

RESOLUTION CONCERNING EMERGENCY AMENDMENT TO RULE 12

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 including the defining of terms; and

WHEREAS, pursuant to sections 12-47.1-302(1)(a) and 302(2)(s), C.R.S., the Commission is authorized to promulgate regulations governing the licensing, conducting and operating of limited gaming as it deems necessary, and is required to promulgate regulations regarding the types and specifications of all equipment and devices used in limited gaming; and

WHEREAS, Colorado Gaming Regulations, Rule 12 - Gaming Devices and Equipment - underwent a significant re-write, revision, recodification, and reorganization on November 30, 2014 including a revision to Regulation 47.1-1257(1.5) regarding the definition of “associated equipment,” a supplier of which is required to be licensed; and

WHEREAS, at the time of the Rule 12 re-write, “ticket redemption kiosks” were included in the listing of examples of associated equipment, where prior thereto they had been treated as “component parts,” the supplier of which could distribute such kiosks through a licensed manufacturer/distributor without needing to obtain independent licensure;

WHEREAS, the inclusion of ticket redemption kiosks in the examples of associated equipment in Regulation 47.1-1257(1.5) is imposing an unintended and unnecessary burden on companies seeking to distribute kiosks through licensed manufacturer/distributors, as well as on Colorado gaming licensees; and

WHEREAS, the adoption of this amendment to Rule 12 on an emergency basis is imperatively necessary to relieve such existing financial burdens on small licensees; and

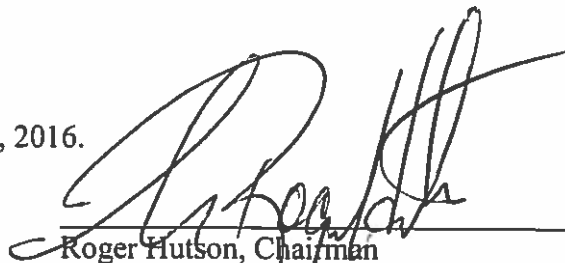
WHEREAS, the amendment to Regulation 47.1-1257(1.5) has been noticed for a full public rule-making hearing on June 16, 2016; and

WHEREAS, a permanent change in the regulations could be achieved no sooner than August 15, 2016, given the process for notice and promulgation of the rule change pursuant to the provisions of section 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 amendment to Rule 12, Regulation 47.1-1257(1.5) as an emergency rule, effective May 26, 2016, is imperatively necessary to relieve existing regulatory burdens on the Colorado Limited Gaming Industry, and the delay resulting from strict compliance with the requirements of section 24-4-103, C.R.S., would be contrary to the purposes of the Colorado Limited Gaming Act, Article 47.1 of Title 12, C.R.S.

Resolved this 26 day of May, 2016.



Roger Hutson, Chairman
Colorado Limited Gaming Control Commission