

BASIS AND PURPOSE FOR RULE 14

The purpose of Rule 14 is to establish the rate of the gaming tax on adjusted gross proceeds of gaming in compliance with section 44-30-601, C.R.S., to provide for security for the payment of gaming taxes to the Department, and to provide for the payment of gaming taxes by electronic fund transfer and to change the method of filing monthly gaming tax returns to electronically transmitted. The statutory basis for purpose for Rule 14 is found in sections 44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-602, C.R.S., and 44-30-604, C.R.S., (1991).

RULE 14 **GAMING TAX**

30-1401 Gaming and device taxes.

Annually the Commission shall conduct rule making hearings concerning the gaming tax rate and device fee rate for the subsequent gaming year. Testimony regarding the consideration of the gaming tax shall include the following topics to be heard during the following time periods. Additional appropriate topics relating to these issues may also be considered as deemed necessary by the Commission. Furthermore, in addition to the topics outlined below, the Commission may receive testimony from any member of the public during any of the following time periods on the other topics relevant to the consideration of the gaming tax and device fee rates. The following general schedule is established to provide structure to the annual consideration by the Commission, however rigid compliance is not mandatory and this regulation shall in no way be construed to limit the time periods or subject matters which the Commission may consider in determining the various tax rates. During the month of April, the Commission shall receive testimony regarding the methodology to be utilized in the consideration of the gaming tax for the subsequent gaming year. In May, the Commission shall receive testimony regarding the following topics: the expenditure impacts and revenue benefits from limited gaming in the cities of Black Hawk, Central City, and Cripple Creek, and the counties of Gilpin and Teller; the expenditure impacts and revenue benefits from limited gaming for statutorily defined entities eligible for the Local Government Limited Gaming Impact Fund; and the expenditure impacts from limited gaming on agencies of the State of Colorado. During the month of June the Commission shall receive testimony regarding the financial conditions of licensees pertinent to the consideration of the gaming tax pursuant to the criteria expressed in part 6 of the limited gaming act of 1991. (30-1401(1) temp. 5/12/93. perm. 6/30/93)(30-1401 1/30/98 amended perm 07/30/00) *Eff 07/30/2008*

- (1) Each retail licensee conducting or offering limited gaming to the public shall be liable for, and shall pay to the Department of Revenue, a limited gaming tax upon the adjusted gross proceeds from limited gaming. The tax imposed by Section 44-30-601, C.R.S.(1991), shall be determined in accordance with the following schedule: *Eff 07/30/2008*

If the Annual Adjusted Gross Proceeds are:	The Tax is:
Up to \$2,000,000 (Including \$2,000,000)	0.25%
Over \$2,000,000 to \$5,000,000	2%
Over \$5,000,000 to \$8,000,000	9%
Over \$8,000,000 to \$10,000,000	11%
Over \$10,000,000 to \$13,000,000	16%
Over \$13,000,000	20%

(30-1401(1) temp. 9/29/94. perm. 11/30/94)(30-1401(1) temp. 10/01/96, perm. 10/30/96) (30-1401(1) temp 07/01/99. perm. 07/30/99) *Eff 07/01/2013*