

RESOLUTION CONCERNING EMERGENCY AMENDMENT TO RULE 3

WHEREAS, Section 9 of Article XVIII of the Colorado Constitution requires the Colorado Limited Gaming Control Commission ("Commission") to promulgate all necessary rules and regulations relating to the licensing of limited gaming; and

WHEREAS, pursuant to section 12-47.1-302, C.R.S., and the regulations promulgated thereunder, the Colorado Division of Gaming ("Gaming") performs an annual comprehensive investigation fee analysis, the data for which was not available in time for compliance with all of the requirements of section 24-4-103, C.R.S., and the start of the state fiscal year on July 1, 2017; and

WHEREAS, the annual comprehensive fee analysis showed that the current hourly investigation fee should be reduced by \$1.00 to cover the total direct and indirect costs associated with the Division's investigations into an applicant's background; and

WHEREAS, the new fee schedule needs to be in place by July 1, 2017 to maintain consistency among all license applicants and to avoid the possible refunding of fees; and

WHEREAS, the amendments to Rule 3 are necessary to carry out the purposes of the Colorado Limited Gaming Act, Article 47.1 of Title 12, C.R.S.

WHEREAS, a permanent change in the regulations could be achieved no sooner than July 15, 2017, given the process for notice and promulgation of the rule change pursuant to the provisions of section 24-4-103, C.R.S.; and

WHEREAS, published notice of the rulemaking hearing regarding Rule 3 was given on May 25, 2017 in the Colorado Register pursuant to section 24-4-103(6), C.R.S. and a full and public rule-making hearing was held on June 15, 2017, whereafter the permanent identical changes were adopted.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Colorado Limited Gaming Control Commission, based on the facts recited above, as follows:

The immediate adoption of the amendments to Rule 3, Regulation 47.1-305, effective July 1, 2017, is imperatively necessary to comply with state law and fiscal policy and for the preservation of the public health safety and welfare by ensuring adequate resources are available for the thorough and timely criminal and financial investigation of new licensees as required by the Colorado Limited Gaming Act, and the delay resulting from strict compliance with the requirements of section 24-4-103, C.R.S., would be contrary to the public interest.

Resolved this 19 day of June, 2017.



Roger Hutson, Chairman
Colorado Limited Gaming Control Commission