

**RESOLUTION CONCERNING ADOPTION OF EMERGENCY
AMENDMENTS TO GAMING RULE 24,
1 C.C.R. 207-1**

WHEREAS, on May 10, 2022, the Colorado General Assembly passed Senate Bill (SB) 22-216, *Reallocation of Limited Gaming Revenues*, concerning the reallocation of the limited gaming tax revenues for fiscal years following a significant decrease in the revenues;

WHEREAS, on June 7, 2022, Governor Jared S. Polis signed SB 22-216;

WHEREAS, Section 2 of SB 22-216 resets the base portion of the state's share of the limited gaming tax revenues deposited in the local government limited gaming impact fund for the fiscal year 2021-2022;

WHEREAS, Section 3 of SB 22-216 modifies the manner in which limited gaming tax revenues are allocated between the limited gaming fund and the extended limited gaming fund to more equitably address recovery in the years immediately following a significant decrease in the revenue;

WHEREAS, Section 4 of SB 22-216 provides supplemental payments in total of \$1.25 million to the local government limited gaming recipients;

WHEREAS, Section 6 of SB 22-216 specifies that immediate implementation of the provisions in SB 22-216 is necessary for the preservation of the public peace, health or safety;

WHEREAS, the Division of Gaming is currently in the process of preparing its report for the Colorado Limited Gaming Control Commission in preparation for the Commission's limited gaming fund distribution and extended limited gaming fund distribution for fiscal year 2021-2022;

WHEREAS, the Colorado Limited Gaming Control Commission will distribute the limited gaming fund and the extended limited gaming fund for fiscal year 2021-2022 at its August 2022 monthly meeting;

WHEREAS, a temporary or emergency rule may be adopted if an agency finds that immediate adoption of a rule is imperatively necessary and that compliance with the requirements of § 24-4-103, C.R.S., would be contrary to the public interest;

WHEREAS, the immediate adoption of the emergency amendment to Regulation 30-2401 *Definitions* under Rule 24 is imperatively necessary to add the new definition for "Fiscal year with a significant decrease in Limited Gaming Tax

Revenue” to conform with the definition listed in SB 22-216 and compliance with the requirements of § 24-4-103, C.R.S., would be contrary to public interest;

WHEREAS, the immediate adoption of the emergency amendments to Regulation 30-2403 *Determination of tax revenues attributable to extended and limited gaming* under Rule 24 are imperatively necessary to amend how tax revenues for limited gaming and extended limited gaming are determined based on the provisions of SB 22-216 and compliance with the requirements of § 24-4-103, C.R.S., would be contrary to public interest;

WHEREAS, the immediate adoption of the emergency amendments to Regulation 30-2405 *Determination of amount of Limited Gaming Funds distributed to limited gaming recipients* and Regulation 30-2406 *Determination of amount of Extended Gaming Funds distributed to extended gaming recipients* under Rule 24 are imperatively necessary to remove references to fiscal year 2009-2010 and compliance with the requirements of § 24-4-103, C.R.S., would be contrary to public interest;

WHEREAS, a permanent change could be achieved no sooner than September 2022, given the process for notice and promulgation of the rules pursuant to the provisions of § 24-4-103, C.R.S.

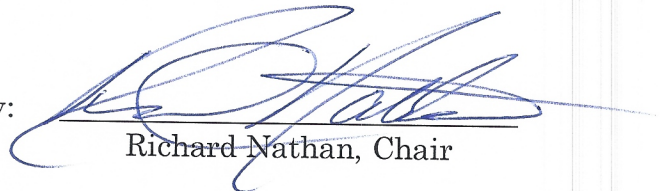
NOW, THEREFORE, IT IS HEREBY RESOLVED by the Colorado Limited Gaming Control Commission, based on the facts recited above, as follows:

The immediate adoption of the emergency rule amendments for Gaming Rule 24 under 1 C.C.R. 207-1 is imperatively necessary for the Colorado Limited Gaming Control Commission to properly distribute the limited gaming funds and the extended limited gaming funds in accordance with the provisions in SB 22-216, and the delay resulting from strict compliance with the requirements of § 24-4-103, C.R.S., would be contrary to the public interest.

RESOLVED AND ENTERED this 3rd day of August, 2022.

COLORADO LIMITED GAMING
CONTROL COMMISSION

By:



Richard Nathan, Chair