

RESOLUTION CONCERNING EMERGENCY AMENDMENT TO RULE 3

WHEREAS, Sections 9(2)(5)(a) of Article XVIII of the Colorado Constitution require the Colorado Limited Gaming Control Commission (“Commission”) to promulgate all necessary rules and regulations relating to the licensing of limited gaming, and to establish license fees for the privilege of conducting limited gaming; and

WHEREAS, the Commission is specifically required under § 44-30-302(2)(q), C.R.S. to establish by rule the amount of license fees for all types of licenses issued by the Commission and the Colorado Division of Gaming (“Division”), and to establish and collect fees for performing background checks on all applicants for gaming licenses, including fingerprinting pursuant to § 44-30-510(3), C.R.S.; and

WHEREAS, the Commission and Division of Gaming are committed to minimizing COVID-19 exposure risks for all people accessing licensing services by implementing health and safety operating guidelines, established by state and local public health authorities, intended to reduce virus spread. To that end, to reduce face-to-face contact with licensing staff, if applicants or licensees obtain fingerprinting services outside of the Division for licensing purposes, they will not be charged the \$40 fingerprint fee by the Division previously included in the license fee;

WHEREAS, the amendments to the licensing fees reflecting this change would not be effective in time for the start of the state fiscal year on July 1, 2020 given compliance with the requirements of section 24-4-103, C.R.S.; and

WHEREAS, the proposed decreases in the license fees, effective July 1, 2020, will allow the Division to remain in compliance with Commission and State fiscal rules and maintain consistency among applicants during the 2021 fiscal year; and

WHEREAS, the amendments to Rule 3 are necessary to carry out the purposes of the Colorado Limited Gaming Act, Article 30 of Title 44, C.R.S.

WHEREAS, a permanent change in the regulations could be achieved no sooner than August 30, 2020, 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, notice of the amendments to Rule 3 was posted on the Division’s website on or about June 11, 2020 and a public hearing was conducted on June 18, 2020 pursuant to section 24-4-103(4)(a), 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 amendments to Rule 3, as an emergency rule, effective July 1, 2020, is imperatively necessary for the preservation of the public health, safety and welfare by reducing face-to-face contact with licensing staff while ensuring the thorough and timely background investigation of license applicants 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 18TH day of June, 2020.


VICE CHAIRMAN
Kristen Blessman, Chairman
Colorado Limited Gaming Control Commission