

2025-2026 #416 -- Amended -- Technical Corrections

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

SECTION 1. In the constitution of the State of Colorado, section 9 of Article ~~article~~ XVIII, ~~section 9~~, **add** (8) as follows:

Section 9. LIMITED GAMING PERMITTED

(8) Gaming expansion.

(a) NOTWITHSTANDING ~~ANY OTHER PROVISIONS OF SUBSECTIONS (1) THROUGH (7) OF THIS SECTION~~, EFFECTIVE JANUARY 1, 2027, LIMITED GAMING IN ANY TOWN, CITY, COUNTY, OR CITY AND COUNTY IN THE STATE SHALL BE LAWFUL IF APPROVED BY THE VOTERS OF THE ~~CITY, COUNTY OR TOWN~~ TOWN, CITY, COUNTY, OR CITY AND COUNTY EITHER THROUGH INITIATIVE OR REFERRAL TO THE VOTERS.

(b) THE ADMINISTRATION AND REGULATION OF THIS SUBSECTION (8) SHALL BE UNDER THE APPOINTED LIMITED GAMING CONTROL COMMISSION CREATED IN SUBSECTION (2) OF THIS SECTION ~~(9)~~.

~~(VII)(A)(c)(I)~~ UP TO A MAXIMUM OF FORTY PERCENT OF THE ADJUSTED GROSS PROCEEDS OF LIMITED GAMING SHALL BE PAID BY EACH LICENSEE, IN ADDITION TO ANY APPLICABLE LICENSE FEES, FOR THE PRIVILEGE OF CONDUCTING LIMITED GAMING UNDER THIS SUBSECTION (8). SUCH PERCENTAGE SHALL BE ESTABLISHED ANNUALLY BY THE COMMISSION ACCORDING TO THE CRITERIA ESTABLISHED BY THE GENERAL ASSEMBLY. SUCH PAYMENTS SHALL BE MADE INTO A LOCAL LIMITED GAMING FUND THAT IS HEREBY CREATED IN THE STATE TREASURY.

~~(B)(II)~~ LIMITED GAMING TAX REVENUES ATTRIBUTABLE TO THE OPERATION OF THIS SUBSECTION (8) SHALL BE DEPOSITED IN THE LOCAL LIMITED GAMING FUND. THE COMMISSION SHALL ANNUALLY DETERMINE THE AMOUNT OF SUCH REVENUES GENERATED IN EACH JURISDICTION WHERE GAMING IS APPROVED.

~~(VIII)(d)~~ FROM GAMING TAX REVENUES ATTRIBUTABLE TO THE OPERATION OF THIS SUBSECTION (8), THE TREASURER SHALL PAY:

~~(A)(I)~~ THOSE ONGOING EXPENSES OF THE COMMISSION AND OTHER STATE AGENCIES THAT ARE RELATED TO THE ADMINISTRATION OF THIS SUBSECTION (8);

~~(B)(II)~~ ANNUAL ADJUSTMENTS, IN CONNECTION WITH DISTRIBUTIONS TO LOCAL LIMITED GAMING FUND RECIPIENTS, TO REFLECT THE LESSER OF SIX PERCENT OF, OR THE ACTUAL PERCENTAGE OF, ANNUAL GROWTH IN GAMING TAX REVENUES ATTRIBUTABLE TO THIS SUBSECTION (8); AND

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

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

~~(B)~~ (B) TEN PERCENT TO THE GOVERNING BODIES OF THE AUTHORIZING JURISDICTIONS TO ADDRESS LOCAL GAMING IMPACTS; PROVIDED THAT SUCH REVENUE SHALL BE DISTRIBUTED BASED ON THE PROPORTION OF GAMING TAX REVENUES, ATTRIBUTABLE TO THE OPERATION OF THIS SUBSECTION ~~(7)~~ (8), THAT ARE PAID BY LICENSEES OPERATING IN EACH ~~JURISDICTION~~ JURISDICTION;

AND

~~(H)~~ (C) TWELVE PERCENT TO THE SCHOOL DISTRICTS LOCATED WITHIN AUTHORIZING JURISDICTIONS, IN PROPORTION TO THE NUMBER OF STUDENTS ATTENDING THE SCHOOL DISTRICT FROM THE AUTHORIZING JURISDICTION²; PROVIDED THAT SUCH REVENUE SHALL BE DISTRIBUTED BASED ON THE PROPORTION OF GAMING TAX REVENUES, ATTRIBUTABLE TO THE OPERATION OF THIS SUBSECTION (8), THAT ARE PAID BY LICENSEES OPERATING IN EACH JURISDICTION.

~~(X)~~ (e) GAMING TAX REVENUES ATTRIBUTABLE TO THE OPERATION OF THIS SUBSECTION (8) SHALL BE COLLECTED AND SPENT AS A VOTER-APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY LIMITATION CONTAINED IN SECTION 20 OF ARTICLE X OF THIS CONSTITUTION OR ANY OTHER LAW.