIGATING disputed prizes, the Licensing Authority SECRETARY OF STATE may instruct a licensee to pay a disputed prize if the preponderance of the evidence is in favor of the player.

~~11.~~3.3.2 **Games Manager's Log.**—GAMES MANAGER'S LOG. The games manager shall MUST keep a written log of all disputed games. —The entries shall MUST include the date of the occasion DATE, the game played, a short description of the dispute, the names and addresses of players involved in the dispute if the dispute involves a CALLED "bingo" being called, and the resolution determined by the games manager.

~~D.~~3.4 **Multiple Bingo Occasions.**—MULTIPLE BINGO OCCASIONS. A bingo raffle licensee may conduct multiple bingo occasions on the same day, provided that it complies with the following provisions IF:

~~1.~~3.4.1 The bingo raffle licensee shall conclude CONCLUDES all games of chance from the first occasion and COMPLETES all player related PLAYER-RELATED activities shall be completed, including, but not limited to, the purchase, opening, and redemption of pull tabs, prior to the end of the occasion.

~~2.~~3.4.2 The bingo raffle licensee shall DOES not begin the next occasion until at least fifteen (15) FOR 15 minutes after the conclusion of the first PREVIOUS occasion, or until the final accounting for games of bingo played and pull tabs sold is completed and the books are closed for all of the first occasion activities.

~~3-3.4.3~~ The ~~bingo-affle~~ licensee ~~shall~~ DOES not offer to sell ~~or sell~~ pull tabs and OR other raffle tickets after ~~the conclusion~~ of an occasion CONCLUDES and before ~~the commencement~~ of the next occasion BEGINS.

~~4-3.4.4~~ The ~~bingo-affle~~ licensee ~~shall~~ DOES not continue activities from an occasion during the next occasion, and ~~shall~~ DOES not offer to ~~sell, sell,~~ distribute or reserve any cards, sheets, tickets, admissions, or chances for the next occasion during the previous occasion or during the period between the ~~one occasion and the next occasion~~ TWO OCCASIONS.

Current Rule 5.0 is amended and re-codified as Rule 4:

## ~~5.0 SALE AND USE OF BINGO CARDS, PACKS AND SHEETS AND RAFFLE TICKETS~~

### **RULE 4. SALE AND USE OF BINGO CARDS, PACKS, SHEETS, AND RAFFLE TICKETS**

#### ~~A-4.1 Sales~~ SALES

~~1-4.1.1~~ ~~Method of Payment by Player~~ ~~No Extension of Credit.~~ PLAYER PAYMENT METHOD. ~~The~~ A LICENSEE MUST NOT EXTEND CREDIT TO A PLAYER.

(A) WHEN ACCEPTING PAYMENT, THE LICENSEE MUST:

(1) COLLECT THE consideration ~~charged~~ for the ~~privilege~~ of playing ~~any~~ a game of chance ~~shall be collected~~ in full, in advance, by check, cash, or debit or credit card.

(2) ~~All payments~~ DIRECTLY DEPOSIT ALL PROCEEDS received ~~must be directly deposited~~ into the licensee's segregated checking or savings account. ~~and must~~ THE LICENSEE MUST NOT COMMINGLE PROCEEDS ~~be routed through~~ WITH FUNDS IN a general account or other account ~~of the licensee~~. [Section ~~12-9-108(3)~~ 12-9-108(3), C.R.S.]

(B) ~~A licensee may accept debit or credit cards, but the~~ A licensee accepts all risks ~~of cancellation of the charges by the player and for checks returned for insufficient funds. None of the losses may be charged to bingo, raffle, or pull tab activities.~~ AND LOSSES ASSOCIATED WITH CREDIT AND DEBIT CARD PAYMENT CANCELLATIONS AND RETURNED CHECKS. A LICENSEE MAY NOT SUBTRACT THESE LOSSES FROM ITS GROSS PROCEEDS.

(C) ~~Fees paid~~ A LICENSEE MAY PAY FEES to a check guarantee service or debt collection firm for recovery of bad checks or cancelled credit charges ~~may be paid~~ from the licensee's segregated checking or savings account.

~~2-4.1.4~~ ~~Premises only sales.~~ PREMISES ONLY SALES. All sales of cards, packs, and sheets ~~shall~~ MUST take place ~~upon~~ on the licensed premises during ~~the period of time allocated for that~~ THE bingo occasion.

~~3-4.1.5~~ **Set price.**—SET PRICE.

- (A) A LICENSEE MUST SELL ~~All~~ cards, packs, and sheets ~~shall be sold~~ at a set price.
- (B) A LICENSEE MAY OFFER ~~Discounts may be offered~~ on the basis of criteria available to all players, such as quantity purchased.
- (C) ~~Any charge~~—A LICENSEE MUST SET A PRICE for the purchase, lease, or use of an electronic ~~player~~ BINGO aid device ~~shall be at a set price~~ AND THAT PRICE MUST NOT CHANGE THROUGHOUT THE BINGO OCCASION.
- (D) ~~The~~—A LICENSEE MUST charge IDENTICAL FEES for ~~each bingo card face available in the purchase or lease of an electronic bingo aid device shall be identical to the charge per bingo card face available to players who do not use electronic bingo aid devices~~ AND NON-ELECTRONIC BINGO CARD FACES.
- (E) ~~The~~—A LICENSEE MUST POST THE price of each ~~type of~~ card, pack, or sheet, including discounts offered, and the charge, if any, for the purchase, lease, or use of each ~~type of~~ electronic ~~player~~ BINGO aid device, ~~that will be offered for use at a bingo occasion shall be posted on the premises at the time of~~ DURING the occasion, ~~in advance of any player purchasing any card, pack, or sheet or paying any such charges for an electronic bingo player aid device~~ AND BEFORE PLAYERS MAY PURCHASE ITEMS.

~~4-4.1.6~~ **Sales of individual sheets and cards.**—SALES OF INDIVIDUAL SHEETS AND CARDS. At all bingo occasions where individual disposable cards or sheets are sold, the following procedures ~~shall~~ apply:

- ~~a-~~(A) The LICENSEE MUST ISSUE individual disposable cards or sheets and a change fund ~~shall be issued~~ to the workers. The LICENSEE MUST RECORD THE exact number of disposable cards or sheets issued ~~to each worker shall be recorded~~ USING THE FORM PRESCRIBED BY THE SECRETARY OF STATE. ~~The disposable cards or sheets shall be controlled by manufacturer's identification number and/or card number and series number.~~
- ~~b-~~(B) After the cards or sheets for a ~~particular~~ game ~~have been~~ ARE sold, the games manager or other designated ~~person~~ INDIVIDUAL ~~shall~~ MUST count the amount on hand, subtract the change fund, and compare cards or sheets sold against the money ~~turned in~~ RECEIVED.
- ~~e-~~(C) The LICENSEE MUST RECORD AND RETAIN THE exact number of cards or sheets ~~of each manufacturer's identification number and/or card number~~ THAT ARE removed from inventory, sold, and returned to inventory, ~~shall be recorded and retained by the bingo raffle licensee in accordance with these rules~~ USING THE FORM PRESCRIBED BY THE SECRETARY OF STATE.

~~d.~~(D) Sellers of individual disposable cards or sheets ~~shall~~ MAY not use proceeds from sales to pay prizes.

5.4.1.7 ~~Progressive bingo cards and sheets.~~—PROGRESSIVE BINGO CARDS AND SHEETS. The following procedures and requirements, in addition to those ~~in effect~~ for bingo operations generally, ~~shall~~ apply to the sale and use of progressive jackpot bingo cards and sheets:

~~a.~~(A) The ~~bingo-affle~~ licensee ~~shall~~ MUST sell only disposable paper cards, and ~~shall~~ MUST only lease electronic bingo aid ~~equipment~~ DEVICES where card faces are distinguishable by a color or design that the licensee does not use for any other game.

~~b.~~(B) Each card or face sold for a progressive game ~~shall~~ MUST contain five rows of five squares with 24 preprinted numbers, or 48 preprinted numbers in the case of double action games, from the range of 1-75, a free center space, and the letters ~~B, I, N, G, O~~ B I N G O printed in order over the five columns.

~~e.~~(C) ~~Each and every card or face for a progressive game shall be sold for a set price. The price shall be not less than one dollar per card and shall be determined by the licensee before the first game in a progression, and shall remain the same for all games in such progression.~~ A LICENSEE MUST DETERMINE A CARD PRICE OF AT LEAST ONE DOLLAR PER CARD BEFORE THE FIRST GAME IN A PROGRESSION. Discounts, free cards or faces, price changes, and variable pricing are ~~not permitted~~ PROHIBITED.

~~d.~~(D) ~~All cards for a progressive bingo game shall~~ A LICENSEE MUST SELL PROGRESSIVE BINGO CARDS ~~be sold~~ prior to the drawing of the first number for ~~such~~ THE game, except that, if the progressive game is a pre-draw concealed face game, THE LICENSEE MAY SELL cards ~~may be sold~~ after the first drawing of numbers and before the game ~~is resumed~~ RESUMES.

~~e.~~(E) A LICENSEE MUST SELL AND ACCOUNT FOR ~~P~~Progressive cards ~~shall be sold and accounted for~~ separately from any other cards, sheets, or packs sold or used at a bingo occasion, ~~but a.~~ A licensee may, by house rule, make purchase of a pack or door card a pre-requisite for purchase of a progressive card.

## ~~B.~~4.2 Use-USE

1.4.2.1 ~~Packs.~~—PACKS. A LICENSEE MUST COLLATE ~~E~~Each pack sold for use at a bingo occasion ~~shall be collated~~ from a series ~~or set~~ of consecutively numbered sheets, and each sheet ~~shall~~ MUST contain its individual consecutive series number and the identification number assigned by the manufacturer to that series ~~or set of sheets~~. Nothing in this rule ~~shall require~~ REQUIRES a ~~bingo-affle~~ licensee to sell packs in any particular order.

- ~~2.4.2.2~~ **Tally cards.**—TALLY CARDS. ~~The purchaser of any~~ A LICENSEE MUST PROVIDE A TALLY CARD OR CASH RECEIPT TO ANYONE WHO PURCHASES cards or packs at the door. ~~shall be provided with a tally card or cash receipt which shows,~~ ~~a~~At a minimum, the TALLY CARD OR CASH RECEIPT MUST SHOW THE date of purchase, and the total number of cards or packs purchased. A LICENSEE MUST ONLY AWARD A PRIZE WHEN THE PURCHASER PROVIDES THE TALLY CARD OR CASH RECEIPT. ~~No prize shall be paid without the tally card or cash receipt.~~
- ~~3.4.2.3~~ **Manufacturer's identification number.**—MANUFACTURER'S IDENTIFICATION NUMBER. Prior to starting any game using disposable sheets or packs, the bingo caller ~~shall be furnished~~ MUST HAVE the manufacturer's identification number and/or card number and the series number of the set of cards sheets or packs offered for sale for that particular occasion. When a player completes a bingo, ~~the caller shall require~~ the worker on the floor checking the bingo ~~to~~ MUST read the manufacturer's identification number and/or card number and the series number of each winning sheet. Payment ~~shall~~ MAY not be made unless both numbers were among those offered for sale for that game.
- ~~C.4.3~~ **Concealed face cards.**—CONCEALED FACE CARDS. At all bingo occasions where pre-draw concealed face cards are sold or used, the following procedures, in addition to those applicable to the sale and use of bingo cards generally, ~~shall~~ apply:
- ~~1.4.3.1~~ All pre-draw concealed face cards ~~sold or used at any occasion shall~~ MUST be conspicuously identified prior to the sale or transfer of any such card to any player so that the concealed face card may not be played at any occasion other than the one at which the card was sold or transferred ~~to any player.~~
- ~~2.4.3.2~~ A LICENSEE MUST SELL ~~A~~All pre-draw concealed face cards ~~shall be sold~~ for a uniform price, except that a licensee may permit players to trade one previously purchased card for one new one with the purchase of an additional card. ~~For example, if a bingo raffle licensee elects to allow trades, a player wishing to trade in two cards shall be required to return the two cards and purchase two more, and shall then be entitled to receive four cards.~~
- ~~3.4.3.3~~ A ~~bingo raffle~~ licensee that allows pre-draw concealed face card trade-ins ~~shall~~ MUST maintain two sets of cards for each pre-draw concealed face game. One set ~~shall be designated~~ IS the "original set" and ~~shall be~~ IS a different color from the second set, which ~~shall be designated~~ IS the "trade-in set." Players may purchase cards only from the original set, and may ONLY trade FOR cards in ~~only~~ for cards from the trade-in set.
- ~~4.4.3.4~~ A ~~bingo raffle~~ licensee that allows pre-draw concealed face card trade-ins ~~shall~~ MUST mark or OTHERWISE deface all returned cards, ~~so that they cannot be further played.~~
- ~~D.4.4~~ **Cash shortages.**—CASH SHORTAGES. A ~~bingo raffle~~ licensee shall notify the Licensing Authority SECRETARY OF STATE within ~~seventy two (72)~~ 72 hours if at the end of the occasion the cash counted is short by \$30.00 or more.

Current Rule 6.0 is amended and re-codified as Rule 5:

## **6.0 SALE AND USE OF PULL TABS**

### **RULE 5. SALE AND USE OF PULL TABS**

#### **A.5.1 ~~Pull Tabs~~ PULL TABS**

- 1-5.1.1 ~~Price.~~ PRICE. A ~~bingo raffle~~ licensee ~~shall~~ MAY not sell a pull tab ticket for a price different than the price stated on the deal's flare.
- 2-5.1.2 ~~Pull tab construction.~~ PULL TAB CONSTRUCTION. A ~~bingo raffle~~ licensee ~~shall~~ MAY not offer to sell or sell a pull tab ticket unless it has a pull tab or seal to be opened by the purchaser.
- 3-5.1.3 ~~Reservation of pull tabs.~~ RESERVATION OF PULL TABS. A ~~bingo raffle~~ licensee ~~shall~~ MAY not set aside or reserve any pull tabs for any person.
- 4-5.1.4 ~~Prohibition against information to players.~~ PROHIBITION AGAINST INFORMATION TO PLAYERS. No person selling pull tabs OR ~~and no person~~ managing or working in any capacity at any bingo game or other places where pull tabs are sold ~~shall~~ MAY state, imply, or in any way indicate to the purchaser of ~~pull tabs~~ the number or type of tickets that have been redeemed or that remain in the container.
- 5-5.1.5 ~~Defective pull tabs.~~ DEFECTIVE PULL TABS. A ~~bingo raffle~~ licensee ~~shall~~ MAY not permit the display, sale, or operation of any A DEFECTIVE pull tabs. ~~which~~
  - (A) THE FOLLOWING ARE TYPES OF DEFECTIVE PULL TABS:
    - (1) A PULL TAB THAT IS ~~may have been~~ marked, defaced, tampered with, or otherwise placed in a condition ~~or operated in a manner~~ ~~which~~ THAT may deceive the public.
    - (2) A series or deal of pull tabs ~~is considered defective when~~ THAT CONSISTS OF more than one serial number, color code, or ticket name ~~is included in a series or deal.~~
    - (3) A PULL TAB THAT CONTAINS ~~P~~Printers<sup>2</sup> or manufacturer's mistakes or misstatements ~~on tickets, which statements~~ THAT adversely affect the gross receipts and/or profit of the pull tab series or deal, ~~shall be considered a defect.~~
  - (B) The ~~bingo raffle~~ licensee ~~shall~~ MUST immediately remove ~~the~~ A defective pull tab deal or series from display ~~and sale~~ and refund the purchase price of all presented winning tickets and all unopened tickets in the players' possession.

- (C) The ~~bingo raffle~~ licensee ~~shall~~ MUST notify the ~~licensing authority~~ SECRETARY OF STATE in writing within ~~seventy-two (72)~~ 72 hours of the ~~discovery~~ DISCOVERING of a defective series or deal of pull tabs.
- (D) The ~~bingo raffle~~ licensee ~~shall~~ MUST return the defective pull tabs ~~that are~~ in the licensee's possession, including all returned, redeemed, and unopened tickets, to the manufacturer; no earlier than ~~thirty (30) days~~ THE THIRTIETH DAY after discovery of the defective tickets or the inspection of the defective deal or series by the ~~licensing authority~~ SECRETARY OF STATE, which-ever comes first.

~~6-5.1.6~~ **No commingling.**—NO COMMINGLING. A ~~bingo raffle~~ licensee ~~shall~~ MAY not commingle pull tab deals ~~and shall not~~ OR display, ~~offer to sell or~~ sell a commingled deal. A commingled series or deal of pull tabs is one containing two or more serial numbers of the same form number.

~~7-5.1.7~~ **Identical form and serial numbers.**—IDENTICAL FORM AND SERIAL NUMBERS. A ~~bingo raffle~~ licensee ~~shall~~ MAY not knowingly obtain or allow ~~upon the licensed premises,~~ a deal of pull tabs or portion thereof with the same serial number, form number, and color code combination as ~~any other~~ ANOTHER deal of pull tabs, or portion thereof, in the possession or on the premises of the licensee.

~~8-5.1.8~~ **Removal of deal from play.**—REMOVAL OF DEAL FROM PLAY. A ~~bingo raffle~~ licensee ~~shall~~ MAY not remove any deal or series of pull tab tickets or any unsold portion thereof from display ~~and/or~~ sale after the first ticket from ~~such~~ THE deal or series ~~has been~~ IS sold ~~except upon order of the licensing authority~~ UNLESS THE SECRETARY OF STATE or any law enforcement authority ORDERS THE REMOVAL or ~~on account of~~ WHEN THERE IS demonstrated unsalability.

~~a-(A)~~ A ticket or portion of a pull tab deal or series is unsalable if it ~~has been~~ WAS displayed and openly offered throughout the duration of at least two consecutive bingo occasions at the SAME LOCATION. ~~particular location where pull tabs have been sold for at least two weeks or~~ PULL TABS AT BAR AND CLUBROOMS ARE UNSALABLE IF THEY ~~has been~~ WERE displayed and ~~openly~~ offered for sale ~~continuously~~ for a two-week period WITHOUT ANY PULL TAB TICKETS FROM THAT DEAL OR SERIES BEING SOLD. ~~at any bar, clubroom, or other pull tab location of the bingo raffle licensee and no sale of a pull tab from the deal or series has been made during the two week period.~~

~~b-(B)~~ The ~~bingo raffle~~ licensee ~~shall~~ MUST keep any unsold or unsalable pull tab tickets unopened for a period of six ~~(6)~~ months following the end of the quarter in which ~~such~~ THE tickets were removed from sale unless the pull tabs were removed from sale because of defects.

~~e-(C)~~ The ~~bingo raffle~~ licensee ~~shall~~ MUST destroy, after the time specified in ~~Rule 6.0.A.8.b~~ RULE 5.1.8(B), all pull tabs that ~~have been~~ WERE removed from sale, ~~in such a manner as to deface and destroy any winning combination of numbers or symbols.~~

~~9.5.1.9~~ **Defacing winning pull tabs.**—DEFACING WINNING PULL TABS. ~~Prior to~~ BEFORE the end of the bingo occasion, the ~~bingo raffle~~ licensee ~~shall~~ MUST ensure that the winning combination of every winning pull tab ticket is defaced ~~in such a manner~~ SO that the winning ticket combination ~~can still be identified~~ IS IDENTIFIABLE but cannot be ~~used or~~ altered OR ~~for~~ used again.

~~a.~~(A) A ~~bingo raffle~~ licensee that conducts pull tabs only on ITS premises ~~owned by it, or in its sole control, shall~~ MUST deface the winning pull tab tickets ~~prior to the daily close of such premises~~ DAILY.

~~b.~~(B) The ~~bingo raffle~~ licensee ~~shall~~ MUST keep all redeemed winning tickets of \$20 or more and all opened flares and sign-up sheets for seal pull tabs for six months following the end of the quarter in which the tickets were redeemed.

~~10.5.1.10~~ **Paying pull tab prizes.**—PAYING PULL TAB PRIZES.

(A) The ~~bingo raffle~~ licensee ~~shall~~ MAY not redeem a ticket from a seal or pull tab for any other prize than ~~that shown~~ THE PRIZE on the flare for the symbol combination on the WINNING ticket ~~presented for redemption~~.

(B) The ~~bingo raffle~~ licensee ~~shall~~ MUST award a prize only upon PRESENTATION ~~presentation~~, verification, and redemption of a ticket showing a winning combination, except when the deal of pull tabs is a “Last Sale” LAST SALE deal as designated ~~my~~ BY the manufacturer of the pull tab deal.

(C) IF PULL TAB TICKETS ARE SOLD AT A BAR OR CLUBROOM, THE LICENSEE MAY MAINTAIN A SEPARATE CASH FUND IN A SECURE CONTAINER ON THE PREMISES TO TRACK PROCEEDS AND PAY OUT PULL TAB PRIZES. THIS CASH FUND MAY NOT EXCEED \$2,000.

~~B.5.2~~ **Seal Pull Tab Operations.**—SEAL PULL TAB OPERATIONS.

~~1.5.2.1~~ **Number of deals in play.**—NUMBER OF DEALS IN PLAY. A ~~bingo raffle~~ licensee ~~shall~~ MAY not operate, ~~offer for sale,~~ sell, or put into play more than one seal pull tab deal of the same game name, form number, and serial number at one time.

~~2.5.2.2~~ **Flare.**—FLARE. The ~~bingo raffle~~ licensee ~~shall~~ MUST post the flare for the deal WITH THE DEAL’S SERIAL NUMBER ~~in play~~ at the location of the seal game. The flare ~~shall~~ MUST be posted out of reach but fully visible to any player ~~present~~, AND MUST CONTAIN ~~. The bingo raffle licensee shall keep, post, and maintain for the duration of the game, each seal pull tab deal flare with a correct and accurate record thereon of the names of all holders of redeemed tickets which~~ THAT offer a chance on the seal tab prizes, AS WELL AS ~~and~~ the potential winning combination of each ~~such~~ ticket redeemed.

- ~~3-5.2.3~~ **Hold tickets.**—HOLD TICKETS. The ~~bingo raffle~~ licensee shall MUST deface and return to the purchaser those tickets redeemed for a chance to win the seal pull tab prize (~~“hold tickets”~~).
- ~~4-5.2.4~~ **Sign up sheet.**—SIGN-UP SHEET. The ~~Bingo raffle~~ licensee shall MUST maintain a separate list of ~~the addresses of all holders of redeemed tickets~~ REDEEMED TICKET HOLDERS’ ADDRESSES ~~in order to contact them in the event~~ IF they are not present when the winning combinations are revealed.
- ~~5-5.2.5~~ **Small deals.**—SMALL DEALS.
- (A) The ~~bingo raffle~~ licensee is not required to maintain a list of names and addresses of those winners entitled to a chance to win the seal pull tab prize if the game is a small seal pull tab deal. ~~—A small deal or game shall be one consisting~~ CONSISTS of 600 or fewer tickets and ~~that~~ is reasonably anticipated to sell out in the course of a single bingo occasion or in one day at a licensee’s bar or club room.
- ~~6-5.2.5~~ (B) **Small deals, sign up sheet required.**—SMALL DEALS, SIGN-UP SHEET REQUIRED. The ~~bingo raffle~~ licensee shall MUST prepare a complete and accurate sign-up sheet and address record for any small deal pull tab game that does not sell out as anticipated in a single occasion or day.
- ~~7-5.2.6~~ **Opening seal tab.**—OPENING SEAL TAB. A player WHO IS eligible to win the seal tab prize shall MUST break or tear open the seal tab for the deal in plain view of all ~~persons~~ INDIVIDUALS present when ~~all tickets from a seal pull tab deal have been~~ ARE SOLD OR WHEN the deal ~~has been demonstrated to be~~ IS DECLARED unsalable.
- ~~8-5.2.7~~ **Announcements and postings.**—ANNOUNCEMENTS AND POSTINGS. The ~~bingo raffle~~ licensee shall MUST announce the winning combination(s), the specific form number, the name of the game, the serial number of the deal, and the date the seal tab was opened and shall MUST post ~~such~~ THE information ~~in writing~~ at the location of the game.— The LICENSEE MUST RECORD THE name and license number of the ~~bingo raffle~~ licensee ~~shall be recorded~~ on the flare for the game.
- ~~9-5.2.8~~ **Unsold deals.**—UNSOLD DEALS. The ~~bingo raffle~~ licensee shall MUST announce and post the game name, form number, and serial number of ANY seal pull tab deal that is not sold out before the end of a bingo occasion or the closing time for a bar or clubroom where the deal was offered for sale.— The ~~bingo raffle~~ licensee shall also announce and post the date, time, and place of the next scheduled ~~conduct of~~ pull tab operations and advise the players to retain potential winning tickets until the flare is opened.
- ~~10-5.2.9~~ **Notification of winner.**—NOTIFICATION OF WINNER. IF THE WINNING TICKET IS NOT REDEEMED UPON THE OPENING OF THE SEAL, THE ~~The~~ ~~bingo raffle~~ licensee shall MUST, within 15 days ~~after the seal is opened~~ OF SEAL OPENING, ~~notify, in writing,~~

SEND WRITTEN NOTICE TO the holder of the winning ticket, at the address shown on the sign-up sheet, ~~stating that said ticket holder is of record as possessing the winning ticket if the winning ticket is not redeemed upon the opening of the seal.~~ The notification ~~shall~~ MUST give the game name, ~~and~~ form number, and ~~the~~ serial number of the deal, and ~~must also~~ state that the winner must present the winning ticket for verification TO RECEIVE THE PRIZE ~~before any prize may be awarded.~~

~~11-5.2.10~~ **Redemption of pull tabs.**—REDEMPTION OF PULL TABS. The ~~bingo raffle~~ licensee ~~shall~~ MUST redeem and retain seal flare prize winning tickets in the same manner as other winning pull tab tickets.

~~C-5.3~~ **Last Sale Pull Tab Operations.**—LAST SALE PULL TAB OPERATIONS. A ~~bingo raffle~~ licensee ~~offering~~

5.3.1 UPON OPENING A “last sale” ~~deals of pull tabs~~—PULL TABS for sale ~~shall~~, A LICENSEE MUST display and make available for sale all pull tabs contained in a ~~discrete deal upon opening said deal for sale to the public~~—THE DEAL. If the pull tab deal exceeds 5,000 tickets, the licensee ~~shall not be~~ IS NOT required to display all pull tabs, but ~~shall~~ MUST post a conspicuous notice upon the receptacle ~~containing such pull tabs~~ indicating whether ~~or not~~ all unsold tickets in the deal are contained in the receptacle. ~~In the event that a~~

5.3.2 IF THE licensee ~~is using~~ USES a mechanical pull tab dispensing device, the licensee ~~shall~~ MUST post a conspicuous notice upon the machine ~~containing such pull tabs~~, indicating whether ~~or not~~ all unsold tickets in the deal are loaded in the machine.

~~1-5.3.3~~ A ~~bingo raffle~~ licensee may sell or pay in full any pull tab deal that offers a prize for the “last sale” in the deal if the ~~bingo raffle~~ licensee:

~~A-~~(A) Completes the forms required by the ~~Licensing Authority~~ SECRETARY OF STATE for ~~each such “last sale”~~ pull tab ~~prize paid~~ PRIZES and retains the ~~same~~ FORMS for four months after the end of the quarter in which the prize was paid.

~~B-~~(B) Verifies the identification of the winner of the “last sale” pull tab prize, regardless of amount, including ~~such person’s~~ name, address, and driver’s license number or Colorado identification number. No “last sale” prize may be paid without such verified information.

~~D-5.4~~ **Progressive Pull Tab Operations.**—PROGRESSIVE PULL TAB OPERATIONS. A ~~bingo raffle~~ licensee may conduct a progressive pull tab game if it complies with all rules and regulations concerning the sale and operation of pull tabs in general and the following specific requirements:

~~1-5.4.1~~ **Number allowed.**—NUMBER ALLOWED. A ~~bingo raffle~~ licensee ~~shall~~ MAY not offer, put into play or have in play more than one progressive pull tab deal at any ~~one~~ time.

~~2-5.4.2~~ **Continuous play.**—CONTINUOUS PLAY. Once a progressive pull tab game has been started STARTS, it shall remain in play continuously MUST CONTINUE until such time as a jackpot winner is determined.

~~3-5.4.3~~ **Offered for play.**—OFFERED FOR PLAY. Once a progressive pull tab game has been started STARTS AT A BINGO OCCASION, A LICENSEE MUST OFFER THE GAME it shall be offered for play either at each succeeding bingo occasion of the sponsoring SPONSORED BY THE bingo-affle licensee UNTIL THE JACKPOT IS WON,; if such game is begun at a bingo occasion or on each succeeding day, if such IF A PROGRESSIVE PULL TAB game is begun —STARTS on the bingo-affle licensee's premises, such as a bar or club room,; THE LICENSEE MUST OFFER THE GAME ON EACH SUCCESSIVE DAY THAT THE PREMISES IS OPEN.

~~4-5.4.4~~ **Award of prizes.**—AWARD OF PRIZES. A bingo-affle licensee shall MUST only award prizes in a progressive pull tab game in accordance with the manufacturer's pre-designated prize structure for the game.

~~5-5.4.5~~ **Flare format.**—FLARE

(A) **FORMAT.** The flare or jackpot card for each deal in a progressive pull tab game shall MUST show, in addition to all other information required for pull tab flares in general, the amount dedicated to the progressive jackpot prize and the current total of such THE prize. The jackpot prize amount shall MUST be modified on the flare each time a contribution is made to the jackpot from sales of progressive pull tab tickets at the immediately preceding occasion and the sales of progressive pull tab tickets during the current occasion.

~~6-~~(B) **Display of flare.**—DISPLAY. The bingo-affle licensee shall MUST display or keep available for viewing,; the flare or jackpot card for each deal in a progressive pull tab game that is being played or THAT has been played during the course of a progressive game. The flare shall MUST be available for viewing at the location of the game at all times when the game is in play,; until the progressive jackpot prize is won.

~~7-5.4.6~~ **Maximum prize.**—MAXIMUM PRIZE.

- (A) THE MAXIMUM JACKPOT PRIZE FOR A PROGRESSIVE PULL TAB IS \$5,000.
- (B) ONCE THE JACKPOT AMOUNT REACHES \$5,000, THE LICENSEE MAY NOT MAKE ANY FURTHER CONTRIBUTIONS TO THE JACKPOT AMOUNT.
- (C) ALL PROCEEDS FROM THE SALE OF PROGRESSIVE PULL TABS AFTER THE JACKPOT AMOUNT REACHES \$5,000 ARE CONSIDERED PART OF THE BINGO-RAFFLES LICENSEE'S GROSS PROCEEDS FROM THE PROGRESSIVE GAME.
- (D) If a jackpot prize reaches \$5,000 without a winner,;

- (1) ~~the bingo raffle~~—THE licensee must award the prize in accordance with the manufacturer’s specifications for ~~the determination of DETERMINING~~ a winner upon accumulation of the maximum amount.; OR
- (2) If there are no specifications built into the progressive game being conducted, the game ~~shall~~ MUST continue in accordance with the manufacturer’s specifications until the game is won. THE LICENSEE HOWEVER, MAY NOT MAKE FURTHER CONTRIBUTIONS TO THE JACKPOT AMOUNT IN ACCORDANCE WITH RULE 5.4.6(C). ~~Once the jackpot amount reaches \$5,000, the bingo raffle licensee will not make any further contributions to the jackpot amount. All proceeds from the sale of progressive pull tabs after the jackpot amount reaches \$5,000 are considered part of the bingo raffles licensee’s gross proceeds from the progressive game.~~

**8-5.4.7 ~~Loss of license before award of jackpot.~~—LOSS OF LICENSE BEFORE AWARD OF JACKPOT.**

- (A) ~~If a bingo raffle licensee is conducting a progressive jackpot pull tab game and before a jackpot has been awarded, a bingo raffle licensee’s license expires, is not renewed, is suspended, revoked or surrendered, or if the bingo raffle licensee permanently terminates its bingo operations or terminates its operations at a particular location for whatever reason, BEFORE A PROGRESSIVE PULL TAB JACKPOT IS AWARDED, the jackpot prize winner shall be determined and the prize awarded on the licensee’s last authorized bingo occasion—THE LICENSEE MUST DETERMINE A WINNER AND AWARD THE JACKPOT PRIZE ON THE LICENSEE’S LAST AUTHORIZED BINGO OCCASION AT THE LOCATION WHERE THE PROGRESSION WAS STARTED.~~
- (B) If there is no winner of the jackpot prize on the last authorized occasion, the ~~bingo raffle~~ licensee ~~shall~~ MUST conduct a public drawing for the prize by issuing one FREE ticket ~~free of charge~~ to each ELIGIBLE member of the public who is present at the end of the occasion, ~~who is at least eighteen years of age, and who is not involved in the conduct of the occasion or the management, rental, or ownership of the commercial bingo facility at which the occasion is conducted in any manner, without regard to whether the person~~ INDIVIDUAL was a participant ~~in any game of chance~~ during the occasion. The jackpot winner ~~will be~~ IS the ~~person~~ INDIVIDUAL whose ticket is drawn at random ~~from a receptacle in which all tickets have been placed.~~

**9-5.4.8 ~~Serial and form numbers.~~—SERIAL AND FORM NUMBERS.** The ~~bingo raffle~~ licensee ~~shall~~ MAY not pay a prize amount unless the serial and form numbers of the winning ticket match the serial and form numbers of a deal contributing to the jackpot amount.

**10-5.4.9 ~~Conclusion of game.~~—CONCLUSION OF GAME.** A progressive pull tab game ~~shall~~ MUST end with the award of the cumulative jackpot prize or, if the jackpot

prize is unclaimed, upon expiration of a ~~fifteen~~-15-day period after determination of the winner. If, ~~however~~, a jackpot prize is not claimed by the next day or occasion on which the licensee conducts pull tab activities, the ~~bingo raffle~~ licensee may begin a new progressive pull tab game ~~and shall not be deemed to be conducting more than one such game at one time.~~

~~11.5.4.10~~ **Display of winner(s) and notice to winner(s).**—DISPLAY OF WINNER(S) AND NOTICE TO WINNER(S). If a jackpot prize is not claimed upon determination of a winner, a ~~bingo raffle~~ licensee shall continue to display all flares and jackpot cards for ~~fifteen~~-15 days after such determination. The display ~~shall~~ MUST be in plain view of all players at the licensee's bingo occasions or pull tab operations. The licensee shall also provide the winner with the notice prescribed for all winners.

~~12.5.4.11~~ **Unclaimed prizes.**—UNCLAIMED PRIZES. Unclaimed progressive pull tab prizes ~~shall become~~ ARE the property of the ~~bingo raffle~~ licensee ~~after fifteen~~-15 days ~~from~~ AFTER A WINNER IS DETERMINED ~~the determination of a winner,~~ provided that the ~~bingo raffle~~ licensee has complied with the requirements of ~~these rules.~~

~~E.5.5~~ **Multiple locations.**—MULTIPLE LOCATIONS. A ~~bingo raffle~~ licensee that conducts bingo occasions at two or more locations may conduct pull tab operations at each location if the ~~bingo-affle licensee complies with the following:~~

~~1.5.5.1~~ **Different deals.**—The ~~bingo raffle~~ licensee ~~must use~~ USES a different deal of pull tabs at each location.; ~~and~~

~~2.5.5.2~~ **No identical deals at different locations.**—The ~~bingo raffle~~ licensee shall DOES not use pull tabs with the same name, form number and serial number at MORE THAN ONE ~~each~~ location.; ~~and~~

~~3.5.5.3~~ **Termination of operations at premises.**—TERMINATION OF OPERATIONS AT PREMISES. If the ~~bingo raffle~~ licensee terminates operations at one location, THE LICENSEE MUST DISPLAY AND SELL all opened pull tab deals from the terminated location ~~shall be displayed and sold~~ with the pull tabs at ONE OF the remaining locations.; ~~and~~

~~4.5.5.4~~ **Records.**—RECORDS. The ~~bingo raffle~~ licensee MUST MAINTAIN ~~maintains~~ the required records for all ~~such~~ deals regardless of ~~the location~~ where the pull tabs were sold and ~~makes~~ MUST MAKE those records available to the ~~licensing authority~~ SECRETARY OF STATE upon request at the location where the pull tabs were sold.

Current Rule 7.0 is amended and re-codified as Rule 6:

## ~~7.0 ELECTRONIC BINGO AID DEVICES.~~

## RULE 6. ELECTRONIC BINGO AID DEVICES

~~A-6.1 Usage of electronic bingo aid devices.~~ USAGE OF ELECTRONIC BINGO AID DEVICES.

~~1-6.1.1~~ **New usage.**—NEW USAGE. A bingo raffle licensee that is not using an electronic bingo aid device on the effective date of these rules but intends to use any electronic bingo aid device after such effective date shall notify the licensing authority in writing and shall provide—MUST PROVIDE THE FOLLOWING TO THE SECRETARY OF STATE IN WRITING:

~~a-~~(A) The name and address of the manufacturer and the licensed COLORADO supplier in Colorado; and

~~b-~~(B) The make, model, and description of the electronic bingo aid device or bingo aid computer system THAT the bingo raffle licensee intends to offer for use or put into play.

~~2-6.1.2~~ **Bingo aid system.**—BINGO AID SYSTEM. A bingo raffle licensee that uses a bingo aid computer system to record, track, or process any bingo transactions during a bingo occasion shall MUST use the system to record, track, and process all bingo transactions occurring during that occasion, without regard to whether such transactions involve an electronic bingo aid device.

6.1.3 USE OF BINGO AID SYSTEM WITHOUT BINGO AID DEVICES. A LICENSEE MAY USE A BINGO AID COMPUTER SYSTEM AT ANY TIME. A LICENSEE MUST USE A BINGO AID COMPUTER SYSTEM IF PLAYERS ARE ALLOWED TO USE ELECTRONIC BINGO AID DEVICES DURING A BINGO OCCASION.

*[Former Rule 7.0(A)(4) is amended and relocated to this New Rule 6.1.3]*

~~3-6.2~~ **Required reports.**—REQUIRED REPORTS. A bingo raffle licensee that uses a bingo aid computer system shall comply with all of the accounting, record-keeping and reporting requirements imposed by statute and these rules and shall MUST produce and attach to its daily bingo occasion records the report generated by the bingo aid computer system. The report shall—MUST show at least the following information:

~~a-6.2.1~~ The REPORTING LICENSEE’S name of the reporting licensee;

~~b-6.2.2~~ The date and time of the bingo occasion reported;

~~e-6.2.3~~A description of each transaction processed, including all voids and refunds, which shows:

~~(1)~~(A) The time the transaction took place; and

~~(2)~~(B) The quantity, description and price of all cards and sheets, including specials, progressives and extras that were sold, refunded or voided in the course of the transaction; and

~~(3)~~(C) The charges for any electronic bingo aid device furnished in connection with the transaction; and

(4)(D) The manufacturer's identification number (serial number) for all cards and sheets sold in conjunction with an electronic bingo aid device; and

(5)(E) The total number AND RELATED CHARGES FOR ALL ~~of~~ electronic bingo aid devices sold, leased or furnished in connection with the reported occasion and the total charges made for such devices.

~~4. Use of bingo aid system without bingo aid devices. A bingo raffle licensee may use a bingo aid computer system without using, leasing, selling, purchasing or possessing any electronic bingo aid device, but may not use, allow the use of, or distribute to players any electronic bingo aid device without using a bingo aid computer system to record, track and process its bingo transactions at the bingo occasion during which the bingo aid device is used.~~

*[Former Rule 7.0(A)(4) is amended and relocated to New Rule 6.1.3]*

### 6.3 DATA BACKUP AND SECURITY.

~~5-6.3.1 Data backup. DATA BACKUP. A bingo raffle licensee that uses a bingo aid computer system shall back up and preserve its bingo transaction data, together with the data for any other games of chance transactions recorded in the system during the occasion, at the conclusion of each occasion during which the system is used. The data shall be copied and saved to floppy disk, tape, or other removable medium, and kept by the licensee as required games of chance record for a period of two calendar years following the calendar year in which the bingo aid computer system was used. AT THE END OF AN OCCASION, A LICENSEE MUST SAVE ALL TRANSACTION DATA AND KEEP AN ELECTRONIC COPY OF THE DATA FOR TWO CALENDAR YEARS AFTER THE OCCASION.~~

~~6-6.3.2 Data security DATA SECURITY~~

~~a.(A) A bingo raffle licensee shall MUST not access or attempt to access any A bingo aid computer system data that does not belong to the licensee.~~

~~b.(B) Each bingo raffle A licensee shall make every reasonable effort to MUST protect, secure and safeguard its unique system identification from UNAUTHORIZED disclosure to or use by any other person, and shall report to the licensing authority immediately upon discovery any known or suspected breach or compromise of such protection. When the security of a licensee's user identification has or may have been compromised, the bingo raffle licensee shall disable such identification and methods of access and shall either issue new identification and passwords if able, or cease use of the bingo aid computer system until new identification and methods of access have been provided by the manufacturer, supplier or agent. IF THE LICENSEE DISCOVERS OR SUSPECTS THAT SYSTEM SECURITY HAS BEEN BREACHED OR COMPROMISED, THE LICENSEE MUST:~~

- (1) IMMEDIATELY REPORT THE BREACH OR COMPROMISE TO THE SECRETARY OF STATE; AND
  - (2) DISABLE ACCESS TO THE SYSTEM AND EITHER ISSUE NEW IDENTIFICATION AND PASSWORDS OR STOP USING THE SYSTEM UNTIL NEW IDENTIFICATION AND METHODS OF ACCESS HAVE BEEN PROVIDED BY THE MANUFACTURER, SUPPLIER OR AGENT.
- e.(C) ~~The games manager(s) or officer(s) of the bingo raffle licensee shall maintain custody and control of the bingo raffle licensee's identification, password(s), token(s) or other method(s) of access to the bingo aid computer system and shall not release, make known or transfer such identification, password(s), token(s) or other method(s) of access to any other person except upon order of the licensing authority or a duly constituted law enforcement agency. CONTROL OF THE MEANS OF ACCESS, LIKE IDENTIFICATION, PASSWORDS, OR TOKENS, TO THE LICENSEE'S BINGO AID COMPUTER SYSTEM IS THE RESPONSIBILITY OF DESIGNATED GAMES MANAGERS OR OFFICERS. THE DISCLOSURE OR TRANSFER OF THE MEANS OF ACCESS IS STRICTLY PROHIBITED UNLESS DISCLOSURE OR TRANSFER IS ORDERED BY THE SECRETARY OF STATE OR A LAW ENFORCEMENT AUTHORITY.~~

#### ~~B-6.4~~ **Player usage**-PLAYER USAGE

- ~~1-6.4.1~~ **Single player usage.** ~~A bingo raffle licensee shall not allow a player to use more than one electronic bingo aid device at any bingo occasion, whether for that player or on behalf of another player. SINGLE PLAYER USAGE. A BINGO PLAYER MAY USE ONLY ONE ELECTRONIC BINGO AID DEVICE DURING AN OCCASION.~~
- ~~2-6.4.2~~ **Maximum number of faces.** ~~MAXIMUM NUMBER OF FACES. A bingo raffle licensee shall not knowingly allow a player to use an A LICENSEE MAY NOT PROGRAM AN electronic bingo aid device that has TO PLAY more than thirty-six (36) faces PER BINGO GAME.~~
- ~~3-6.4.3~~ **Passive Play.** ~~PASSIVE PLAY. A bingo raffle licensee shall not allow The passive play of any A bingo game by means of any electronic bingo aid device IS PROHIBITED. Any player using such a device shall be required to PLAYERS MUST physically enter each number called by either manually entering the number or by touching a button or a screen icon.~~

Current Rule 8.0 is amended and re-codified as Rule 7:

### ~~8.0 PROMOTIONS BY BINGO RAFFLE LICENSEES.~~

#### ~~RULE 7. PROMOTIONS BY BINGO-RAFFLE LICENSEES~~

- ~~A-7.1~~ **Promotions allowed.** ~~PROMOTIONS ALLOWED. A bingo raffle licensee may conduct a promotion on its own or on leased premises where the chance to win the prize is not~~

~~conditioned upon a payment to enter the promotion contest, except that a bingo raffle licensee may charge a fee to enter the premises-~~NO PURCHASE IS NECESSARY TO ENTER THE CONTEST. A LICENSEE MAY CHARGE AN ADMISSION FEE TO ENTER ITS PREMISES TO PARTICIPATE IN A BINGO OCCASION SEPARATE FROM THE PROMOTION, BUT THE LICENSEE MUST ALLOW ANYONE PARTICIPATING IN THE PROMOTIONAL CONTEST TO BE PRESENT WHEN THE PRIZE IS AWARDED.

~~1-7.1.1 Reporting requirements.—The bingo raffle-~~REPORTING REQUIREMENTS. A licensee that conducts a promotion ~~pursuant to this rule 8.0.A.~~ must report AWARDED PRIZE INFORMATION to the licensing authority ~~within ten days:~~ IN ACCORDANCE WITH SECTION 12-9-102.5(4)(A), C.R.S.

~~a. —The merchandise, services or cash awarded as a prize;~~

~~b. —The retail value of the prize;~~

~~c. —The name and address of the winner of the prize;~~

~~d. —The bingo raffle licensee that awards a promotion prize or prizes during a calendar quarter shall include the information in Rule 8.0.A.1.a, b. and on its quarterly report for that quarter.~~

~~2-7.1.2 Promotion prize limits.—PROMOTION PRIZE LIMITS. The bingo raffle licensee shall-~~MUST not offer merchandise, services, or cash THAT EXCEEDS \$1,000 IN VALUE as a prize in a promotion that exceeds \$1,000 in value for any single promotion.

~~B-7.2 Relationship with landlord licensee promotions.—RELATIONSHIP WITH LANDLORD LICENSEE PROMOTIONS. A bingo raffle licensee may conduct a promotion concurrently with any PROMOTION SPONSORED BY A landlord licensee-~~sponsored promotion. ~~However, if-~~IF the bingo raffle licensee agrees to participate in the landlord licensee's promotion and agrees to pay a portion of the costs of the promotion, such costs ~~shall~~ MUST not exceed \$1,000:00.

Current Rule 9.0 is amended and re-codified as Rule 8:

## **9.0 RAFFLES.**

### **RULE 8. RAFFLES**

~~A-8.1 General requirements.—GENERAL REQUIREMENTS. Bingo raffle~~ ILicensees that conduct raffles shall comply with the following:

~~1-8.1.1 Selling Tickets.—SELLING TICKETS.~~

~~a-(A) Only-~~EXCEPT AS PROVIDED IN RULE 8.1.1(E), ONLY members of the bingo raffle licensee may sell tickets for entry into a raffle drawing. MEMBERS MAY NOT RECEIVE REMUNERATION FOR SELLING RAFFLE TICKETS, AND MAY NOT

SELL RAFFLE TICKETS WHILE THEY ARE RECEIVING COMPENSATION FOR PERFORMING REGULAR DUTIES FOR THE LICENSEE.

~~b.~~(B) A LICENSEE MUST SELL ~~T~~Tickets for entry in a raffle drawing ~~shall be sold~~ at a stated price, and each ticket ~~constitutes~~ MUST CONSTITUTE a separate and equal chance to win ~~with all other tickets sold~~.

~~e.~~(C) A LICENSEE MUST PROVIDE ANY CONDITIONS THAT MAY AFFECT THE ~~“Stated price” for the purposes of this rule means that the bingo raffle~~ licensee ~~must~~ OF A RAFFLE TICKET ~~provided information~~ to the public prior to the sale of the first raffle ticket. ~~that provide~~ IF ANY OF THE FOLLOWING APPLY, THEN THE LICENSEE MUST PROVIDE THE INFORMATION TO THE TICKET PURCHASER AT THE TIME OF SALE:

- (1) The date, ~~before which,~~ OR DATES THAT the price of ~~any~~ AN individual ticket or group of tickets may ~~be lower than the price of tickets sold after such date~~ INCREASE OR DECREASE.
- (2) Any discounted price that is based on the purchase of a minimum number of tickets.
- (3) The method of determining the number of tickets at a set price, such as in a “stretch” raffle.

~~d.~~(D) A ~~bingo raffle~~ licensee may sell raffle tickets at bingo occasions, if:

- (1) The proceeds from ~~the~~ RAFFLE TICKET sales ~~of tickets for each raffle sold at bingo occasions~~ are recorded separately FROM BINGO SALES; and
- (2) ~~The right to purchase~~ PURCHASE OF a raffle ticket is not conditioned on the purchase of ~~a right to play~~ bingo CARDS OR FACES, ~~or~~ pull tabs, or payment of an admission fee to play bingo.

(E) LICENSEES MAY CONTRACT WITH A CALL FULFILLMENT CENTER TO PROCESS RAFFLE TICKET ORDERS IF:

- (1) THE CALL FULFILLMENT CENTER ONLY RECEIVES INCOMING CALLS FROM TICKET-PURCHASERS AND PROCESS TICKET-PURCHASER INFORMATION;
- (2) THE CALL FULFILLMENT CENTER DOES NOT PROCESS PAYMENTS FOR RAFFLE TICKETS AND DOES NOT MAKE OUTGOING CALLS TO SOLICIT PURCHASES OR ENCOURAGE INCOMING CALLERS TO PURCHASE ADDITIONAL RAFFLE TICKETS; AND
- (3) THE LICENSEE SUBMITS A FORM PRESCRIBED BY THE SECRETARY OF STATE THAT CONTAINS DETAILS OF THE AGREEMENT BETWEEN THE

LICENSEE AND THE CALL FULFILLMENT CENTER PRIOR TO THE SALE OF RAFFLE TICKETS THROUGH THE CALL FULFILLMENT CENTER.

- ~~2-8.1.2~~ **Format of tickets.**—FORMAT OF TICKETS. All tickets must be discrete from every other ticket sold and may be identified by symbols, numbers, color, design or combination thereof.
- ~~3-8.1.3~~ **Ownership of prizes.**—OWNERSHIP OF PRIZES. The ~~bingo-affle~~ licensee ~~shall~~MUST fully own ~~any~~ merchandise offered as a raffle prize except as provided in ~~9.0.B, C, and D of these rules~~ RULES 8.2, 8.3, AND 8.4. The raffle prize ~~shall~~ MUST be free of ~~any~~ debt(s), lien(s) and encumbrance(s) prior to the sale of ~~any~~ raffle tickets.
- ~~4-8.1.4~~ **Prizes exceeding \$1000 in value.**—PRIZES EXCEEDING \$1,000 IN VALUE. IF THE TOTAL RETAIL VALUE OF THE RAFFLE PRIZE OR PRIZES TO BE WON IN A SINGLE RAFFLE EXCEEDS \$1,000, ~~AA bingo-affle licensee that conducts a raffle in which the total retail value of the prize or prizes exceeds one thousand (\$1,000.00) dollars shall also~~ MUST:
- ~~a-(A)~~ (A) Print a paper ticket stating the bingo-affle license number and the name of the licensee, exactly as it appears on ~~the~~ITS license, together with the date, time and place of the drawing, the cost of the ticket, an adequate description of the major prize or prizes offered, the date ~~before which the cost of the ticket may be lower than after such date~~ OR DATES, IF ANY, WHEN THE TICKET PRICE WILL INCREASE OR DECREASE, the cost if tickets are purchased as part of a package, and the word “Raffle”.
  - ~~b-(B)~~ (B) Print on ~~the~~EACH ticket a statement ~~informing the holder~~INDICATING whether the holder’s ~~presence is required at the drawing in order~~ PRESENCE IS REQUIRED to win ~~a~~THE RAFFLE prize.
  - ~~e-(C)~~ (C) Print a ticket stub providing for the entry of the name and mailing address of the ticket purchaser; IF:
    - (1) PRESENCE IS NOT REQUIRED TO WIN;
    - (2) PRESENCE IS REQUIRED TO WIN AND TICKETS ARE SOLD ON ANY DAY OTHER THAN THE DAY OF THE DRAWING; OR
    - (3) PRESENCE IS REQUIRED TO WIN AND TICKETS ARE SOLD AT ANY LOCATION OTHER THAN THE LOCATION OF THE DRAWING.
  - ~~d-(D)~~ (D) Retain all ~~winning~~ raffle ticket stubs, ~~non-winning ticket stubs~~ and unsold tickets for six months following the quarter in which the raffle was held.
  - ~~e-~~ Notify all winners by U.S. postal service certified mail; ~~return receipt requested, who have not claimed their prize(s) within thirty (30) days of the drawing. The notification shall state the prize won, a telephone number~~

~~of a contact person, and the time and location where the prize(s) can be claimed. If the prize has not been claimed within thirty (30) days of receipt of the notification, the bingo raffle licensee may retain the prize or offer it in another raffle.~~

~~f.-(E) File a voided ticket for such~~ THE raffle with the ~~Licensing Authority~~ SECRETARY OF STATE prior to the sale of any tickets.

8.1.5 REQUIRING PRESENCE AT DRAWING TO WIN. A LICENSEE MAY REQUIRE A TICKET HOLDER'S PRESENCE AT THE RAFFLE DRAWING IN ORDER TO CLAIM A PRIZE.

(A) IF A TICKET HOLDER'S PRESENCE IS REQUIRED TO WIN, THE LICENSEE MUST PROVIDE A REASONABLE AMOUNT OF TIME FOR THE HOLDER TO CLAIM HIS OR HER PRIZE. THE TIME TO CLAIM THE PRIZE MAY NOT EXCEED 30 MINUTES. IF NO TICKET HOLDER CLAIMS A PRIZE AFTER A REASONABLE AMOUNT OF TIME, THE LICENSEE MUST CONTINUE DRAWING TICKETS UNTIL THE PRIZE IS CLAIMED.

(B) IF PRESENCE IS NOT REQUIRED TO WIN, THE LICENSEE MUST NOTIFY ALL WINNERS BY U.S. POSTAL SERVICE CERTIFIED MAIL, RETURN RECEIPT REQUESTED, WHO HAVE NOT CLAIMED THEIR PRIZE(S) WITHIN 30 DAYS OF THE DRAWING. THE NOTIFICATION MUST STATE THE PRIZE WON, A TELEPHONE NUMBER OF A CONTACT PERSON, AND THE TIME AND LOCATION WHERE THE WINNER MAY CLAIM HIS OR HER PRIZE(S). IF A PRIZE IS NOT CLAIMED WITHIN 30 DAYS OF RECEIPT OF THE NOTIFICATION, THE LICENSEE MAY RETAIN THE PRIZE OR OFFER IT IN ANOTHER RAFFLE.

~~5-8.1.6~~ **Cancellation.**— CANCELLATION. A ~~bingo raffle~~ licensee ~~shall~~ MUST not cancel a raffle after the first raffle ticket has been sold unless the ~~bingo raffle~~ licensee can demonstrate to the ~~licensing authority~~ SECRETARY OF STATE that it maintained name and address records for every RAFFLE TICKET purchaser ~~of a raffle ticket~~ and can refund the purchase amount to every purchaser.

~~6-8.1.7~~ **Postponing a drawing.**— POSTPONING A DRAWING. A ~~bingo raffle~~ licensee ~~shall~~ MUST not alter or postpone a raffle after the first raffle ticket has been sold unless the ~~bingo raffle~~ licensee can demonstrate to the ~~licensing authority~~ SECRETARY OF STATE that purchasers of raffle tickets will not be adversely affected by a substitution of prizes, a change of time or location and that the information concerning the raffle specifically states that a purchaser need not be present at the drawing to win.

~~B-8.2~~ **Motor vehicle as a prize.**— MOTOR VEHICLE, REAL ESTATE, OR REAL ESTATE UNDER CONSTRUCTION AS A PRIZE.

8.2.1 A ~~bingo raffle~~ licensee may raffle A motor vehicle, if:

~~1-(A) The~~ ~~bingo raffle~~ licensee files proof of ownership of the motor vehicle with the ~~licensing authority~~ SECRETARY OF STATE; or

~~2-(B) There exists a firm commitment in writing, enforceable in a court of law as a~~ A contract EXISTS between the owner of the motor vehicle and the

~~bingo-raffle~~ licensee to transfer title to the motor vehicle to the holder of the winning ticket ~~at the conclusion of the raffle drawing that determines the winner of the raffle;~~ and

- ~~3-~~(C) The ~~bingo-raffle~~ licensee must announce prior to the sale of the first raffle ticket and the raffle ticket must contain ~~the~~ information AS TO whether there are any encumbrances on the motor vehicle that the winner of the raffle will be subject to, including federal, state and local income taxes; and
- ~~4-~~(D) The ~~bingo-raffle~~ licensee maintains, during the course of the sale of raffle tickets and continuing through the date of the raffle drawing, a certificate of deposit in ~~such~~ THE amount OF THE PURCHASE PRICE OF THE MOTOR VEHICLE ~~that in the event of default by the owner of the motor vehicle described in THE CONTRACT REQUIRED BY Rule 9.0.B.2~~ RULE 8.2.1(B);. IF THE MOTOR VEHICLE OWNER FAILS TO TRANSFER TITLE, the ~~bingo-raffle~~ licensee MUST USE THE CERTIFICATE OF DEPOSIT TO ~~can obtain~~ PURCHASE an equivalent motor vehicle for delivery to the holder of the winning ticket; and
- ~~5-~~(E) PRIOR TO THE SALE OF THE FIRST RAFFLE TICKET, ~~The~~ THE ~~bingo-raffle~~ licensee MUST submits evidence of the ~~commitment~~ CONTRACT and certificate of deposit to the SECRETARY OF STATE ~~licensing authority prior to the sale of the first raffle ticket.~~

~~C-8.2.2~~ **Real estate as prize.** A ~~bingo-raffle~~ licensee may raffle real estate, or real estate containing an existing house, if:

- ~~1-~~(A) The ~~bingo-raffle~~ licensee files proof of ownership (such as a bill of sale);  
OR
- ~~2-~~(B) There exists a firm commitment, in writing, enforceable in a court of law ~~as a~~ A contract EXISTS between the owner of the real estate and the ~~bingo-raffle~~ licensee to transfer title to the real estate or the real estate that includes an existing house to the holder of the winning ticket ~~at the conclusion of the raffle drawing that determines the winner of the raffle;~~ and
- ~~3-~~(C) The ~~bingo-raffle~~ licensee must announce prior to the sale of the first raffle ticket and the raffle ticket must contain ~~the~~ information AS TO whether there are any encumbrances on the real estate that the winner of the raffle will be subject to, including a mortgage and federal, state and local income taxes; and
- ~~4-~~(D) The ~~bingo-raffle~~ licensee maintains, during the course of the sale of raffle tickets and continuing through the date of the raffle drawing, a certificate of deposit or bond in ~~such~~ THE amount ~~that in the event of default by the owner~~ OF THE PURCHASE PRICE OF THE real estate and/or house described in

THE CONTRACT REQUIRED BY ~~Rule 9.0.C.2~~ RULE 8.2.2(B);. IF THE OWNER FAILS TO TRANSFER OWNERSHIP, the ~~bingo-affle~~ licensee ~~can obtain~~ MUST PURCHASE AN equivalent real estate and house for delivery to the holder of the winning ticket; and

- ~~5.~~(E) PRIOR TO THE SALE OF THE FIRST RAFFLE TICKET, ~~The~~ THE ~~bingo-affle~~ licensee MUST submits evidence of the ~~commitment~~ CONTRACT and certificate of deposit or bond to the SECRETARY OF STATE ~~licensing authority~~ prior to the sale of the first raffle ticket.

~~D.~~8.2.3 **Real estate under construction.**—A ~~bingo-affle~~ licensee may raffle a house under construction, if:

- ~~1.~~(A) ~~There exists a firm commitment, in writing, enforceable in a court of law as a~~ A contract EXISTS between the owner of the real estate, ~~the builder, if the builder is other than the owner of the real estate and the bingo-affle licensee to transfer title to the real estate and existing house to the holder of the winning ticket at the conclusion of the raffle drawing that determines the winner of the raffle; and~~
- ~~2.~~(B) The ~~bingo-affle~~ licensee must announce prior to the sale of the first raffle ticket and the raffle ticket must contain ~~the~~ information AS TO whether there are any encumbrances on the real estate that the winner of the raffle will be subject to, including a mortgage and federal, state and local income taxes; and
- ~~3.~~(C) The ~~bingo-affle~~ licensee maintains, during the course of the sale of raffle tickets and continuing through the date of the raffle drawing, a certificate of deposit or bond in ~~such~~ THE amount ~~that in the event of default by the owner(s) of the PURCHASE PRICE OF THE real estate and house described in~~ THE CONTRACT REQUIRED BY ~~Rule 9.0.D.4~~ RULE 8.2.3(A);. IF THE OWNER FAILS TO TRANSFER OWNERSHIP, the ~~bingo-affle~~ licensee ~~can obtain~~ MUST PURCHASE an equivalent house for delivery to the holder of the winning ticket; and
- ~~4.~~(D) PRIOR TO THE SALE OF THE FIRST RAFFLE TICKET, ~~The~~ THE ~~bingo-affle~~ licensee MUST submits evidence of the ~~commitment~~ CONTRACT and certificate of deposit or bond to the SECRETARY OF STATE ~~licensing authority~~ prior to the sale of the first raffle ticket.

### ~~E.~~8.3 **Specific types of raffles** SPECIFIC TYPES OF RAFFLES

~~1.~~8.3.1 **Key raffles.**—KEY RAFFLES. ~~Bingo-affle~~ licensees may conduct a “key” raffle where the purchaser of the right to participate receives a key that may open the particular prize being raffled, such as an automobile, if:

- ~~a.~~(A) The ~~bingo-affle~~ licensee conducts a raffle where the ~~tickets~~ (keys) are sold only to participants at an event sponsored by the licensee; and

~~b.~~(B) The purchaser of the right to participate selects the key from a receptacle containing all of the keys being sold; and

~~e.~~(C) The ~~bingo raffle~~ licensee provides a separate paper ticket to the purchaser of the right to participate that contains a stub ~~containing~~ WITH the name, address and telephone number of the purchaser, ~~which~~ AND EACH stub SOLD is placed in a separate receptacle containing ALL stubs ~~from all tickets~~ sold. The receptacle ~~shall~~ MUST be designed so that each ~~ticket~~ stub placed therein has an equal CHANCE OF BEING DRAWN ~~opportunity with every other ticket stub to be the one withdrawn.~~

~~d.~~(D) In the event that not all keys are sold, and none of the keys that are sold will open the prize, the ~~bingo raffle~~ licensee WILL DETERMINE THE WINNER BY ~~draws~~ DRAWING a raffle ticket stub from the receptacle containing ALL stubs ~~from all tickets sold to determine the winner.~~

~~2-8.3.2~~ **Card raffles.**—CARD RAFFLES. A ~~bingo raffle~~ licensee may conduct a “card” raffle where the purchaser of the right to participate receives a playing card containing numbers, symbols, colors or a combination thereof, where one-half of the card is torn off and placed in the receptacle from which the winning card will be drawn, if:

~~a.~~(A) The portion of each card deposited into the receptacle is approximately the same size and shape as all other portions deposited; and

~~b.~~(B) Each card sold is distinct from every other card sold, although multiple decks of playing cards may be used if the decks are of different colors or design.

~~3-8.3.3~~ **Bucket raffles.**—BUCKET RAFFLES. A ~~bingo raffle~~ licensee may conduct bucket raffles using theater style tickets only if the total retail value of the prizes offered for a specific receptacle in which raffle tickets are placed does not exceed \$1,000-00. If the total retail value of THE prizes OFFERED FOR A SPECIFIC RECEPTACLE IN WHICH RAFFLE TICKETS ARE PLACED exceeds \$1,000-00, the ~~bingo raffle~~ licensee ~~shall~~ MUST print a ticket conforming to ~~Rule 9.A.4~~ RULE 8.1.4. THE LICENSEE MUST EITHER DISPLAY MERCHANDISE PRIZES OR DISPLAY DESCRIPTIONS OF MERCHANDISE PRIZES OFFERED FOR EACH RECEPTACLE.

*[Language concerning the display of merchandise prizes is stricken from Rule 1.2 (formerly Rule 2.0(C)) and is amended and relocated to this Rule 8.3.3.]*

~~4-8.3.4~~ **Sporting event raffles.**—SPORTING EVENT RAFFLES. A ~~bingo raffle~~ licensee may conduct raffles where the winner is determined on the basis of scores from sporting events if and only if the ~~bingo raffle~~ licensee can demonstrate to the ~~licensing authority~~ SECRETARY OF STATE that each ~~and every~~ ticket sold has an equal chance to win with every other ticket sold.

~~5-8.3.5~~ **Wheel raffles.**—WHEEL RAFFLES. A ~~bingo raffle~~ licensee may conduct a “wheel” raffle, where the winning ticket is determined by spinning a wheel until a pointer lands in one of THE discrete segments marked on the wheel, ~~if~~.

- (A) The number of RAFFLE tickets ~~sold for a particular raffle is no greater than~~ MUST BE LESS THAN OR EQUAL TO the number of discrete numbers or symbols on the wheel, and each ticket sold matches ~~one and only one of~~ the numbers or symbols on the wheel.
- (B) If fewer tickets than the number of segments are sold, the licensee must continue to spin the wheel until there is a winner.
- (C) A licensee ~~shall not~~ MAY use ~~any~~ A wheel containing symbol(s), 0, or 00 ~~unless ONLY IF~~ it offers to sell tickets for those segments.

~~6-8.3.6~~ **Stretch raffles.**—STRETCH RAFFLES. A “stretch” raffle is a ~~type of~~ raffle where the number of raffle tickets purchased for a set price is determined by a specific measurement method. For example, a “stretch” raffle may use a raffle participant’s arm span to determine how many raffle tickets ~~are~~ MAY BE purchased for a set price. A licensee may conduct a “stretch” raffle only if the same measurement method is used to determine the number of tickets for all purchasers ~~in the specific raffle declared to be a “stretch” raffle.~~

~~F-8.4~~ **Games not classified as raffles.**—GAMES NOT CLASSIFIED AS RAFFLES. The games of chance commonly known as “Animal Plop Bingo,” “Golf Ball Drops,” plastic or rubber “Duck Races,” and variations of these games are not raffles as defined by section ~~12-9~~ 102(19.3)-12-9-102(19.3), C.R.S., and are not raffles as authorized by subsections (2) to (4) of ~~section~~ SECTION 2 of Article XVIII of the Colorado Constitution. Therefore, these games of chance are not licensed or regulated by the Secretary of State. In certain circumstances, these games of chance may be considered unlawful gambling. Licensees or other organizations who wish to conduct these games should contact law enforcement authorities or legal counsel to determine how to comply with Colorado law.

Current Rule 10.0 is amended and re-codified as Rule 9:

## **10.0 PRIZE AMOUNTS AND PAYMENT OF PRIZES**

### **RULE 9. PRIZE AMOUNTS AND PAYMENT OF PRIZES**

#### ~~A-9.1~~ **Occasion prizes**—OCCASION PRIZES

~~1-9.1.1~~ **Maximum occasion prizes.**—MAXIMUM OCCASION PRIZES. ~~Bingo raffle~~ licensees may award an aggregate amount not to exceed \$2,000.00 for THE TOTAL VALUE OF prizes OFFERED ~~for bingo games played during an~~ A BINGO occasion MAY NOT EXCEED \$2,000.

~~2-9.1.2~~ **Maximum game prize.**—MAXIMUM GAME PRIZE. ~~Bingo raffle~~ Licensees may award any amount as a prize for any single game of bingo so long as ~~the~~

~~aggregate amount of all prizes awarded for all games played during the occasion does not exceed \$2,000.00~~ THE TOTAL VALUE OF PRIZES OFFERED AT THE BINGO OCCASION DOES NOT EXCEED \$2,000.

~~B-9.2 Progressive prizes~~ PROGRESSIVE PRIZES

~~1-9.2.1 Progressive bingo.~~ PROGRESSIVE BINGO. The maximum progressive jackpot prize ~~that may be awarded for any single bingo progression is~~ MAY NOT EXCEED \$15,000.

~~2-9.2.2 Progressive pull tab games.~~ PROGRESSIVE PULL TAB GAMES. The maximum progressive pull tab prize ~~that may be awarded for any single deal is~~ MAY NOT EXCEED \$5,000.

~~C-9.3 Payment of prizes~~ PAYMENT OF PRIZES

~~1-9.3.1 Pull tab prize payment.~~ PULL TAB PRIZE PAYMENT. ~~Bingo raffle~~ licensees ~~shall~~ MUST award all pull tab prizes immediately upon determination of a winner.

~~2-9.3.2 Time to redeem pull tab.~~ TIME TO REDEEM PULL TAB. ~~The bingo raffle~~ licensee ~~may consider~~ IF any pull tab ticket IS presented more than ~~10~~ TEN days after a determination that it is a winning ticket, THE LICENSEE MAY CONSIDER THE TICKET void and of no value and ~~the licensee~~ may elect to not redeem such pull tab, except as provided for WINNERS OF seal and progressive pull tabs ~~winners pursuant to~~ IN ACCORDANCE WITH these rules.

~~3-9.3.3 Method of payment.~~ METHOD OF PAYMENT. ~~Bingo raffle~~ licensees ~~shall~~ MUST award all pull tab prizes in cash, by check, or in merchandise, except that winning pull tab tickets may be exchanged for an equivalent amount in new tickets of the same deal and serial number.

~~a-(A)~~ (A) All progressive jackpot bingo and progressive pull tab prizes in excess of \$500 ~~shall~~ MUST be paid by check.

~~b-(B)~~ (B) A progressive jackpot bingo prize and a progressive jackpot pull tab prize need not be paid immediately upon the determination of a winner ~~of the game~~ if:

- (1) The prize amount exceeds \$500; ~~and~~
- (2) The prize amount is paid in full within 48 hours after ~~the end of the occasion during which the winner was declared; and~~
- (3) The prize amount is paid at a location and in a manner acceptable to the winner; and
- (4) The winner is presented with ~~the licensee's~~ A voucher or promissory note for the full amount of the jackpot prize before the end of the

occasion during which the winner was declared.— The LICENSEE’S GAMES MANAGER AND ONE OTHER MEMBER OF THE LICENSEE MUST SIGN THE voucher or promissory note. ~~must be signed by the bingo- raffle licensee’s games manager and one other member of the licensee and~~ THE NOTE must state THE FOLLOWING:

- (I) †The name and license number of the ~~bingo- raffle~~ licensee;
- (II) †The date, time, and location of verification of the winning card;
- (III) †The manufacturer’s serial and identification numbers of the winning card;
- (IV) †The identification of the winner of the prize; and
- (V) †The date, time, place and manner in which the check for the prize amount will be delivered to the winner.

Current Rule 11.0 is amended and re-codified as Rule 10:

## ~~11.0 ACCOUNTING FOR RECEIPTS AND DEPOSITS~~

### ~~RULE 10. ACCOUNTING FOR RECEIPTS AND DEPOSITS~~

#### ~~A-10.1 Maintenance of records~~ MAINTENANCE OF RECORDS

~~1-10.1.1~~ **Retention period.**—RETENTION PERIOD. Each ~~bingo- raffle~~ licensee conducting ~~bingo games, selling pull tabs or conducting raffles~~ CHARITABLE GAMING ACTIVITIES ~~shall~~ MUST maintain records on forms prescribed or approved by the SECRETARY OF STATE ~~licensing authority~~. THESE FORMS MUST ~~covering each~~ BINGO occasions, bar and club room sales and ~~each~~ raffles. The records MUST ~~shall~~ ~~diselose the following information and~~ be retained for a period of two years following the calendar year in which bingo, pull tabs or raffles were conducted.

~~2-10.1.2~~ **Receipts to be recorded.**—RECEIPTS TO BE RECORDED. Each ~~bingo- raffle~~ licensee ~~shall~~ MUST record the following:

- ~~a-~~(A) Gross receipts collected for all cards, packs and sheets sold for each occasion.
- ~~b-~~(B) Gross receipts collected for all pull tabs sold for each occasion and in bars and clubrooms.
- ~~e-~~(C) Gross receipts collected for all raffle tickets sold.

~~3-10.1.3~~ **Progressive bingo and pull tabs** PROGRESSIVE BINGO AND PULL TABS

- ~~a.~~(A) All receipts from the sale of progressive bingo cards AND PROGRESSIVE PULL TABS ~~shall~~ MUST be accounted for separately within the ~~bingo-affle~~ licensee's ~~games of chance~~ BINGO-RAFFLE checking or savings account created in accordance with section 12-9-108(3)(a) AND 12-9-108(3)(b), C.R.S.
- ~~b.~~ ~~All receipts from the sale of progressive pull tabs shall be accounted for separately within the bingo-affle licensee's games of chance checking or savings account created in accordance with section 12-9-108(3), C.R.S.~~
- ~~e.~~(B) All receipts from the sale of progressive bingo cards and progressive pull tabs ~~shall~~ MUST be deposited in the ~~games of chance~~ BINGO-RAFFLE account by means of separate deposit slips, ~~which shall show THAT INDICATE~~ the serial numbers of the progressive bingo cards sold and the serial numbers of the progressive pull tabs sold;. ALL DEPOSITS MUST BE MADE no later than the close of the business day ~~next following the day of~~ AFTER the occasion at which the cards were sold.
- ~~d.~~(C) Unless the ~~bingo-affle~~ licensee ~~has started~~ STARTS a progressive jackpot bingo game with a secondary jackpot amount, THE LICENSEE SHALL CONTINUOUSLY HOLD an amount equal to at least the ACCRUED PROGRESSIVE JACKPOT PRIZE ~~percentage amount of proceeds from the sale of all progressive bingo cards as announced by the bingo-affle licensee that will be added to the progressive jackpot shall be continuously held~~ in the licensee's BINGO-RAFFLE ~~games of chance~~ checking or savings account for the entire duration of the progression.— No part of this amount ~~shall~~ MAY be expended, transferred, or otherwise removed from the account prior to the payment of the progressive jackpot to a winner.
- ~~e.~~(D) If the ~~bingo-affle~~ licensee has started a progressive jackpot bingo game with a secondary jackpot amount, THE LICENSEE SHALL CONTINUOUSLY HOLD an amount equal to at least THE ACCRUED PRIMARY AND SECONDARY JACKPOTS ~~the percentage amount of the proceeds from the sale of all progressive bingo cards as announced by the bingo-affle licensee that will be added to the progressive jackpot plus the amount of the starting jackpot and the amount of the secondary jackpot shall be continuously held~~ in the licensee's ~~games of chance~~ BINGO-RAFFLE checking or savings account for the entire duration of the progression.— No part of this amount ~~shall~~ MAY be expended, transferred, or otherwise removed from the account prior to the payment of the progressive jackpot to a winner.
- ~~f.~~(E) If the ~~bingo-affle~~ licensee conducts a progressive pull tab game, the licensee ~~shall~~ MUST maintain an amount in the bingo-affle account sufficient to pay out the total of all prize amounts in the game.
- ~~g.~~(F) If the ~~bingo-affle~~ licensee fails to maintain account balances in accordance with this rule or uses such balances for unlawful purposes, it ~~shall be~~ THE FAILURE OR ACTION IS prima facie evidence of fraud.

~~B-10.2~~ **Method of accounting**—METHOD OF ACCOUNTING

~~1-10.2.1~~ **Accrual method.**—ACCRUAL METHOD. The ~~bingo raffle~~ licensee shall MUST use the accrual accounting method and shall MUST report ~~each and every games of chance~~ ALL BINGO-RAFFLE RELATED expenses incurred ~~during any calendar quarter~~ on the LICENSEE'S QUARTERLY financial statement. ~~covering that quarter,~~ THE LICENSEE MUST REPORT THESE EXPENSES regardless of whether ~~such~~ THE expense is paid when incurred or ~~is to be paid~~ at a later date. The licensee shall MUST not report ~~on the financial statement covering such quarter~~ any A payment that ~~has been~~ WAS reported in a previous quarter as an expense to be paid.

~~2-10.2.2~~ **Segregated bank accounts.**—SEGREGATED BANK ACCOUNTS.

~~a-(A)~~ The ~~bingo raffle~~ licensee shall MUST indicate on ~~the~~ forms provided by the ~~licensing authority~~ SECRETARY OF STATE, THE FINANCIAL INSTITUTION AND ACCOUNT NUMBERS FOR ALL ~~all special segregated games of chance~~ BINGO-RAFFLE checking or savings accounts ~~and shall identify the financial institution where such special the segregated accounts are maintained and the account numbers for such accounts.~~

~~b-(B)~~ The ~~bingo raffle~~ licensee shall MUST notify the ~~licensing authority~~ SECRETARY OF STATE in writing if the ~~bingo raffle~~ licensee changes the financial institution it uses to maintain the ~~special~~ segregated checking ~~and/or~~ savings accounts or if ~~it~~ THE LICENSEE closes an account or starts a new account.

~~3-10.2.3~~ **Accounting for prizes and payouts**—ACCOUNTING FOR PRIZES AND PAYOUTS. The ~~bingo raffle~~ licensee shall MUST maintain PRIZE AND PAYOUT records on forms prescribed or approved by the ~~licensing authority~~ SECRETARY OF STATE covering each occasion, bar and club room sales, and each raffle.— THE LICENSEE MUST RETAIN THE records ~~shall disclose the following information and be retained~~ for a period of two years following the calendar year in which bingo, pull tabs or raffles were conducted. THE RECORDS MUST DISCLOSE THE FOLLOWING INFORMATION:

~~(1)-(A)~~ The amount of the prizes paid to winners in cash or in merchandise for each bingo game at each occasion.

~~(2)-(B)~~ The amount of the prizes PAID to all pull tab winners at each occasion and bar and club room.

~~(3)-(C)~~ The amount of prizes paid to raffle winners for each raffle conducted.

~~(4)-(D)~~ The cost of all merchandise given as prizes in any bingo game, PULL TAB GAME, or raffle.

~~4-10.2.4~~ **Records.**—RECORDS. The ~~bingo-affle~~ licensee ~~shall~~—MUST maintain ADMINISTRATIVE records on forms prescribed or approved by the ~~licensing authority~~ SECRETARY OF STATE covering each occasion, bar and club room sales, and each raffle. The LICENSEE MUST RETAIN THE records ~~shall disclose the following information and be retained~~ for a period of two years following the calendar year in which bingo, pull tabs or raffles were conducted. THE RECORDS MUST DISCLOSE THE FOLLOWING INFORMATION:

~~a-(A)~~ (A) The name, address and signature of each games manager for the ~~bingo-affle~~ licensee at each ~~bingo-occasion~~ BINGO OCCASION, bar and club room or raffle.

~~b-(B)~~ (B) The full name of each member working the occasion.

~~5-10.2.5~~ **Availability of records.**—AVAILABILITY OF RECORDS. The ~~bingo-affle~~ licensee ~~shall~~—MUST have available on its premises all required daily records for the current quarter and the quarter immediately preceding on forms prescribed or approved by the ~~licensing authority~~ SECRETARY OF STATE. A LICENSEE MUST BE ABLE TO PRINT Rrecords maintained on a computer ~~must be capable of being printed~~ upon request OF THE SECRETARY OF STATE OR AUTHORIZED REPRESENTATIVE.

~~6-10.2.6~~ **Pull tab records.**—PULL TAB RECORDS. ~~The~~ EACH ~~bingo-affle~~ licensee that sells pull tabs ~~shall~~—MUST record sales and prize payout information on forms prescribed or approved by the ~~licensing authority~~ SECRETARY OF STATE, including a current summary of such sales. The licensee ~~shall~~—MUST retain the records for a period of two years. The licensee ~~shall~~—MUST maintain the records for the current and immediately preceding quarter on the premises where the pull tabs are sold and ~~shall~~—MUST make them available to the ~~licensing authority~~ SECRETARY OF STATE or authorized representatives upon request.

~~7-10.2.7~~ **Submission of bank statements to licensing authority.**—SUBMISSION OF BANK STATEMENTS TO THE SECRETARY OF STATE. Any ~~bingo-affle~~ licensee that turns in its license, has had its license suspended or revoked or for whatever reason ceases to conduct charitable gaming activities after it has opened a segregated ~~games of chance~~ BINGO-RAFFLE checking or savings account, or both, ~~shall~~—MUST send a copy of the bank statement for ~~such~~ EACH accounts to the ~~licensing authority~~ SECRETARY OF STATE within ~~thirty (30)~~ 30 days ~~of the end of the month in which~~ AFTER the licensee ceased operations.

#### ~~C-10.3~~ **Allowable expenses limitations**—ALLOWABLE EXPENSES LIMITATIONS

~~4-10.3.1~~ **Bookkeeper** .—BOOKKEEPER. A ~~bingo-affle~~ licensee ~~shall~~—MUST not pay more than ~~seventy-five dollars (\$75)~~ \$75 per occasion for bookkeeper or accountant services.— The ~~bingo-affle~~ licensee ~~shall~~—MUST notify the ~~licensing authority~~ SECRETARY OF STATE in writing, signed by an officer of the licensee, if it remunerates its games manager for performing bookkeeping or accounting services.

- ~~2-~~10.3.2 **Security.**—SECURITY. A bingo-raffle licensee ~~shall~~ MUST not pay more than ~~seventy five dollars (\$75)~~ \$75 per occasion for security unless security is provided by ONE OR MORE off-duty law enforcement officers. If a bingo-raffle licensee uses off-duty law enforcement officers, it ~~shall~~ MUST notify the ~~licensing authority~~ SECRETARY OF STATE and list the names and badge numbers of those officers who perform security duties prior to paying more than \$75 per occasion.
- ~~3-~~10.3.3 **Janitorial.**—JANITORIAL. A ~~bingo-raffle~~ bingo-raffle licensee ~~shall~~ MUST not pay more than ~~seventy five dollars (\$75)~~ \$75 per occasion for janitorial services. The ~~bingo-raffle~~ bingo-raffle licensee may only pay for janitorial services in facilities owned by the ~~bingo-raffle~~ bingo-raffle licensee or in its sole control, or which it uses ~~rent free~~ RENT-FREE.
- ~~4-~~10.3.4 **Advertising.**—ADVERTISING. A ~~bingo-raffle~~ bingo-raffle licensee ~~shall~~ MUST not pay more than the amount customarily charged by the medium used for advertisements of the same size and duration of publication.
- 10.3.5 CALL FULFILLMENT CENTER. A LICENSEE MAY PAY A REASONABLE AMOUNT TO CONTRACT A CALL FULFILLMENT CENTER FOR CALL RECEPTION AND DATA ENTRY ONLY. ALL ACTIVITIES OF THE CALL FULFILLMENT CENTER MUST COMPLY WITH RULE 8.1.1(E).
- ~~5-~~10.3.6 **Legal Services.**—LEGAL SERVICES. A ~~bingo-raffle~~ bingo-raffle licensee ~~shall~~ MAY only pay for legal services directly related to an administrative action brought by the SECRETARY OF STATE ~~licensing authority directly or through~~ the Colorado Department of Law or for legal advice relating to the interpretation of the ~~bingo and raffles law~~ BINGO AND RAFFLES LAW or these rules. ~~Upon request of the licensing authority, the bingo-raffle licensee shall provide such proof of the nature of such legal advice.~~

Current Rule 12.0 is amended and re-codified as Rule 11:

## ~~12.0 RENTAL AGREEMENTS.~~

### ~~RULE 11. RENTAL AGREEMENTS~~

#### ~~A-11.1 General~~ GENERAL

- ~~1-~~11.1.1 **License required.**—LICENSE REQUIRED. A ~~bingo-raffle~~ bingo-raffle licensee ~~shall~~ MAY only rent premises from ~~licensed~~ landlords LICENSED BY THE SECRETARY OF STATE.
- ~~2-~~11.1.2 **Lease fees.**—LEASE FEES.
- a-(A) The rental fee ~~shall~~ MAY ONLY cover the expenses reasonably necessary for the use of the premises for the occasion, plus any EXPENSES RELATED TO LANDLORD SPONSORED promotions ~~expenses, not to exceed \$1,000, for any promotion(s) conducted by the landlord licensee.~~
- b-(B) Rental agreements ~~shall~~ MUST not specify any fee that the ~~bingo-raffle~~ bingo-raffle licensee ~~shall~~ MUST charge for a player's right to participate in any games of chance conducted during a bingo occasion.

- e.(C) A ~~bingo-affle~~ licensee shall MUST not conduct any activity under the ~~bingo and raffelaw~~ BINGO AND RAFFLES LAW if the lease, rent, contract or any other arrangement under which the rights to use the premises for the conduct of the activity is based on a percentage of receipts or profits derived from such licensed activities.

## ~~B-11.2~~ **Termination**—TERMINATION

- 1-11.2.1 ~~Termination by bingo-affle licensee.~~—TERMINATION BY BINGO-RAFFLE LICENSEE. A ~~bingo-affle~~ licensee may terminate a rental agreement upon at least two weeks notice to the landlord licensee or upon the voluntary cessation of ~~games of chance~~ BINGO-RAFFLE operations by the ~~bingo-affle~~ licensee or suspension or revocation of the ~~bingo-affle~~ licensee's license by the ~~licensing authority~~ SECRETARY OF STATE.
- 2-11.2.2 ~~Termination by landlord licensee.~~—TERMINATION BY LANDLORD LICENSEE. A landlord licensee may terminate a rental agreement between the landlord licensee and any bingo-affle license by giving at least two weeks notice to the ~~bingo-affle~~ licensee or upon failure of the ~~bingo-affle~~ licensee to make payment for at least three bingo occasions.;

Current Rule 13.0 is amended and re-codified as Rule 12:

## **13.0 LANDLORD LICENSEES**

### **RULE 12. LANDLORD LICENSEES**

#### ~~A-12.1~~ **Application**—APPLICATION

- 1-12.1.1 ~~Forms.~~—FORMS. ~~Application for a~~ A landlord license APPLICANT shall MUST be made on USE THE forms prescribed and provided by the ~~Licensing Authority~~ SECRETARY OF STATE.
- 2-12.1.2 ~~Fees.~~—FEES. THE FEE ESTABLISHED BY THE SECRETARY OF STATE MUST ACCOMPANY ~~All~~ applications for a landlord license ~~must be accompanied by the fee established by the licensing authority.~~ THERE IS NO PRORATION OF THE ANNUAL LICENSE FEE.
- 3-12.1.3 ~~Duration.~~—DURATION. A landlord license is issued for a period of one calendar year (JANUARY THROUGH DECEMBER). ~~No prorating of the annual license fee will be allowed.~~

#### ~~B-12.2~~ **Lease agreements**—LEASE AGREEMENTS

- 1-12.2.1 ~~Copy to licensing authority.~~—COPY TO SECRETARY OF STATE. A landlord licensee shall MUST submit an executed copy of the rental agreement between the landlord licensee and each ~~bingo-affle~~ licensee to the ~~licensing authority~~ SECRETARY OF STATE prior to the conduct of any games of chance ~~in or~~ on the licensed premises.

~~2-12.2.2~~ **Equipment lease.**—EQUIPMENT LEASE. If a landlord licensee provides equipment on the licensed premises and the ~~bingo-affle~~ licensee has agreed to the use of ~~such~~-THE equipment, the landlord licensee ~~shall~~-MUST submit an executed copy of the equipment agreement between the landlord licensee and each ~~bingo-affle~~ licensee to the ~~licensing authority~~-SECRETARY OF STATE prior to the conduct of any games of chance in or on the licensed premises.

~~3.~~ **Termination.**—A landlord licensee may terminate a rental agreement between the landlord licensee and any ~~bingo-affle~~ license by giving at least two weeks notice to the ~~bingo-affle~~ licensee or upon failure of the ~~bingo-affle~~ licensee to make payment for at least three ~~bingo~~ occasions.

~~4-12.2.3~~ **Substitutions.**—SUBSTITUTIONS. A landlord licensee may negotiate with a ~~bingo-affle~~ licensee to have the ~~bingo-affle~~ licensee operate a bingo-affle occasion that was not provided in the original rental agreement between the landlord licensee and the ~~bingo-affle~~ licensee. The landlord licensee ~~shall~~-MUST submit an executed copy of the rental agreement to the ~~licensing authority~~-SECRETARY OF STATE within five (~~5~~)-working days of the date of the substituted occasion.

~~C-12.3~~ **Promotions.**—PROMOTIONS. A Landlord licensee may award a prize of merchandise, services, or cash in a promotion that does not exceed \$10,000; ~~however, a~~-A landlord licensee ~~shall~~-MUST not require participation by any ~~bingo-affle~~ licensee, and the landlord licensee ~~shall~~-MUST not require payment in excess of \$1,000 from any ~~bingo-affle~~ licensee for a promotion that the ~~bingo-affle~~ licensee has agreed to-THAT AGREES TO PARTICIPATE IN THE PROMOTION.

~~D-12.4~~ **Assistance with bingo-affle licensee games.**—ASSISTANCE WITH LICENSEE GAMES. A landlord licensee and its employees ~~shall~~-MUST not assist a ~~bingo-affle~~ licensee in the conduct or operation of games of chance. ~~to include~~-THIS ASSISTANCE INCLUDES BUT IS NOT LIMITED TO:

~~1-12.4.1~~ Acting as a caller;;

~~2-12.4.2~~ Selling bingo packs, sheets or electronic BINGO aids DEVICES;;

~~3-12.4.3~~ Acting as a floor worker;;

~~4-12.4.4~~ Operating ~~any~~-A bingo computer aid system other than instructing a ~~bingo-affle~~ licensee on its use and maintenance;:-

~~5-12.4.5~~ Providing ~~any~~ bookkeeping or accounting services to a ~~bingo-affle~~ licensee.

~~E-12.5~~ **Prohibited Activities** PROHIBITED ACTIVITIES

~~1-12.5.1~~ A landlord licensee ~~shall~~-MUST not require any ~~bingo-affle~~ licensee that operates games of chance on the premises to adopt a specific set of occasion rules.

- ~~2-~~12.5.2 A landlord licensee ~~shall~~ MUST not require, coerce or induce a ~~bingo-affle~~ licensee to purchase supplies from a specific supplier as a condition of rental of the premises.
- ~~3-~~12.5.3 A landlord licensee ~~shall~~ MUST not require, coerce or induce a ~~bingo-affle~~ licensee to charge players ~~any~~ A set pack price, admission to the premises, or other fee as a condition of rental of the premises.
- ~~4-~~12.5.4 A landlord licensee ~~shall~~ MUST not require, coerce or induce a ~~bingo-affle~~ licensee to conduct ~~any~~ A set number of bingo games during an occasion ~~and shall not require, coerce or induce a bingo-affle licensee to~~ OR set a minimum prize amount per game or occasion as a condition of rental of the premises.

Current Rule 14.0 is amended and re-codified as Rule 13:

## **14.0 MANUFACTURER AND SUPPLIER LICENSEES**

### **RULE 13. MANUFACTURER AND SUPPLIER LICENSEES**

#### ~~A-~~13.1 ~~Application~~ APPLICATION

- ~~1-~~13.1.1 **Forms.**—FORMS. ~~Application for a~~ A manufacturer's or supplier's license APPLICANT ~~shall~~ MUST USE THE ~~be made on~~ forms prescribed ~~and provided~~ by the ~~licensing authority~~ SECRETARY OF STATE.
- ~~2-~~13.1.2 **Fees.**—FEES. THE FEE ESTABLISHED BY THE SECRETARY OF STATE MUST ACCOMPANY ~~A~~all applications for a manufacturer's or supplier's license ~~must be accompanied by the fee established by the licensing authority.~~ THERE IS NO PRORATION OF THE ANNUAL LICENSE FEE.
- ~~3-~~13.1.3 **Duration.**—DURATION. A manufacturer's or supplier's license is issued for a ~~twelve~~ 12-month period commencing April 1 and ending March 31 of the following calendar year. ~~There is no pro-ration of the annual license fee.~~
- 13.1.4 SOFTWARE MANUFACTURERS. COMPANIES THAT PRODUCE BINGO, PULL TAB, OR RAFFLE SOFTWARE MUST HOLD A MANUFACTURER'S LICENSE AND COMPLY WITH ALL STATUTES AND RULES PERTAINING TO BINGO-RAFFLE MANUFACTURERS IN COLORADO

#### ~~B-~~13.2 ~~Authorized sales~~ AUTHORIZED SALES

- ~~1-~~13.2.1 **Licensed purchasers.**—LICENSED PURCHASERS. A licensed supplier or manufacturer may sell supplies and equipment only to licensed ~~bingo-affle~~ licensees.
- ~~2-~~13.2.2 **Financial terms.**—FINANCIAL TERMS. A licensed supplier or manufacturer may sell supplies and equipment to licensed bingo-affle licensees for cash or on terms agreed to between the licensed supplier or manufacturer and the ~~bingo-affle~~ licensee, but such terms ~~shall~~ MAY not exceed ~~sixty (60)~~ 60 days.

~~C-13.3~~ ~~Delinquent accounts.~~—DELINQUENT ACCOUNTS. IF A LICENSEE'S ACCOUNT WITH A SUPPLIER OR MANUFACTURER IS MORE THAN 60 DAYS PAST DUE, THEN ~~Each~~

13.3.1 The supplier or manufacturer ~~shall~~—MUST report to the ~~licensing authority~~ SECRETARY OF STATE by the tenth day of each month, the name of ~~any~~—THE bingo-~~raffle~~ licensee whose account is in arrears. ~~by more than sixty (60) days as of the last day of the preceding calendar month.~~

13.3.2 The ~~licensing authority~~ SECRETARY OF STATE ~~shall~~—WILL notify all licensed suppliers, suppliers' agents, and manufacturers and the ~~bingo-raffle~~ licensee that, until further notice from the ~~licensing authority~~—SECRETARY OF STATE, all sales of bingo supplies and equipment to the delinquent ~~bingo-raffle~~ licensee ~~shall~~—MUST be on a cash-only basis.

13.3.3 No supplier, supplier's agent, or manufacturer ~~shall~~—MAY extend credit to the delinquent licensee until ~~such time as the licensing authority~~—SECRETARY OF STATE approves, IN WRITING, credit sales to ~~such~~—THE licensee ~~in writing.~~

~~D-13.4~~ ~~Discontinued pull tabs.~~—DISCONTINUED PULL TABS. A ~~Colorado~~ licensed supplier or manufacturer that sells progressive pull tab games to any ~~bingo-raffle~~ licensee ~~in Colorado~~ may ~~elect to~~ discontinue distribution or production of ~~any~~ specific progressive pull tab games ~~that it has sold in Colorado~~ if:

~~1-~~13.4.1 The licensed supplier or manufacturer provides at least ~~sixty (60)~~—60 days written notice to the ~~licensing authority~~—SECRETARY OF STATE and to all ~~bingo-raffle~~ licensees that have purchased ~~said~~—THE pull tab game from ~~such~~—THE supplier or manufacturer within the previous 12 months. THE NOTICE MUST STATE that the supplier or manufacturer intends to discontinue the distribution or ~~the manufacture~~ of ~~said~~—THE progressive pull tab game on a specified future date, ~~which date shall be not less than sixty (60)~~—THAT IS AT LEAST 60 days after ~~such~~ notice is received by the ~~licensing authority~~—SECRETARY OF STATE; and

~~2-~~13.4.2 The supplier or manufacturer maintains a sufficient inventory of pull tab deals for that progressive pull tab game to ensure that all ~~bingo-raffle~~ licensees that have purchased ~~said~~—THE game within the PREVIOUS 12 MONTHS ~~preceding year~~ can close the game by awarding a jackpot.

Current Rule 15.0 is amended and re-codified as Rule 14:

## ~~15.0 ELECTRONIC DEVICES USED AS BINGO AIDS AND BINGO AID COMPUTER SYSTEMS—MANUFACTURERS AND SUPPLIER REQUIREMENTS~~

### ~~RULE 14. ELECTRONIC DEVICES USED AS BINGO AIDS AND BINGO AID COMPUTER SYSTEMS MANUFACTURERS AND SUPPLIER REQUIREMENTS~~

#### ~~A-14.1~~ ~~General~~—GENERAL

~~1-~~14.1.1 **Application for approval.**—APPLICATION FOR APPROVAL. Any Colorado licensed manufacturer of an electronic bingo aid device and computer system may apply for a letter ruling pursuant to ~~IN ACCORDANCE WITH~~ section 12-9-103(1)(d), C.R.S., by submitting a written request to the ~~licensing authority~~ SECRETARY OF STATE. The request ~~shall~~ MUST include the manufacturer's name, license number, address, telephone and fax numbers, and an email address ~~if available~~; the make, model and description of the bingo aid device and computer system for which approval is sought; and the name and specific contact information of ~~at least one~~ THE MANUFACTURER'S representative ~~of the manufacturer~~ who is available to the ~~licensing authority~~ as an expert on the construction, programming, and operation of the device and system for which approval is sought. All requests ~~shall~~ MUST ALSO include:

- ~~a.~~(A) A complete user's manual of the bingo aid device/ OR system for which approval is sought; and
- ~~b.~~(B) Either a working prototype or a location in Colorado where the MANUFACTURER CAN DEMONSTRATE THE prototype ~~can be demonstrated by the manufacturer~~; and
- ~~e.~~(C) An affirmation from the manufacturer stating that the manual(s) and prototype(s) submitted to the ~~licensing authority~~ SECRETARY OF STATE do not differ materially from the manual(s), device(s) and system(s) that will be distributed in Colorado after approval of the prototype(s); and
- ~~d.~~(D) In the case of a bingo aid device, a verified certificate from the manufacturer stating that the device meets all the standards set forth in section 12-9-107(29)(a)(II)(A) through (D), C.R.S., and that the device is ~~or~~ can AND WILL be restricted to allow the play of no more than ~~thirty six~~ (36) faces per bingo game, ~~and will be so restricted for distribution of the device in Colorado~~; and
- ~~e.~~(E) In the case of a bingo aid computer system, a verified manufacturer's certificate stating that the system meets all the requirements set forth in section 12-9-107(30)(a) through (c), C.R.S., and that the system, if constructed or intended for more than one ~~bingo raffle~~ licensee, is capable of segregating, and securing, AND RESTRICTING ACCESS TO each licensee's data in such a manner that each licensee has a secure access to its own data ~~but no licensee has access on any level to any other licensee's data.~~ SO THAT NO OTHER LICENSEE CAN ACCESS THE DATA; AND
- ~~f.~~(F) ~~IF~~ THE MANUFACTURER MUST VERIFY THAT a bingo aid computer system THAT is designed for use by more than one user; ONLY ALLOWS each users ~~shall have~~ TO access to the system through its own A UNIQUE USER identification and password, smart card, ~~or~~ token, or other method. Identification and access ~~shall~~ MUST:

- (1) Ensure that the ~~bingo-affle~~ licensee's data is accessible only to the bearer of the licensee's unique identifier, the ~~licensing authority~~ SECRETARY OF STATE and the personnel of the system's manufacturer; and
- (2) Clearly identify all of the licensee's data and only the licensee's data.

~~2-14.1.2~~ **Letter ruling.**—LETTER RULING. The ~~licensing authority~~ SECRETARY OF STATE ~~shall~~ WILL issue a letter ruling ~~regarding an electronic bingo aid device or bingo aid computer system~~ within ~~forty five (45)~~ 45 days after receipt of the LETTER RULING request ~~for letter ruling. For purposes of calculating start of the forty five (45) days, a request shall not be considered received unless it has been received in the office of the licensing authority complete with all attachments required by these rules.~~

~~3-14.1.3~~ **Authorization required.**—AUTHORIZATION REQUIRED. A manufacturer or supplier licensee ~~shall~~ MUST not distribute any electronic bingo aid device or bingo aid computer system that differs materially in construction, hardware, software, or operation from a previously approved device or system until ~~such manufacturer or supplier has requested approval of the device or system and has received authorization in writing from the licensing authority~~ SECRETARY OF STATE ~~approving~~ APPROVES the differing device or system. A manufacturer or supplier does not have to request authorization for nonfunctional differences in a device or system, including but not limited to, changes in screen appearance, case color or size, or power supply.

~~B-14.2~~ **Agreements with bingo-affle licensees.**—AGREEMENTS WITH BINGO-RAFFLE LICENSEES. Any contract or agreement between a manufacturer, supplier or agent and a bingo-affle licensee concerning the rental, lease or use of any bingo aid device or bingo aid computer system ~~shall be~~ ARE subject to the following:

~~1-14.2.1~~ **Initial term.**—INITIAL TERM. The initial term and any subsequent term of the contract or agreement ~~shall~~ MUST not exceed one year; ~~and~~.

~~2-14.2.2~~ **Extensions.**—EXTENSIONS. The contract or agreement may be extended only upon the WRITTEN affirmative consent of the ~~bingo-affle~~ licensee ~~in writing~~.

~~3-14.2.3~~ **Termination.**—TERMINATION. The contract ~~shall~~ MAY be terminated if:

- (1)(A) The ~~bingo-affle~~ licensee ceases ~~games of chance~~ BINGO-RAFFLE operations;
- (2)(B) The ~~licensing authority~~ SECRETARY OF STATE suspends or revokes the license of the ~~bingo-affle~~ licensee;

- (3)(C) ~~The bingo raffle licensee gives the other party to the contract or agreement written notice at least thirty (30) 30 days in advance, of the bingo raffle licensee's intention to terminate the contract.~~

~~C-14.3 Licensing Authority powers. SECRETARY OF STATE POWERS.~~

~~1-14.3.1 Violation of law. VIOLATION OF LAW. The licensing authority SECRETARY OF STATE, in addition to or in lieu of any other penalties or corrective actions, may restrict or prohibit the use by a bingo raffle licensee of any electronic bingo aid device or computer system that violates any provision of law or these rules regulating such devices and systems.~~

~~2-14.3.2 Access. ACCESS AND AUDIT.~~

- (A) ~~UPON REQUEST, A MANUFACTURER, SUPPLIER, OR AGENT OF A BINGO AID COMPUTER SYSTEM MUST GRANT ¶The SECRETARY OF STATE licensing authority shall have access to all bingo aid computer systems in use within the state. upon written request to the manufacturer, supplier or agent. Such access will be for the purpose of allowing ¶The licensing authority SECRETARY OF STATE WILL USE THIS ACCESS to audit any system and verify that the system is operated in compliance with the law and rules regulating bingo aid computer systems.~~

(B) ~~INDEPENDENT TESTING.~~

- (1) ~~When an audit is initiated by the licensing authority, UPON INITIATING AN AUDIT, THE SECRETARY OF STATE MAY REQUIRE THE MANUFACTURER TO SUBMIT any electronic bingo aid device, bingo aid computer system, random number generator, or THE operating software of any electronic bingo aid device, bingo computer system, or random number generator may be submitted, at the manufacturer's expense, for testing by any AN independent testing facility. specified by the licensing authority TESTING IS AT THE MANUFACTURER'S EXPENSE AND THE SECRETARY OF STATE WILL SPECIFY THE INDEPENDENT TESTING FACILITY.~~

- (2) ~~The SECRETARY OF STATE licensing authority, in consultation with the independent testing facility, shall WILL determine if the electronic BINGO AID device and software is operating in compliance with the requirements and restrictions of APPLICABLE LAWS AND RULES the Bingo and Raffles Law and these rules.~~

- (C) ~~If the SECRETARY OF STATE licensing authority has requested REQUESTS access to a particular system and the manufacturer, supplier or agent has DOES not complied COMPLY, the manufacturer, supplier and agent are prohibited from allowing a bingo raffle licensee to put such USE THE bingo aid computer system into play until authorized by the SECRETARY OF STATE licensing authority.~~

~~D-14.4~~**Random number generators.**—RANDOM NUMBER GENERATORS. Any manufacturer or supplier that intends to sell or lease bingo equipment that generates numbers electronically rather than the use of balls, blowers and master boards must submit the following to the ~~Licensing Authority~~ SECRETARY OF STATE prior to the sale or lease of such equipment to ~~bingo raffle~~ licensees:

~~1-14.4.1~~ An operator's manual for the model or models intended for sale or lease;  
~~and~~

~~2-14.4.2~~ Technical specifications for the model or models TO BE SOLD OR LEASED ~~intended for sale or lease~~ that describe the method and algorithm of randomly generating numbers, along with the method used to ensure that duplicate numbers cannot be called; ~~and~~

~~3-14.4.3~~ ~~All letters~~ LETTERS of authorization ~~from all other jurisdictions~~ regarding the sale, lease, use or restrictions on use for each state in which the model or models is currently being sold, leased or otherwise used; and

~~4-14.4.4~~ Upon request of the ~~Licensing Authority~~ SECRETARY OF STATE, a working model capable of demonstrating play or a location where such equipment can be demonstrated to the ~~Licensing Authority~~ SECRETARY OF STATE.

Current Rule 16.0 is amended and re-codified as Rule 15:

## **16.0 Fines**

### **RULE 15. FINES**

15.1 GENERAL. The schedule of fines provided in this rule applies to any violation of the Bingo and Raffles Law or Rules for which the ~~Licensing Authority~~ SECRETARY OF STATE elects to impose an administrative fine in lieu of seeking a license suspension or revocation.

~~A-15.2~~**Class 1 Violations.**—CLASS 1 VIOLATIONS. A Class 1 violation is ~~one that demonstrates an element of willfulness, in that it involves the licensee's performance of any~~ A WILLFUL act THAT IS specifically prohibited by statute or rule, ~~when such violation~~ AND does, may, or is intended to result directly in the profit or enrichment of the violator or any person(s) associated with the violator.

15.2.1 The fine for ~~each citation~~ of a Class 1 violation ~~shall be~~ IS \$100.00.

15.2.2 Class 1 ~~shall~~ VIOLATIONS include, but ~~is~~ ARE not limited to:

~~1-~~(A) Employing a device, scheme, or artifice to defraud or deceive in connection with any charitable gaming activity;

~~2-~~(B) Engaging in an act, practice, or conduct that constitutes fraud or deceit, including any intentional misstatement of fact, in charitable gaming operations;

- ~~3.~~(C) Transferring any license issued pursuant to ~~IN ACCORDANCE WITH~~ the Colorado Bingo and Raffles Law;
- ~~4.~~(D) Authorizing or permitting any person(s) other than active members of a ~~bingo-raffle~~ licensee to assist in the management and/or operation of games of chance;
- ~~5.~~(E) Conducting more than 220 bingo occasions in one calendar year under color of a single bingo-raffle license;
- ~~6.~~(F) Possessing, using, selling, offering for sale or putting into play any computerized or electro-mechanical facsimile of a pull tab game, any pull tab game not purchased from a licensed supplier and accompanied by a complete supplier's invoice; any pull tab game that is marked, altered, tampered with, commingled or known to be defective; any pull tab game in any unlicensed premises, other than the ~~bingo-raffle~~ licensee's own premises; or any pull tab game that does not conform to the definitions and requirements of the Bingo and Raffles ~~law~~-LAW.
- ~~7.~~(G) Permitting any person under the age of eighteen to purchase the opportunity to participate in a game of chance.
- ~~8.~~(H) Allowing any person other than a licensee's owner, officer, director, member, shareholder of more than 10% of the licensee's ownership interests, or licensed agent to represent a supplier, manufacturer or landlord licensee with regard to any Colorado transaction.
- ~~9.~~(I) Buying, selling, receiving, furnishing, or distributing games of chance equipment to any person in Colorado other than a ~~bingo-raffle~~ licensee, a supplier licensee and its licensed agents, or a manufacturer licensee.
- ~~10.~~(J) Filing any falsified and/or materially misleading renewal application or quarterly financial statement.
- ~~11.~~(K) Authorizing, permitting, or receiving any remuneration or inurement for participating in the management or operation of a licensed game of chance.
- ~~12.~~(L) Requiring, inducing or coercing a ~~bingo-raffle~~ licensee to enter into any agreement contrary to the Bingo and Raffles ~~law~~-LAW, or to purchase supplies or equipment from a particular supplier as a condition of conducting games of chance at a commercial bingo facility.

~~B-15.3 Class 2 Violations.~~ CLASS 2 VIOLATIONS. A Class 2 violation is ~~one demonstrating an element of~~ A willfulness, in that it involves a licensee's performance of any act THAT IS specifically prohibited by statute or rule, ~~when such violation~~ AND is not intended to and does not directly result in the profit or enrichment of the violator.

15.3.1 The fine for ~~each citation of~~ a Class 2 violation ~~shall be~~ IS \$75.00.

15.3.2 Class 2 ~~shall~~ VIOLATIONS include, but ~~is~~ ARE not limited to:

- ~~1.~~(A) Using bingo-raffle equipment that is not owned or leased by a landlord licensee or owned or leased by a ~~bingo-raffle~~ licensee.
- ~~2.~~(B) Paying other than reasonable, bona fide, lawful expenses in connection with the conduct of licensed games of chance, purchasing games of chance prizes or equipment at prices exceeding reasonable and usual amounts, or other use of games of chance proceeds for other than the lawful purposes of the ~~bingo-raffle~~ licensee.
- ~~3.~~(C) Converting into or redeeming for cash any bingo merchandise prizes.
- ~~4.~~(D) Offering or giving any alcoholic beverage as a prize in a licensed game of chance.
- ~~5.~~(E) Giving, receiving, authorizing, or permitting the assistance in the conduct of games of chance of any person~~(s)~~ disqualified or prohibited by statute or rule from rendering such assistance.
- ~~6.~~(F) Offering or giving any bingo door prizes or jackpot prizes exceeding the statutory maximum amounts set for ~~such~~ prizes.
- ~~7.~~(G) Reserving or setting aside bingo cards or pull tabs for use by players, EXCEPT AS AUTHORIZED IN SECTION 12-9-107(27), C.R.S., OR, EXCEPT AS AUTHORIZED BY THESE RULES, RESERVING OR ALLOWING TO BE RESERVED ANY SEAT OR PLAYING SPACE FOR USE BY PLAYERS.
- ~~8.~~(H) Drawing a check on a bingo-raffle account payable to “cash”- or to a fictitious payee.
- ~~9.~~(I) Authorizing or allowing the play of bingo by a person not present on the premises where the game is conducted, or the play of any game of chance on credit, or without collecting the consideration required in full and in advance.
- ~~10.~~(J) Engaging in any act, practice or conduct described as a Class 1 violation in ~~Rule 16.A~~ RULE 15.2, or that would otherwise be a Class 1 violation, when ~~such~~ THE act or conduct is not intended to and does not directly result in the profit, inurement or remuneration of the violator.

~~E-15.4 Class 3 Violations.~~ CLASS 3 VIOLATIONS. A Class 3 violation is one that occurs when a licensee omits, fails or neglects to comply with a requirement set forth in the statutes or rules, but that does not involve the affirmative performance of an act specifically prohibited by statute or rule. —Class 3 violations ~~shall be~~ ARE deemed negligent rather than willful, unless a specific violation is repeated within a two-year period ~~and/or~~ the

facts of the violation show that the violator knowingly and deliberately failed or refused to comply with a requirement or standard set by statute or rule.

15.4.1 The fine for a ~~class~~ CLASS 3 violation ~~shall be~~ IS \$20.00 unless the violation is repeated or knowing and deliberate, in which case the fine ~~shall be~~ IS \$50.00.

15.4.2 Class 3 ~~shall~~ VIOLATIONS include, but ~~is~~ ARE not limited to:

- ~~1.~~(A) Neglecting to display a license or other document at a time and place where ~~such~~ display is required.
- ~~2.~~(B) Failing to file with the ~~licensing authority~~ SECRETARY OF STATE any quarterly report, administrative fee, or rental or other document at the time required for ~~such~~ THE filing, or omitting required information on such a filing.
- ~~3.~~(C) Failing to keep ~~and/or~~ furnish required records in connection with any licensed activity.
- ~~4.~~(D) Omitting any required procedure in the conduct of bingo-raffle activities.
- ~~5.~~(E) Failing to designate an officer responsible for the use of games of chance proceeds.
- ~~6.~~(F) Neglecting to have a certified games manager present continuously during the conduct of any raffle or bingo occasion and for thirty minutes after the last game in an occasion.
- ~~7.~~(G) Failing to have games of chance premises or equipment open or available for inspection by the ~~licensing authority~~ SECRETARY OF STATE or police officers.
- ~~8.~~(H) Failing to deposit ~~and/or~~ maintain all games of chance receipts in a special segregated checking or savings account of the licensee, or to withdraw any funds expended from such account by means of consecutively numbered checks or withdrawal slips signed by AN officer(~~s~~) OR OFFICERS of the ~~bingo-raffle~~ licensee and showing the payee and a description of reason for the payment for which ~~such~~ THE check or withdrawal slip is made, or by electronic funds transfer.
- ~~9.~~(I) Failing to submit the required administrative fee, or a portion thereof, at the time of filing a required quarterly financial report.
- ~~10.~~(J) Neglecting to give required notice of the termination of a rental agreement or the cancellation of a bingo occasion.
- ~~11.~~(K) Omitting required information from a raffle ticket, if ~~such~~ THE ticket has been offered for sale or sold without the approval of the ~~licensing authority~~ SECRETARY OF STATE.

~~12. Violating any provision of the bingo and raffles law but not specifically mentioned.~~

~~D-15.5 Citations.~~ CITATIONS.

~~1-15.5.1~~ **Issuance.**—ISSUANCE. The ~~licensing authority~~ SECRETARY OF STATE shall issue all citations in writing, signed and dated by the authorized agent of the SECRETARY OF STATE ~~licensing authority~~ and shall identify the licensee cited; the facts and/or conduct constituting the violation, the specific rule or statutory provision violated, the fine assessed in accordance with this rule and the Bingo and Raffles Law.

~~2-15.5.2~~ **Delivery.**—DELIVERY. Citations may be delivered to the cited licensee, to the attention of its games manager(s), GAMES MANAGERS, OFFICER or officers(~~s~~) on record in the files of the ~~licensing authority~~ SECRETARY OF STATE, either personally or by first class mail.

~~3-15.5.3~~ **Suspension or reduction of fine.**—SUSPENSION OR REDUCTION OF FINE. The ~~licensing authority~~ SECRETARY OF STATE, for good cause shown, may suspend or reduce any fine imposed ~~pursuant to~~ IN ACCORDANCE WITH this rule. Requests for fine suspensions or reductions must be in writing, must be received by the ~~licensing authority~~ SECRETARY OF STATE within ~~twenty (20)~~ 20 days of the date of the citation, and must state and document with particularity the facts, circumstances and ~~or~~ arguments supporting ~~such~~ THE request.

15.4.4 REFERRAL TO LAW ENFORCEMENT. IRRESPECTIVE OF WHETHER A CITATION WAS ISSUED, THE SECRETARY OF STATE RESERVES THE RIGHT TO REFER ANY VIOLATION TO A LAW ENFORCEMENT AGENCY.

~~E-15.6 Hearings.~~ HEARINGS AND PAYMENT OF FINES.

~~1-15.6.1~~ **Request for hearing.**—REQUEST FOR HEARING. In accordance with section ~~12-9-103(1) (a) (II)~~ 12-9-103(1)(a)(II), C.R.S., a licensee may request a hearing BEFORE AN ADMINISTRATIVE LAW JUDGE to appeal the imposition of a fine ~~to an administrative law judge~~. Requests for an administrative hearing must be in writing and must be received by the ~~licensing authority~~ THE SECRETARY OF STATE MUST RECEIVE A WRITTEN REQUEST FOR A HEARING within ~~twenty (20)~~ 20 days of the date THAT the ~~licensing authority~~ SECRETARY OF STATE ~~refused a request to suspend or reduce any fine~~ DENIED A FINE SUSPENSION OR REDUCTION REQUEST .

~~2.~~ **Payment of fines.** Unless a licensee has submitted a request for a suspension or reduction of any fine imposed by the ~~licensing authority~~, or has submitted a request for a hearing before an administrative law judge, any fine imposed pursuant to this rule must be paid within ~~twenty (20)~~ days of the date of the citation imposing such fine. All fines must be paid by check or money order, payable to the Colorado Secretary of State. If the ~~licensing authority~~ denies a request for a suspension or grants a request for a reduction of the fine, the fine or reduced fine must be paid within ~~twenty (20)~~ days of the date of the notice of

~~denial or reduction. If an administrative law judge finds that an appeal of a fine must be denied, the fine that was appealed must be paid within twenty (20) days of the date of issuance of the administrative law judge's order.~~

#### 15.6.2 PAYMENT OF FINES.

- (A) IF A LICENSEE DOES NOT REQUEST A FINE SUSPENSION, FINE REDUCTION, OR HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE, THEN THE LICENSEE MUST PAY WITHIN 20 DAYS OF THE DATE OF THE CITATION IMPOSING THE FINE.
- (B) IF THE SECRETARY OF STATE DENIES A SUSPENSION REQUEST OR GRANTS A REDUCTION REQUEST, THEN THE LICENSEE MUST PAY THE FINE OR REDUCED FINE WITHIN 20 DAYS OF THE DATE OF THE NOTICE OF DENIAL OR REDUCTION.
- (C) IF AN ADMINISTRATIVE LAW JUDGE DENIES AN APPEAL OF A FINE, THEN THE LICENSEE MUST PAY THE APPEALED FINE WITHIN 20 DAYS OF THE DATE OF THE ISSUANCE OF THE ADMINISTRATIVE LAW JUDGE'S ORDER.
- (D) A LICENSEE MUST PAY FINES BY CHECK OR MONEY ORDER, PAYABLE TO THE COLORADO SECRETARY OF STATE.

#### **II. Basis, Purpose, and Specific Statutory Authority**

A Statement of Basis, Purpose, and Specific Statutory Authority follows this notice and is incorporated by reference.

#### **III. Effective Date of Adopted Rules**

These new and amended rules will become permanently effective twenty days after publication in the Colorado Register.<sup>5</sup>

Dated this 6<sup>th</sup> day of February, 2013,



Suzanne Staiert  
Deputy Secretary of State

For

Scott Gessler  
Colorado Secretary of State

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<sup>5</sup> Section 24-4-103(5), C.R.S. (2012).



## **Statement of Basis, Purpose, and Specific Statutory Authority**

### **Office of the Secretary of State Rules Concerning Bingo and Raffles Games 8 CCR 1505-2**

**February 6, 2013**

#### **I. Basis and Purpose**

This statement is about amendments to the Colorado Secretary of State rules concerning bingo and raffles games adopted by the Secretary of State. Additionally, this statement addresses proposed amendments that the Secretary of State did not adopt.

##### **1. Adopted amendments**

The Secretary finds that the following adopted amendments aid in the uniform and proper administration, implementation, and enforcement of Colorado bingo and raffles laws.<sup>1</sup> They are also necessary to improve the administration of bingo and raffles games in Colorado and to answer questions arising under State bingo-raffle laws.

- Rule 1.0 is repealed.
- Amendments to Rule 1 (formerly Rule 2.0) clarify, establish, and eliminate definitions:
  - Current Rule 2.0.A, which contains substantive information concerning the start and end of a bingo game, is relocated to new Rule 3.1.1.
  - Amendments to Rule 1.2 (formerly Rule 2.0.C) remove substantive language concerning the display of merchandise prizes from the definition of bucket raffle. This language is relocated to Rule 8.3.3 (formerly Rule 9.0.E.3).
  - New Rule 1.3 defines “Call Fulfillment Center.”
  - Current Rule 2.0.E is repealed because the term “Deal” is already defined in section 12-9-102(2.7), C.R.S.
  - New Rule 1.9 defines “Licensee” as used in the bingo and raffle games rules. This definition allows for more concise rules by eliminating the use of the term “bingo-raffle” when referring to organizations that hold a bingo-raffle license.
  - Amendments to Rule 1.17 (formerly Rule 2.0.Q) remove language repeated in Rule 5.2 (formerly Rule 6.0.B).

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<sup>1</sup> Article XVIII, Section 2 of the Colorado Constitution and Article 9, Title 12 of the Colorado Revised Statutes.

- Current Rule 2.0.R is repealed because the term “Sheet” is already defined in section 12-9-102(20.1), C.R.S.
- Revisions to Rule 2.1.1 (formerly Rule 3.0.A.1) clarify requirements for initial bingo-raffle license applications
- Revisions to Rule 2.1.2 (formerly Rule 3.0.A.2) clarify requirements for renewal bingo-raffle license applications.
- New Rule 2.3.2 clarifies that a games manager must be present during all charitable gaming activities, and for at least 30 minutes after activities end.
- Amendments to Rule 2.4.3(a) (formerly Rule 3.0.B.3.a) clarify that bingo occasion rules must not be in conflict with Colorado bingo-raffle statute or rules.
- Revisions to Rule 2.4.4 (formerly Rule 3.0.B.4) clarify posting requirements for cash and merchandise prizes at bingo occasions, and provide requirements for offering a cash prize as an alternative to a merchandise prize when players achieve more than one bingo. Corresponding changes to Rule 3.1.6 provide further guidance for offering an alternative cash bingo prize.
- New Rule 3.1.11 prohibits the saving of seats or playing spaces for players with the exception of reserving a seat to provide a reasonable accommodation for a player with a disability.
- New Rule 3.2.3(e) allows licensees to set self-imposed progressive jackpot maximums and provides guidelines for this allowance.
- New Rule 3.2.9 clarifies language from former Rule 4.0.B.1.i that licensees must not change the percentage amount added to a progressive jackpot, or the timing of when the amount is added.
- Amendments to Rule 4.1.1(a)(2) (formerly Rule 5.0.A.1) clarify that bingo-raffle proceeds may not be commingled with funds in other accounts.
- New Rule 5.1.10(c) allows licensees to maintain a separate cash fund in a bar or clubroom. The cash fund may not exceed \$2,000.
- Amendments to Rule 5.4.6 (formerly Rule 6.0.D.7) clarify the procedures for awarding a progressive pull tab prize when it reaches the \$5000 maximum.
- New Rule 6.1.3 amends and relocates former rule 7.0.A.4 to clarify that a licensee may use a bingo aid computer system at any time, and must use a bingo aid computer system if the licensee allows electronic bingo aid devices during a bingo occasion.
- Amendments to Rule 6.3.2(c) (formerly Rule 7.0.A.6.c) clarifies that an appointed games manager or officer is responsible for controlling the means of access to a bingo aid computer system.
- Amendments to Rule 7.1 (formerly Rule 8.0.A) clarify that a licensee must allow promotion participants to be present at the promotional drawing without paying any applicable entry fees. Revisions to reporting requirements clarify that licensees need only report the information stipulated in section 12-9-102.5(4)(a), C.R.S.

- Amendments to Rule 8.1.1(a) (formerly Rule 9.0.A.1.a) clarify that licensee members may not sell raffle tickets at any time that they are receiving compensation for performing regular duties for the licensee.
- New Rule 8.1.1(e) allows licensees to establish a contract with a call fulfillment center in order to process raffle ticket orders, and outlines requirements for licensees that utilize these services.
- Amendments to Rule 8.1.4 (formerly Rule 9.0.A.4) clarify that special raffle ticket requirements apply if the retail value of prizes to be given away in a single drawing exceeds \$1,000.
- Amendments to Rule 8.1.4(c) (formerly Rule 9.0.A.4.c) revise requirements for collecting raffle participant information in the case of large raffle prizes.
- New Rule 8.1.5 clarifies general requirements for requiring presence at a raffle drawing to win a prize.
- New Rule 10.3.5 allows the use of a call fulfillment center as an allowable expense.
- Revisions to Rule 10.3.6 (formerly Rule 11.0.C.5) limit the Secretary of State's authority to request proof of the nature of legal advice paid for with bingo-raffle funds.
- New Rule 13.1.4 clarifies that software manufacturers who produce charitable gaming software must hold a manufacturer's license and comply with all Colorado bingo-raffle statutes and rules.
- New Rule 15.5.4 clarifies the Secretary of State's authority to refer violations to a law enforcement agency.
- Other changes to rules not specifically listed are entirely non-substantive. Some words and phrases are changed to simplify or clarify, but the meaning is not intended to be altered unless as described above. Cross-references in rules are also corrected or updated. Renumbering the rules is necessary for consistency with Department rulemaking format/style.

## **2. Proposed amendments that the Secretary of State did not adopt**

The Secretary of State did not adopt the following recommendations submitted by members of the Colorado Bingo-Raffle Advisory Board and bingo-raffle stakeholders for the reasons provided below:

- Amendments to increase the maximum number of allowable faces on an electronic bingo aid device from 36 to 54 as proposed by the Colorado Bingo-Raffle Advisory Board, during the June 27, 2012 board meeting.

Historically, the 36-face limit was based on an investigation conducted by the Secretary of State's office, which determined that an experienced bingo player could play a maximum of 36 faces at a time without the aid of an electronic device. As a result, players using an electronic bingo device with more than 36 faces would have an unfair advantage over a player with only paper bingo sheets. The Secretary of State did not receive sufficient evidence to justify this rule change, but will coordinate with the

Advisory Board to collect information in order to make an informed decision in future rulemaking processes.

- Amendments to change the threshold for special raffle requirements as proposed on August 22, 2012 by Gwen Chermack, the NRA-Colorado Field Representative, on behalf of Colorado Friends of NRA.

The Secretary of State is concerned with the recommended change to special raffle ticket requirements because these revisions would severely compromise public faith in large raffles by curbing the Secretary of State's ability to regulate, and could lead to an increase in fraudulent raffles. Minor adopted revisions to this rule (8.1.4) clarify that special raffle ticket requirements apply if the retail value of prizes to be given away in a single raffle exceeds \$1,000.

- Amendments to increase the maximum allowable number of bingo occasions per calendar year from 220 to 370 and to increase the maximum aggregate bingo occasion prize from \$2,000 to \$5,000 as proposed by Dan Gincig, Chairman of the Colorado Bingo-Raffle Advisory Board on October 10, 2012.

The Secretary of State has reservations about increasing the maximum number of allowable bingo occasions. Opinions expressed by Advisory Board members and other bingo-raffle licensees in past rulemaking processes shows concern that this change would harm small organizations' ability to compete with larger organizations whose membership base allows them to run more occasions. Written comments and testimony at the most recent rulemaking hearing largely echoed this sentiment, although some hall owners and suppliers did present views in favor of the change. In addition, very few licensees reach the current maximum number of annual occasions, calling into question the need for the rule change.

The Secretary of State has similar concerns about increasing the maximum allowable aggregate bingo occasion prize. During the 2006 rulemaking session, the bingo-raffle community demonstrated strong opposition to raising the prize limit, arguing that increased limits put small organizations at a distinct disadvantage against larger licensees. There were similar opinions expressed at this rulemaking hearing.

Arguments in favor of raising these ceilings cited the potential for establishing separate limits for regular bingo and "pari-mutuel" bingo games, a relatively new form of bingo in Colorado in which the bingo prize is calculated based on the gross proceeds for a single game. Because pari-mutuel games are in their infancy in the state, the Secretary of State does not have sufficient information to determine if separate limits would benefit the bingo-raffle community. Our office encourages stakeholders to compile data that will inform this decision in the future.

## **II. Rulemaking Authority**

The statutory and constitutional authority is as follows:

1. Section 12-9-103(1)(b), C.R.S., (2012), which authorizes the Secretary of State "[t]o supervise the administration and enforcement of this article, and in consultation with the

board, to adopt, amend, and repeal rules governing the holding, operating, and conducting of games of chance...”.

2. Section 12-9-107(13)(a), C.R.S., (2012), which authorizes the Secretary of State to “establish by rule the method of play and amount of prizes that may be awarded...”
3. Section 12-9-107(28)(c), C.R.S., (2012), which authorizes the Secretary of State to establish by rule the maximum number of bingo cards that a player can use with an electronic bingo aid device.
4. Section 12-9-202(2)(a)-(c), C.R.S., (2012), which requires the Colorado Bingo-raffle Advisory Board to offer advice for rules regarding the types of charitable games to be conducted, the rules for those games, the number of occasions per year, and the licensing requirements of all types of licenses required for the conduct of charitable gaming to the Secretary of State.

### **III. Feedback regarding specific written comments**

Several bingo-raffle stakeholders suggested that the Secretary of State allow for paid workers or allow licensees to offer some type of remuneration for its volunteers, such as reducing membership fees or other credits. Secretary of State representatives indicated that these arrangements would require a change to the Colorado Constitution, which falls outside of the Department’s jurisdiction. Our office can provide additional information on the processes for effecting Constitutional changes upon request.