

**Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 12-0959.01 Esther van Mourik x4215

HOUSE BILL 12-1359

HOUSE SPONSORSHIP

Vaad,

SENATE SPONSORSHIP

Jahn,

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE PROHIBITION OF INTERNET LOTTERY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill prohibits the Colorado lottery commission from authorizing an internet lottery in which tickets, games, or shares are sold to a person by means of the internet, telephone, or other electronic device without physical presence of the person at a licensed lottery sales agent's place of business.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-35-201, **amend**
3 (5); and **add** (4.5) as follows:

4 **24-35-201. Definitions.** As used in this part 2, unless the context
5 otherwise requires:

6 (4.5) "INTERNET LOTTERY" MEANS ANY LOTTERY AUTHORIZED
7 AND DESCRIBED IN THE FEDERAL MEMORANDUM OPINION FOR THE
8 ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION, DATED SEPTEMBER
9 20, 2011, IN THE *OPINIONS OF THE OFFICE OF LEGAL COUNSEL IN VOLUME*
10 *35*.

11 (5) "Lottery" means any and all lotteries created and operated
12 pursuant to this part 2, including, without limitation, the game commonly
13 known as lotto, in which prizes are awarded on the basis of designated
14 numbers conforming to numbers selected at random, electronically or
15 otherwise, by or at the direction of the commission, and any multistate
16 lottery or game that is authorized by a multistate agreement to which the
17 division is party. All references in this article to "the lottery" shall be
18 construed to include any or all lotteries within the meaning of this
19 subsection (5). "Lottery" shall not include a promotional drawing as
20 defined in subsection (8) of this section. "LOTTERY" SHALL NOT INCLUDE
21 INTERNET LOTTERY AS DEFINED IN SUBSECTION (4.5) OF THIS SECTION.

22 **SECTION 2.** In Colorado Revised Statutes, 24-35-208, **add** (4)
23 as follows:

24 **24-35-208. Commission - powers and duties - rules.** (4) THE
25 COMMISSION SHALL NOT PROMULGATE RULES PURSUANT TO SUBSECTION
26 (1) OF THIS SECTION AUTHORIZING INTERNET LOTTERY AS DEFINED IN
27 SECTION 24-35-201 (4.5).

1 **SECTION 3. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.