

AGENDA
COLORADO LIMITED GAMING CONTROL COMMISSION

Meeting of April 17, 2025
Beginning at 9:15 a.m.
In person and via Zoom

Division of Gaming
1707 Cole Blvd., Suite 300
Lakewood, CO 80401

In addition to other matters that may properly be considered by the Colorado Limited Gaming Control Commission, the following items are scheduled for consideration and adoption on April 17, 2025. Times contained in the agenda are approximate.

PUBLIC SESSION

I. Call to Order

EXECUTIVE SESSION

Review of confidential background licensing reports scheduled for consideration during the public session. §§ 24-6-402(3)(a)(III), 44-30-521(1)(a), 44-30-526(1) & 44-30-1507(1), C.R.S.

PUBLIC SESSION (reconvened)

II. Consideration of Licensing Actions

Limited Gaming Licenses

First Associated Equipment Supplier License for
FIRST AMERICAN BANKCARD, INC. d/b/a FABI Cash

Renewal of the Retail and Master Licenses for
The Lodge Casino, LLC d/b/a The Lodge Casino at Black Hawk
The Gilpin Casino, LLC d/b/a The Gilpin Hotel Casino

Renewal of the Manufacturer/Distributor License for
The Lodge Casino, LLC d/b/a The Lodge Casino at Black Hawk

Change of Ownership of the Retail and Master Licenses for
DOSTAL ALLEY, INC. d/b/a Dostal Alley

Sports Betting Licenses

Renewal of the Internet Sports Betting Operator License for
BETFRED SPORTS (COLORADO) LLC d/b/a Betfred Sports

Renewal of the Sports Betting Operator License for
BETFRED SPORTS (COLORADO) LLC d/b/a Betfred Sports

Renewal of the Vendor Major License for

Poker Royalty LLC

First Vendor Minor Licenses for

Newberri Media Limited

SmartEdge Holdings LLC d/b/a SmartEdge Picks

UNSAID INC

Renewal of the Vendor Minor Licenses for

BETANDEAL USA CORP

CP-25 LLC

EPX Acquisition Company, LLC

Moloco, Inc.

Movable, Inc. d/b/a Movable Ink

NorthAB, LLC

Prodege, LLC

Twilio, Inc. d/b/a Humboldt d/b/a CWA Merchants d/b/a Signature Payments

III. Consideration of Applicant Seminole Hard Rock Digistal. LLC's Petition for Waiver and Application for Internet Sports Betting Operator

IV. Opportunity for Public to Address the Commission

V. Consideration of Division Limited Gaming Financial Statements for February 2025

VI. Consideration of Division Sports Betting Financial Statements for February 2025

VII. Consideration of the Stipulation and Settlement Agreement in the matter of Xavier Montoya, Case No. DOG24004478

VIII. Rulemaking Hearing Colorado Gaming Rule 14 – Gaming Tax

Presentation by the Division of Gaming

Paul Hogan, Chief Auditor, Division of Gaming

Statements of Gaming Impacts on State Agencies

Paul Hogan, Chief Auditor, Division of Gaming

Colorado Judicial Branch

Presentation by History Colorado

Annie Levinsky, Vice President & Chief Operating Officer

Chris Creighton, Chief Financial Officer

Presentation by State Board for Community Colleges

Mark Superka, Vice Chancellor for Finance and Administration, Colorado Community College System

Opportunity for the public to address the Commission on Colorado Limited Gaming Rule 14 – Gaming Tax

Close and continue hearing on Colorado Limited Gaming Rule 14 – Gaming Tax

IX. Fiscal Year 2026 Budget Requests

Presentation by the Colorado Department of Public Safety

Colorado State Patrol

Matt Packard, Chief

Barry Bratt, Lt. Colonel

Division of Fire Prevention and Control

Chris Brunette, Fire and Life Safety Section Chief

X. Consideration of Organizational Matters

XI. Adjournment

At the discretion of the Commission, any or all of the above matters may be continued for consideration or adoption at a different time, may be considered out of order, or may be considered at the next meeting of the Commission.

Public Session

Item II

Approval of Licenses

April 9, 2025

CONSENT AGENDA

For the April 17, 2025, Colorado Limited Gaming Control Commission meeting

Dear Members of the Colorado Limited Gaming Control Commission,

The Division of Gaming submits this Consent Agenda for review and approval by the Colorado Limited Gaming Control Commission at its April 17, 2025, meeting in accordance with Commission Policy 24-01 (approved March 29, 2024).

Under Commission Policy 24-01, the Commission may consider the listed matters as a group to be voted on and approved in mass upon a single motion. Upon a timely request, a Commissioner or the Director may remove any matter from the consent agenda for any reason. A request is timely if made prior to the vote on the consent agenda. If a matter is removed from this proposed consent agenda, then the Commission will consider and vote on the amended consent agenda before considering and voting on any removed matter(s) separately.

The Division proposes that the Commission approve the following new and renewal license applications for vendor minor sports betting licenses:

- *First Vendor Minor Licenses for:*
 - Newberri Media Limited
 - SmartEdge Holdings LLC d/b/a/ SmartEdge Picks
 - UNSAID INC
- *Vendor Minor Renewal Licenses for:*
 - BETANDEAL USA CORP
 - CP-25 LLC
 - EPX Acquisition Company LLC
 - Moloco, Inc.
 - Movable, Inc. d/b/a Movable Ink
 - North AB, LLC
 - Prodege, LLC
 - Twilio, Inc.



COLORADO

Department of Revenue

Specialized Business Group - Division of Gaming

1707 Cole Blvd Suite 300
Lakewood CO 80401

142 Lawrence Street
Central City CO 80427

330 W Carr Avenue
Cripple Creek CO 80813

Respectfully,

Andrew Fulton,
Agent in Charge Sports Betting and Fantasy Sports,
Colorado Division of Gaming

Item III

Applicant Seminole Hard
Rock Digital LLC's Petition
for Waiver and
Application for Internet
Sports Betting Operator

BEFORE THE LIMITED GAMING CONTROL COMMISSION
STATE OF COLORADO

**PETITION AND APPROVAL OF PETITION FOR WAIVER OF APPLICATION
REQUIREMENTS**

IN THE MATTER OF:

Seminole Hard Rock Digital, LLC
Internet Sports Betting Operator applicant, No. 96374028.

The Colorado Division of Gaming (the “Division”) and Seminole Hard Rock Digital, LLC, Internet Sports Betting Operator applicant (“Seminole Hard Rock Digital”), agree as follows:

1. Seminole Hard Rock Digital submitted an application for Colorado license Internet Sports Betting Operator on or about July 22, 2024. The application was assigned number 96374028.
2. Under section 44-30-1504(3), C.R.S., the Division may waive any or all of the qualification requirements for any person listed in subsection (1) or (2) of section 44-30-1504, C.R.S. Under Sports Betting Rule 3.9, 1 C.C.R. 207-2, business applicants for a sports betting license and licensees, or holding, intermediate or subsidiary companies of an applicant or licensee, may petition the Division for a waiver of the requirements listed in sections 44-30-1504(1) or (2), C.R.S. Waivers may be granted in the discretion of the Director upon a showing of good cause, subject to Commission approval.
3. On March 28, 2024, Seminole Hard Rock Digital submitted a letter and attached appendices discussing the ownership structure of Seminole Hard Rock Digital. *Attached and incorporated herein*, Ex. 1. The Division added the letter and appendices to the background investigation file as work papers. *See* §44-30-1507(1)(d), C.R.S.¹

¹ The letter submitted by Seminole Hard Rock Digital on March 28, 2024, is kept confidential under section 44-30-1507(1)(d), C.R.S.

4. The Seminole Hard Rock Digital disclosed that the Seminole Tribe of Florida (the “Seminole Tribe”) holds an indirect majority ownership in Seminole Hard Rock Digital’s holding company(ies).
5. Seminole Hard Rock Digital hereby requests the Division waive the qualification requirements under section 44-30-1504(1) and (2), C.R.S., for the following persons:
 - A. The Seminole Tribe, including all persons therein, the Tribal Council, and the Seminole Tribe of Florida as an entity.
 - B. Any persons under part (A) who must be qualified as a board member or association with Seminole Hard Rock Digital for reasons other than their membership within or their association with the Seminole Tribe agree to meet the qualification requirements under section 44-30-1504(1) and (2), C.R.S.
6. Seminole Hard Rock Digital asserts good cause in support of its request for waiver, including but not limited to:
 - A. Seminole Hard Rock Digital ownership and/or holding by the Seminole Tribe is structured to remove control of day-to-day operations from the Seminole Tribe and the Seminole Tribe council.
 - B. The Seminole Tribe is a United States federally recognized Indian Tribe organized under section 16 of the United States Indian Reorganization Act of 1934, 25 U.S.C. 5123.
 - C. On October 16, 2014, the Seminole Tribe was granted a certificate of self-regulation by the National Indian Gaming Commission, based on, among other things, its “safe, fair and honest operation” and “generally being free of criminal or dishonest activity[.]”
 - D. Several gaming regulatory jurisdictions both within the United States and abroad have concluded that the Seminole Tribe was not required to be qualified in connection with the license applications for Seminole Hard Rock Digital and its affiliates. Seminole Hard Rock Digital and/or its affiliates are licensed in the following jurisdictions, in addition to others: Nevada, Illinois, Indiana, Ohio, New Jersey and Virginia.
7. Based on the good cause provided, the Division approves the request to waive the qualification requirements under section 44-30-1504(1) and (2), C.R.S., for the following persons, pending the Commission’s final approval:

- A. The Seminole Tribe of Florida, including all persons therein, the Tribal Council, and the Seminole Tribe of Florida as an entity.
- B. Any persons under part (A) who must be qualified as a board member or association with Seminole Hard Rock Digital for reasons other than their membership within or their association with the Seminole Tribe agree to meet the qualification requirements under section 44-30-1504(1) and (2), C.R.S.

AGREED TO BY:

Christopher Schroder

Chris Schroder, Director
Colorado Division of Gaming

April 9, 2025

Eric R. Newcomer

Eric R. Newcomer
Managing Director, General Counsel
Seminole Hard Rock Digital, LLC
Internet Sports Betting Operator Applicant

April 9, 2025

APPROVED AS TO FORM:

Torrey Samson

Torrey Samson
Senior Assistant Attorney General
Counsel for the Division of Gaming

April 9, 2025

Marie J. Jones

Marie J. Jones, Esquire
Fox Rothschild, LLP
Counsel for Seminole Hard Rock Digital, LLC

April 9, 2025

BEFORE THE LIMITED GAMING CONTROL COMMISSION
STATE OF COLORADO

**ORDER APPROVING PETITION AND APPROVAL OF PETITION FOR
WAIVER OF APPLICATION REQUIREMENTS**

IN THE MATTER OF:

Seminole Hard Rock Digital, LLC
Internet Sports Betting Operator applicant, No. 96374028.

The Commission, having reviewed the Petition and Approval of Petition for Waiver of Application Requirements in this matter, finds the Seminole Hard Rock Digital, LLC (“Seminole Hard Rock Digital”) submitted an application for Colorado license Internet Sports Betting Operator on or about July 22, 2024. The application was assigned number 96374028.

Having reviewed the Petition and Approval of Petition for Waiver of Application Requirements and all relevant documents, the Commission approves the grant of the waiver of qualification requirements for the following, for good cause shown:

- A. The Seminole Tribe of Florida, including all persons therein, the Tribal Council, and the Seminole Tribe of Florida as an entity.
- B. Any persons under part (A) who must be qualified as a board member or association with Seminole Hard Rock Digital for reasons other than their membership within or their association with the Seminole Tribe agree to meet the qualification requirements under section 44-30-1504(1) and (2), C.R.S.

THEREFORE, the Petition and Approval of Petition for Waiver of Application Requirements is approved, and its terms are hereby adopted as an Order of this Commission.

ORDERED AND ENTERED this ____ day of _____, 2025.

BY THE COLORADO LIMITED GAMING
CONTROL COMMISSION:

Kevin Armstrong, Chairman

Item V

Limited Gaming Financial Statements for February 2025



**STATEMENT OF GAMING REVENUES,
GAMING TAXES, AND EXPENDITURES
(UNAUDITED)
FOR THE EIGHT (8) MONTHS ENDED
FEBRUARY 28, 2025**



COLORADO

Department of Revenue

Specialized Business Group—Gaming

1707 Cole Blvd., Suite 300
Lakewood, CO 80401

April 17, 2025

State Treasurer and Members of the Colorado Limited Gaming Control Commission:

Pursuant to Section 44-30-203 (i), C.R.S., the Colorado Division of Gaming is required to furnish monthly a, "report which contains a full and complete statement of the division's revenues and expenses."

The attached combined financial statements for February 28, 2025 have not been audited. They contain the most current data available. This information has been collected and recorded in accordance with generally accepted accounting principles.

Respectfully submitted,

Tseko Ivanov

Tseko Ivanov
Division Controller

**COLORADO DIVISION OF GAMING
FINANCIAL STATEMENTS
(UNAUDITED)**

DISTRIBUTION

Honorable Jared Polis	Governor
Representative Julie McCluskie	Speaker of the House of Representatives
Senator James Coleman	President of the Senate
Senator Paul Lundeen	Senate Minority Leader
Representative Rose Pugliese	House Minority Leader
Senator Jeff Bridges	Chair, Joint Budget Committee
Mr. Kevin Armstrong	Chair, Limited Gaming Control Commission
Mr. John Tipton	Vice Chair, Limited Gaming Control Commission
Ms. Ahilya George	Limited Gaming Control Commission
Mr. Kevin Hyland	Limited Gaming Control Commission
Mr. Phil Workman	Limited Gaming Control Commission
Ms. Heidi Humphreys	Executive Director, Department of Revenue
Mr. Michael Phibbs	Senior Director, Specialized Business Group, Department of Revenue
Mr. Christopher Schroder	Director, Division of Gaming
Mr. Scott Koehler	Accounting Director, Department of Revenue
Mr. Dustin Hoover	Deputy Budget Director, Department of Revenue
Mr. Bob Jaros	State Controller
Mr. Charles Scheibe	Chief Financial Officer, Department of the Treasury
Ms. Aly Jabrocki	State Archivist
Ms. Kerri Hunter	State Auditor
Ms. Amanda King	Joint Legislative Library
Mr. Adrian Leiter	Deputy Director for Budget, Governor's Office
Colorado State Publications Depository and Distribution Center	State of Colorado Library

DIVISION OF GAMING
STATEMENT OF REVENUES
GAMING TAXES, AND EXPENDITURES
(UNAUDITED)

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**COLORADO DIVISION OF GAMING
TAX REVENUES COMPARISON
FEBRUARY 28, 2025 AND FEBRUARY 29, 2024**

The Colorado Limited Gaming Control Commission assesses taxes based on adjusted gross proceeds (AGP).

The tax rates for period ending June 30, 2025 are:

3% on AGP from charitable gaming
.25% on amounts up to \$2 million
2% on amounts over \$2 million and up to \$5 million
9% on amounts over \$5 million and up to \$8 million
11% on amounts over \$8 million and up to \$10 million
16% on amounts over \$10 million and up to \$13 million
20% on amounts over \$13 million

The tax rates for year ending June 30, 2025 are the same as they were for year ending June 30, 2024.

For Periods Beginning July 1, 2023 and 2024 through February 29, 2024 and February 28, 2025

<u>AGP Comparison</u>				
Range	Prior Year AGP	Current Year AGP	Difference	Percent Change
\$0 - \$2 Million	\$ 1,467,627	\$ 5,647,786	\$ 4,180,159	284.82%
\$2 - \$5 Million	\$ 23,583,183	\$ 15,731,427	\$ (7,851,756)	(33.29)%
\$5 - \$8 Million	\$ 42,563,493	\$ 35,369,377	\$ (7,194,116)	(16.90)%
\$8 - \$10 Million	\$ 18,092,474	\$ 25,185,907	\$ 7,093,433	39.21%
\$10 - \$13 Million	\$ 32,603,797	\$ 43,244,443	\$ 10,640,646	32.64%
\$13+ Million	\$ 604,269,548	\$ 600,480,448	\$ (3,789,100)	(0.63)%
Total	<u>\$ 722,580,122</u>	<u>\$ 725,659,388</u>	<u>\$ 3,079,266</u>	<u>0.43%</u>

<u>Tax Comparison</u>				
Range	Prior Year Tax	Current Year Tax	Difference	Percent Change
\$0 - \$2 Million	\$ 158,669	\$ 164,119	\$ 5,450	3.43%
\$2 - \$5 Million	\$ 1,731,664	\$ 1,714,629	\$ (17,035)	(0.98)%
\$5 - \$8 Million	\$ 5,540,714	\$ 5,883,244	\$ 342,530	6.18%
\$8 - \$10 Million	\$ 3,750,172	\$ 3,870,450	\$ 120,278	3.21%
\$10 - \$13 Million	\$ 6,656,608	\$ 6,759,111	\$ 102,503	1.54%
\$13+ Million	\$ 87,053,909	\$ 86,296,089	\$ (757,820)	(0.87)%
Total	<u>\$ 104,891,736</u>	<u>\$ 104,687,642</u>	<u>\$ (204,094)</u>	<u>(0.19)%</u>

<u>Open Casinos Comparison</u>			
Range	Prior Year No. of Tax Returns Filed by Casinos	This Year No. of Tax Returns Filed by Casinos	Difference
\$0 - \$2 Million	2	3	1
\$2 - \$5 Million	6	4	(2)
\$5 - \$8 Million	7	6	(1)
\$8 - \$10 Million	2	3	1
\$10 - \$13 Million	3	4	1
\$13+ Million	13	13	0
Total	<u>33</u>	<u>33</u>	<u>0</u>

**COLORADO DIVISION OF GAMING
COMBINED STATEMENT OF REVENUES,
EXPENDITURES, AND CHANGES IN FUND BALANCE (UNAUDITED)
EIGHT MONTHS ENDED FEBRUARY 28, 2025 AND FEBRUARY 29, 2024**

	FY 2025				FY 2024			
	EXTENDED GAMING FUND	RESPONSIBLE GAMING GRANT FUND	LIMITED GAMING FUND	TOTAL GAMING FUNDS	EXTENDED GAMING FUND	RESPONSIBLE GAMING GRANT FUND	LIMITED GAMING FUND	TOTAL GAMING FUNDS
REVENUES:								
Gaming Taxes	\$ 0	\$ 0	\$ 104,734,091	\$ 104,734,091	\$ 0	\$ 0	\$ 104,898,753	\$ 104,898,753
License and Application Fees	0	0	492,597	492,597	0	0	507,963	507,963
Background Investigations	0	0	128,753	128,753	0	0	113,186	113,186
Fines	0	0	4,638	4,638	0	0	2,184	2,184
Interest Income	168,525	75,355	1,534,345	1,778,225	169,404	52,002	1,605,587	1,826,993
Other Revenue	0	0	1,278	1,278	0	0	9,844	9,844
TOTAL REVENUES	168,525	75,355	106,895,702	107,139,582	169,404	52,002	107,137,517	107,358,923
OTHER FINANCING SOURCES / USES:								
Transfer from Limited Gaming Fund	0	0	0	0	0	0	0	0
Transfer from Hold Harmless Fund	0	758,326	0	758,326	0	489,554	0	489,554
Insurance Recoveries	0	0	0	0	0	0	10,919	10,919
TOTAL REVENUES & OTHER FIN. SOURCES	168,525	833,681	106,895,702	107,897,908	169,404	541,556	107,148,436	107,859,396
EXPENDITURES:								
Salaries and Benefits	0	79,897	6,759,987	6,839,884	0	23,055	6,031,294	6,054,349
Annual and Sick Leave Payouts	0	0	52,270	52,270	0	0	25,861	25,861
Professional Services	0	0	31,437	31,437	0	0	128,678	128,678
Travel	0	4,580	21,968	26,548	0	0	16,746	16,746
Automobiles	0	0	196,318	196,318	0	0	128,802	128,802
Printing	0	410	11,679	12,089	0	165	11,582	11,747
Police Supplies	0	0	85,371	85,371	0	0	28,010	28,010
Computer Services & Name Searches	0	0	57,229	57,229	0	0	61,166	61,166
Materials, Supplies, and Services	0	4,002	279,923	283,925	0	882	232,903	233,785
Postage	0	0	3,880	3,880	0	12	1,662	1,674
Telephone	0	366	60,815	61,181	0	91	53,368	53,459
Utilities	0	0	16,364	16,364	0	0	18,974	18,974
Other Operating Expenditures	0	0	35,983	35,983	0	0	61,444	61,444
Leased Space	0	0	92,424	92,424	0	0	84,454	84,454
Capital Outlay	0	0	0	0	0	0	10,180	10,180
EXPENDITURES - SUBTOTAL	0	89,255	7,705,648	7,794,903	0	24,205	6,895,124	6,919,329
STATE AGENCY SERVICES								
Division of Fire Prevention and Control	0	0	123,005	123,005	0	0	182,086	182,086
Colorado State Patrol	0	0	2,769,648	2,769,648	0	0	2,567,558	2,567,558
State Auditors	0	0	13,860	13,860	0	0	13,200	13,200
Indirect Costs - Department of Revenue	0	0	963,892	963,892	0	0	810,871	810,871
Colorado Department of Law	0	0	122,442	122,442	0	0	165,551	165,551
OIT Purchased Services	0	0	596,403	596,403	0	0	289,827	289,827
TOTAL STATE AGENCY SERVICES	0	0	4,589,250	4,589,250	0	0	4,029,093	4,029,093
Background Expenditures	0	0	29,716	29,716	0	0	42,018	42,018
TOTAL EXPENDITURES	0	89,255	12,324,614	12,413,869	0	24,205	10,966,235	10,990,440
Excess of Revenues Over Expenditures	168,525	744,426	94,571,088	95,484,039	169,404	517,351	96,182,201	96,868,956
FY24 & FY23 Extended Gaming Distr.	(46,434,925)	0	0	(46,434,925)	(44,135,150)	0	0	(44,135,150)
FUND BALANCE AT JULY 1, 2024 & 2023	46,434,925	3,583,759	2,706,136	52,724,820	44,135,150	2,550,658	2,520,682	49,206,490
TOTAL FUND BAL. FEBRUARY 28, 2025 & FEBRUARY 29, 2024	\$ 168,525	\$ 4,328,185	\$ 97,277,224	\$ 101,773,934	\$ 169,404	\$ 3,068,009	\$ 98,702,883	\$ 101,940,296

COLORADO DIVISION OF GAMING
STATEMENT OF BUDGET TO ACTUAL
EIGHT MONTHS ENDED FEBRUARY 28, 2025
(UNAUDITED)

	BEGINNING BUDGET *	SUPPLE- MENTAL CHANGES / ROLLFORWARDS	ANNUAL REVISED ESTIMATED BUDGET **	66.7% OF OF BUDGETED AMOUNT EXCEPT FOR TAXES ***	YEAR-TO-DATE ACTUAL	OVER / (UNDER) ANNUAL BUDGET	% EARNED % EXPENDED OF ANNUAL BUDGET
REVENUES:							
Gaming Taxes	\$ 174,753,689	\$ 0	\$ 174,753,689	104,085,191	\$ 104,734,091	\$ (70,019,598)	59.93%
License and Application Fees	763,392	0	763,392	508,928	492,597	(270,795)	64.53%
Background Investigations	864,752	0	864,752	576,501	128,753	(735,999)	14.89%
Fines and Fees	0	0	0	0	4,638	4,638	100.00%
Interest Revenue	2,477,878	0	2,477,878	1,651,919	1,534,345	(943,533)	61.92%
Other Revenue	0	0	0	0	1,278	1,278	100.00%
TOTAL REVENUES	178,859,711	0	178,859,711	119,239,807	106,895,702	(71,964,009)	59.77%
EXPENDITURES:							
Personal Services	12,350,897	0	12,350,897	8,233,932	6,838,178	(5,512,719)	55.37%
Operating Expenditures	850,828	495,500	1,346,328	897,552	439,421	(906,907)	32.64%
Workers Compensation	29,064	0	29,064	19,376	19,376	(9,688)	66.67%
Risk Management	30,775	0	30,775	20,517	20,517	(10,258)	66.67%
Licensure Activities	126,078	0	126,078	84,052	61,936	(64,142)	49.13%
Leased Space	469,025	0	469,025	312,683	92,424	(376,601)	19.71%
Vehicle Lease Payments - Fixed	162,144	0	162,144	108,096	109,897	(52,247)	67.78%
Vehicle Lease Payments - Variable	83,600	0	83,600	55,733	83,600	0	100.00%
Utilities	28,925	0	28,925	19,283	16,364	(12,561)	56.57%
Legal Services	183,663	0	183,663	122,442	122,442	(61,221)	66.67%
CORE Operations	14,605	0	14,605	9,737	9,737	(4,868)	66.67%
Payments to Office of Information Technology	706,628	0	706,628	471,085	596,404	(110,224)	84.40%
IT Division - MIPC Phones & ISD	52,888	(6,634)	46,254	30,836	28,057	(18,197)	60.66%
Indirect Costs - Department of Revenue	1,452,282	(6,443)	1,445,839	963,893	963,892	(481,947)	66.67%
State Agency Services	5,030,021	0	5,030,021	3,353,347	2,892,653	(2,137,368)	57.51%
Division Expenditures	21,571,423	482,423	22,053,846	14,702,564	12,294,898	(9,758,948)	55.75%
Background Expenditures	700,000	0	700,000	466,667	29,716	(670,284)	4.25%
TOTAL EXPENDITURES	22,271,423	482,423	22,753,846	15,169,230	12,324,614	(10,429,232)	54.16%
EXCESS OF REVENUES OVER EXPENDITURES	\$ 156,588,288	N/A	\$ 156,105,865	104,070,577	\$ 94,571,088	\$ (61,534,777)	60.58%

* Represents original information given to the Commission in May 2024.
The percent of the fiscal year elapsed through February 28, 2025 is 66.7%.

** Amount includes Long Bill items and Supplemental Appropriations.

*** The original tax projection assumed an AGP increase of 1%, which was then applied to the existing casinos' graduated tax tiers. The \$104,085,191 is this tax projection through February, which is \$648,900 less than the actual taxes collected for the same period.

^^ Calculated number is not a sum, rather elapsed percentage of Annual Revised Estimated Budget.



COLORADO

Department of Revenue

Specialized Business Group—Gaming
1707 Cole Blvd., Suite 300
Lakewood, CO 80401

Memo

To: Colorado Limited Gaming Control Commission
From: Tseko Ivanov, Gaming Controller
Cc: Chris Schroder
Date: April 17, 2025
Re: February 2025 Gaming Fund Financial Statement Presentation

Following are highlights from the Gaming Fund financial statements ending February 28, 2025.

Statement of Revenues, Expenditures, and Changes in Fund Balance

Gaming tax revenues have decreased by \$164,662 or less than .2% over last year. Total Revenues for the Limited Gaming Fund as of February 28, 2025, were \$106,895,702, a less than 1.0% decrease compared to February 2024.

Total expenditures for the period ending February 28, 2025, were approximately \$12.3 million. This represents a 12.4% increase over last year. The main reason for the increase is in the Salaries and Benefits line, which increased by \$728,693 or 12.1% over last year. The PERA Direct Distribution expenditure is \$94,272 more this fiscal year compared to last fiscal year. The OIT Purchased Services line increased by \$306,576 or 105.8% of last year. This was expected, as the appropriation is \$160,469 higher than it was in fiscal year 2024. Also, the utilization rate of the appropriation increased in fiscal year 2025 compared to fiscal year 2024. The Automobiles line increased by \$67,515 or 52.4% due to the increased number of vehicles assigned to Gaming and the increased cost of maintaining the vehicles.

The excess of total revenues over expenditures was \$94,571,088. This is a 1.7% decrease over last year and represents the amount we could distribute as of February 28.

Statement of Budget to Actual

Total revenues collected through February 28, 2025, were 59.8 % of budgeted. Total expenditures were 54.2% of budgeted, which is below the 66.7% of the fiscal year that has elapsed. In addition, the excess of revenues over expenditures was 60.6% of budgeted.

Please feel free to contact me if you have any questions on the Gaming Fund financial statements.

Item VI

Sports Betting Financial Statements for February 2025



**STATEMENT OF SPORTS BETTING REVENUES,
SPORTS BETTING TAXES, AND EXPENDITURES
(UNAUDITED)**

**FOR THE EIGHT (8) MONTHS ENDED
FEBRUARY 28, 2025**

**DIVISION OF GAMING
STATEMENT OF REVENUES
SPORTS BETTING TAXES, AND
EXPENDITURES
(UNAUDITED)**

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COLORADO DIVISION OF GAMING
SPORTS BETTING COMBINED STATEMENT OF REVENUES,
EXPENDITURES, AND CHANGES IN FUND BALANCE
EIGHT MONTHS ENDED FEBRUARY 28, 2025 AND 2024
(UNAUDITED)

	FY 2025			FY 2024		
	HOLD-HARMLESS	SPORTS	TOTAL SPORTS	HOLD-HARMLESS	SPORTS	TOTAL SPORTS
	FUND	BETTING FUND	BETTING FUNDS	FUND	BETTING FUND	BETTING FUNDS
REVENUES:						
Sports Betting Taxes	\$ 0	\$ 24,592,473	\$ 24,592,473	\$ 0	\$ 20,653,906	\$ 20,653,906
License and Application Fees	0	138,402	138,402	0	140,168	140,168
Sports Betting Operations Fees	0	1,634,100	1,634,100	0	2,000,700	2,000,700
Background Investigations	0	42,403	42,403	0	128,784	128,784
Fines	0	1,512	1,512	0	168	168
Interest Income	77,145	502,174	579,319	50,740	454,390	505,130
Other Revenue	0	0	0	0	1,044	1,044
TOTAL REVENUES	77,145	26,911,064	26,988,209	50,740	23,379,160	23,429,900
EXPENDITURES:						
Salaries and Benefits	0	2,122,315	2,122,315	0	1,832,957	1,832,957
Annual and Sick Leave Payouts	0	11,017	11,017	0	30,481	30,481
Professional Services	0	64,873	64,873	0	60,547	60,547
Travel	0	14,720	14,720	0	6,728	6,728
Automobiles	0	15,552	15,552	0	11,077	11,077
Printing	0	2,816	2,816	0	2,564	2,564
Police Supplies	0	5,771	5,771	0	652	652
Computer Services & Name Searches	0	9,085	9,085	0	10,365	10,365
Materials, Supplies, and Services	0	35,015	35,015	0	42,571	42,571
Postage	0	50	50	0	51	51
Telephone	0	10,074	10,074	0	9,119	9,119
Other Operating Expenditures	0	8,522	8,522	0	16,309	16,309
Leased Space	0	23,110	23,110	0	21,477	21,477
Capital Outlay	0	55,000	55,000	0	0	0
EXPENDITURES - SUBTOTAL	0	2,377,920	2,377,920	0	2,044,898	2,044,898
STATE AGENCY SERVICES						
State Auditors	0	13,860	13,860	0	13,200	13,200
Indirect Costs - Department of Revenue	0	155,829	155,829	0	104,040	104,040
Colorado Department of Law	0	57,355	57,355	0	84,143	84,143
OIT Purchased Services	0	167,626	167,626	0	41,374	41,374
TOTAL STATE AGENCY SERVICES	0	394,670	394,670	0	242,757	242,757
Background Expenditures	0	1,454	1,454	0	20,935	20,935
TOTAL EXPENDITURES	0	2,774,044	2,774,044	0	2,308,590	2,308,590
EXCESS OF REVENUES OVER EXPENDITURES	77,145	24,137,020	24,214,165	50,740	21,070,570	21,121,310
OTHER FINANCING SOURCES (USES):						
Sports Betting Distribution	0	(28,234,019)	(28,234,019)	0	(23,900,959)	(23,900,959)
Transfer to Hold-Harmless Fund	0	(1,740,000)	(1,740,000)	0	(1,536,814)	(1,536,814)
Transfer from Sports Betting Fund	1,740,000	0	1,740,000	1,536,814	0	1,536,814
Transfer to Responsible Gaming Grant Fund	(758,326)	0	(758,326)	(489,554)	0	(489,554)
FUND BALANCE AT JULY 1, 2024 & 2023	2,398,738	29,980,188	32,378,926	1,271,076	25,454,129	26,725,205
TOTAL FUND BAL. FEBRUARY 28, 2025 & 2024	\$ 3,457,557	\$ 24,143,189	\$ 27,600,746	\$ 2,369,076	\$ 21,086,926	\$ 23,456,002

COLORADO DIVISION OF GAMING
SPORTS BETTING STATEMENT OF BUDGET TO ACTUAL
EIGHT MONTHS ENDED FEBRUARY 28, 2025
(UNAUDITED)

	BEGINNING BUDGET *	SUPPLE- MENTAL CHANGES / ROLLFORWARDS	ANNUAL REVISED ESTIMATED BUDGET **	66.7% OF BUDGETED AMOUNT	YEAR-TO-DATE ACTUAL	OVER / (UNDER) ANNUAL BUDGET	% EARNED % EXPENDED OF ANNUAL BUDGET
REVENUES:							
Sports Betting Taxes	\$ 32,300,199	\$ 0	\$ 32,300,199	\$ 21,533,466	\$ 24,592,473	\$ (7,707,726)	76.14%
License and Application Fees	216,624	0	216,624	144,416	138,402	(78,222)	63.89%
Sports Betting Operations Fees	3,070,194	0	3,070,194	2,046,796	1,634,100	(1,436,094)	53.22%
Background Investigations	192,984	0	192,984	128,656	42,403	(150,581)	21.97%
Fines and Fees	0	0	0	0	1,512	1,512	100.00%
Interest Revenue	591,094	0	591,094	394,063	502,174	(88,920)	84.96%
TOTAL REVENUES	36,371,095	0	36,371,095	24,247,397	26,911,064	(9,460,031)	73.99%
EXPENDITURES:							
Personal Services	4,112,793	0	4,112,793	2,741,862	2,261,616	(1,851,177)	54.99%
Operating Expenditures	175,038	0	175,038	116,692	68,416	(106,622)	39.09%
Workers Compensation	8,174	0	8,174	5,449	5,449	(2,725)	66.66%
Risk Management	8,655	0	8,655	5,770	5,770	(2,885)	66.67%
Licensure Activities	37,701	0	37,701	25,134	9,128	(28,573)	24.21%
Leased Space	50,433	0	50,433	33,622	23,110	(27,323)	45.82%
Vehicle Lease Payments - Fixed	20,324	0	20,324	13,549	14,373	(5,951)	70.72%
Vehicle Lease Payments - Variable	4,200	0	4,200	2,800	1,179	(3,021)	28.07%
Legal Services	86,032	0	86,032	57,355	57,355	(28,677)	66.67%
CORE Operations	4,108	0	4,108	2,739	2,739	(1,369)	66.67%
Payments to Office of Information Technology	198,739	0	198,739	132,493	167,626	(31,113)	84.34%
Indirect Costs - Department of Revenue	387,109	1,300	388,409	258,938	155,829	(232,580)	40.12%
Division Expenditures	5,093,306	1,300	5,094,606	3,396,403	2,772,590	(2,322,016)	54.42%
Non Personal Services Background Expenditures	106,551	0	106,551	71,034	1,454	(105,097)	1.36%
TOTAL EXPENDITURES	5,199,857	1,300	5,201,157	3,467,437	2,774,044	(2,427,113)	53.34%
EXCESS OF REVENUES OVER EXPENDITURES	\$ 31,171,238	N/A	\$ 31,169,938	\$ 20,779,960	\$ 24,137,020	\$ (7,032,918)	77.44%

* Represents original information given to the Commission in April of 2024.
The percent of the fiscal year elapsed through February 28, 2025 is 66.7%.

** Amount includes Long Bill items and Supplemental Appropriations.



COLORADO

Department of Revenue

Specialized Business Group—Gaming
1707 Cole Blvd., Suite 300
Lakewood, CO 80401

Memo

To: Colorado Limited Gaming Control Commission
From: Ryan Golden, Deputy Gaming Controller
Cc: Christopher Schroder
Date: April 17, 2025
Re: February 2025 Sports Betting Fund Financial Statements

Following are highlights from the Sports Betting Fund financial statements ending February 28, 2025.

Statement of Revenues, Expenditures, and Changes in Fund Balance

Current fiscal year Sports Betting Tax revenue was \$24,592,473 which is an increase of \$3,938,567 or 19% over the prior fiscal year. Total Sports Betting Fund revenues through February 2025 increased by \$3,533,080 or 15% over February 2024.

Total Sports Betting Fund expenditures through February 2025 were \$2,774,044 which is an increase of 16% over February 2024. The increase is due primarily to the increase of \$289,358 in salaries and benefits, and the increase of \$126,252 in OIT Purchased Services.

Statement of Budget to Actual

Total revenues collected through February 2025 were about 74% of budgeted. Total expenditures were about 53% of budgeted, which is below the 67% of the fiscal year that has elapsed. Excess of revenues over expenditures was 77% of budgeted.

Please feel free to contact me if you have any questions on the Sports Betting Fund financial statements.

Item VII

Stipulation and Settlement Agreement in the matter of Xavier Montoy

**BEFORE THE COLORADO LIMITED GAMING CONTROL COMMISSION
STATE OF COLORADO**

Case No. DOG24004478

STIPULATION AND SETTLEMENT AGREEMENT

IN THE MATTER OF:

XAVIER MONTOYA

Support License No. 58752

Respondent.

IT IS HEREBY STIPULATED & AGREED by and between the Colorado Department of Revenue, Division of Gaming (“Division”), the Colorado Limited Gaming Control Commission (“Commission”) and Xavier Montoya, Support License No. 58752 (“Respondent”) (collectively the “Parties”) in lieu of further legal action:

1. The Commission has jurisdiction over Respondent and the subject matter of this Stipulation and Settlement Agreement (“Stipulation”) as set forth in article 30 of Title 44, C.R.S., the Commission’s rules under 1 C.C.R. 207-1, and the Administrative Procedure Act, article 4 of Title 24, C.R.S.

2. Respondent has been licensed as a support licensee under Support License No. 58752 in the State of Colorado at all times relevant herein.

3. Following an investigation conducted by the Division into Respondent’s actions, the Commission approved and signed an Order of Summary Suspension on February 20, 2025. The Commission served the Order of Summary Suspension to Respondent on February 26, 2025. The Order of Summary Suspension is fully incorporated herein.

4. In the Order of Summary Suspension, the Division alleged that Respondent violated the following statutes and rules/regulations, including:

- A. Section 18-4-401(1)(a), C.R.S., & Gaming Regulation 30-502(2), 1 C.C.R. 207-1 [1 count under Charge I in the Order of Summary Suspension];
- B. Sections 44-30-503, 44-30-509(1)(a) & 44-30-801(2), C.R.S. [1 count under Charge II in the Order of Summary Suspension]; and,
- C. Section 44-30-524, C.R.S., & Gaming Regulation 30-1296(12), 1 C.C.R. 207-1 [12 counts under Charge III in the Order of Summary Suspension].

5. Respondent acknowledges receipt of sufficient notice, advisement of rights, and process in the proceedings of this case, and desires to resolve all issues, which were the subject of the investigation, by entering into this Stipulation.

6. The Division and Respondent have discussed the merits of the allegations, and they have come to a mutual agreement and understanding to jointly propose to the Commission a

resolution of the allegations in lieu of proceeding to a hearing before the Commission on the Order of Summary Suspension to determine the merits of such allegations.

7. Respondent admits the violations alleged in Charge I contained in the Order of Summary Suspension signed by the Commission on February 20, 2025, specifically violation of section 18-4-401(1)(a), C.R.S., & Gaming Regulation 30-502(2), 1 C.C.R. 207-1.

8. Instead of proceeding to a hearing on the merits of the Order of Summary Suspension, Respondent agrees to the following sanctions:

- A. Respondent surrenders and relinquishes his Support License No. 58752. The relinquishment shall have the force and effect of a revocation order following a hearing. Upon approval of this Stipulation by the Colorado Limited Gaming Control Commission, Respondent's gaming license shall be deemed revoked.
- B. Respondent agrees that he shall not apply in the future for any license issued by the Colorado Limited Gaming Control Commission.

9. This Stipulation shall not be effective unless and until approved by the Commission. The Commission ultimately has the right to accept or reject this Stipulation. Should the Commission reject the terms hereof, Respondent's admissions herein shall be withdrawn, and the matter rescheduled for a hearing on the Order of Summary Suspension. Should the Commission modify any term hereof, Respondent may accept or reject the change. If Respondent rejects the modified terms, the Commission must receive a written objection at its Lakewood office within seven (7) calendar days of the Commission's determination, at which time Respondent's admissions herein will be withdrawn, and the matter rescheduled for a hearing on the Order of Summary Suspension. Otherwise, Respondent shall be deemed to have accepted the modified terms imposed by the Commission.

10. Respondent agrees to strictly adhere to and meet all requirements established in this Stipulation.

11. Respondent agrees that any violation of this Stipulation may constitute grounds for disciplinary action and, if proven, may constitute a basis for further sanctions or for any other remedy authorized by law.

12. Proof of failure to comply with the terms of this Stipulation shall be considered prima facie evidence of a violation of the Limited Gaming Act (Article 30 of Title 44, C.R.S.) and Commission's rules in 1 C.C.R. 207-1. If Respondent fails to comply with one or more of the conditions of this Stipulation, Respondent will be ordered to appear before the Commission to show cause why further judgment and discipline should not be imposed against Respondent.

13. If an alleged violation of this Stipulation is taken to hearing and the facts that constitute the violation are not proven, this Stipulation shall remain operative and in full force and effect.

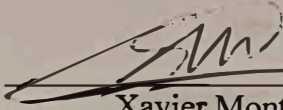
14. By the signatures below, Respondent also acknowledges:

- A. Respondent understands and has been advised of the maximum monetary penalty under law if this matter proceeds to a hearing on the Order of Summary Suspension (revocation of licensing privileges and \$2,500 per count charged);

- B. Respondent will not be paying a monetary penalty as part of this Stipulation;
 - C. Respondent has the right to be represented by an attorney of the Respondent's choice, at the Respondent's expense;
 - D. Respondent has the right to a formal hearing in accordance with article 30 of Title 44, C.R.S., and Commission rules under 1 C.C.R. 207-1;
 - E. Respondent knowingly waives the right to a hearing on the Order of Summary Suspension, the right to compel the attendance of witnesses to testify in his behalf, the right to testify or not testify at the hearing in his behalf, the right to present a defense by oral and documentary evidence, and any rights to further due process not herein referenced, including the right to appeal;
 - F. Respondent voluntarily admits the violations noted above, and further agrees that this Stipulation incorporates all agreements between the parties, and that no other representation by agents of the Division or of the Office of the Attorney General induced participation in this Stipulation;
 - G. Respondent acknowledges having read and understood completely the terms of this Stipulation. Respondent enters this Stipulation knowingly and voluntarily, after the opportunity to consult with counsel, and with full understanding of the legal consequences of this Stipulation;
 - H. Respondent expressly states the terms of this Stipulation are fair, conscionable, and appropriate to reach a full and final resolution of this disciplinary matter; and,
 - I. Respondent knowingly and voluntarily waives the right to judicial review of this matter.
15. Each Party shall bear its own costs and fees incurred in this action.
16. This Stipulation is the complete integration of all understandings between the Parties. No addition, deletion, or amendment shall have any force or effect whatsoever, except as mutually agreed to in a writing signed by the Parties.
17. If this matter is referred to hearing for violation of this Stipulation, this Stipulation shall be admissible as evidence.
18. This Stipulation is a full and final resolution of case number DOG24004478. The pending disciplinary action proceeding under case no. DOG24004478 is dismissed upon final approval of this Stipulation by the Commission.
19. Should any term or provision of this Stipulation be declared invalid or become inoperative for any reason, such invalidity or failure does not affect the validity of any other term or provision hereof.
20. This Stipulation may be signed in counterparts, each of which has full force and effect upon execution by all Parties.
21. Once effective, this Stipulation becomes a public record in the Commission's custody at all times.

AGREED TO BY:

_____, 2025
Christopher Schroder, Director
Colorado Division of Gaming



Xavier Montoya, Respondent
Support Licensee No. 58752

04/06, 2025

APPROVED AS TO FORM:

_____, 2025
Bradford Jones, Senior Assistant Attorney General
Torrey Samson, Senior Assistant Attorney General
Counsel for the Division of Gaming

AGREED TO BY:

Christopher Schroder

Digitally signed by Christopher Schroder
Date: 2025.04.08 16:01:27 -06'00'

Christopher Schroder, Director
Colorado Division of Gaming

_____, 2025

Xavier Montoya, Respondent
Support Licensee No. 58752

_____, 2025

APPROVED AS TO FORM:



Bradford Jones, Senior Assistant Attorney General
Torrey Samson, Senior Assistant Attorney General
Counsel for the Division of Gaming

April 7_____, 2025

**BEFORE THE COLORADO LIMITED GAMING CONTROL COMMISSION
STATE OF COLORADO**

Case No. DOG24004478

ORDER APPROVING STIPULATION AND SETTLEMENT AGREEMENT

IN THE MATTER OF:

XAVIER MONTOYA
Support License No. 58752

Respondent.

The Commission, having reviewed the Stipulation and Settlement Agreement in this matter entered between the Division and the Respondent to resolve the allegations contained therein, finds the terms of the Stipulation and Settlement Agreement are reasonable and just.

THEREFORE, the Stipulation and Settlement Agreement is approved, its terms are hereby adopted as an Order of this Commission, and the pending disciplinary action before the Commission is dismissed with prejudice.

ORDERED AND ENTERED this ____ day of April, 2025.

COLORADO LIMITED GAMING
CONTROL COMMISSION

By: _____
Kevin Armstrong, Chair

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within **STIPULATION AND SETTLEMENT AGREEMENT** and **ORDER APPROVING STIPULATION AND SETTLEMENT AGREEMENT** upon all parties herein named by depositing copies of the same in the United States mail, postage prepaid, at Lakewood, Colorado, this ____ day of _____, 2025, addressed as follows:

Xavier Montoya

Bradford Jones
Senior Assistant Attorney General
Torrey Samson
Senior Assistant Attorney General
Attorneys for the Department of Revenue
Colorado Department of Law
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 8th Floor
Denver, Colorado 80203
Bradford.jones@coag.gov*
Torrey.samson@coag.gov*

Breanne Nolan

* Service by email only

BEFORE THE LIMITED GAMING CONTROL COMMISSION
STATE OF COLORADO

Case Report No. DOG24004478

ORDER OF SUMMARY SUSPENSION

IN THE MATTER OF:

Xavier Montoya
Support License No. 58752
Respondent.

TO: Xavier Montoya
[REDACTED]
[REDACTED]

ORDER OF SUMMARY SUSPENSION

YOU ARE HEREBY NOTIFIED that your support employee license is summarily suspended, pursuant to subsections 24-4-104 (4) and (5), C.R.S., section 44-30-523, C.R.S., and Regulation 30-512 (1), 1 C.C.R. 207-1, of the Colorado Gaming Regulations. A hearing will be scheduled to consider whether further disciplinary action should be taken against you. The Colorado Limited Gaming Control Commission (Commission) has reasonable grounds to believe and hereby finds that you are guilty of a deliberate and willful violation of the Limited Gaming Act of 1991 and the rules promulgated thereunder. The Commission also hereby finds that the public health, safety, or welfare imperatively requires emergency action to halt your continued operation as a licensed support employee.

Pursuant to section 44-30-523, C.R.S., the Commission may summarily suspend every license granted pursuant to the Limited Gaming Act of 1991, pending a hearing before the Commission, upon such terms and conditions as the Commission shall mandate by rule and regulation. Regulation 30-512 of the Colorado Gaming Regulations provides that where the Commission has reasonable grounds to believe and finds that any person licensed under Article 30 of Title 44, C.R.S. has been guilty of a deliberate or willful violation of any provision of Article 30 of Title 44, C.R.S. or the rules or regulations promulgated thereunder or has been charged with a felony, the Commission may summarily suspend the licensee's license pending disciplinary proceedings to consider whether further sanctions should be imposed.

The specific grounds for these findings and the specific charges to be brought against you at the hearing are set forth in the Notice of Charges below, which are hereby fully incorporated by reference herein. Pursuant to those grounds and the above findings,

IT IS HEREBY ORDERED THAT:

1. The support license of Xavier Montoya, support license number 58752, (hereafter "Respondent"), is summarily suspended effective this date, pending a hearing to determine whether Respondent's license should be further disciplined under the Colorado limited gaming licensing laws. Such suspension shall terminate upon timely action by the Commission that resolves all issues brought forward in the following Notice of Charges.
2. Respondent shall immediately turn in their gaming support license number 58752, to the Division of Gaming or its agent.

NOTICE OF HEARING AND ORDER TO SHOW CAUSE

Pursuant to section 44-30-524(1), C.R.S., any license granted pursuant to the Limited Gaming Act of 1991 may be suspended or revoked for any cause which would have prevented its issuance or for any violation by the licensee of this article or any rule or regulation promulgated by the Commission. In addition to revocation or suspension, or in lieu of revocation or suspension, the Commission may impose a reprimand or a monetary penalty not to exceed \$2,500.00 dollars for each count charged if the licensee holds a support license.

Pursuant to Regulation 30-501, 1 C.C.R. 207-1, et seq., of the Colorado Gaming Regulations, the Commission may levy a monetary penalty or may suspend or revoke any license issued by it or the Director for any violations by the person holding the license, or such licensee's employees or agents, of any of the provisions of Article 30 of Title 44, C.R.S., or any of the rules and regulations promulgated thereunder. Acceptance of a state gaming license or renewal thereof by a licensee constitutes an agreement on the part of the licensee to be bound by all the regulations of the Commission as the same now are or may hereafter be amended or promulgated. It is the responsibility of the licensee to be informed of the content of all such regulations, and ignorance thereof will not excuse violations.

You are hereby ordered to appear in person at said hearing and answer the charges against you.

1. Right to counsel. You are entitled to have an attorney represent you at the hearing or you may represent yourself. At the hearing, you have the right to present any relevant evidence on your behalf, rebut any evidence presented against you, call witnesses to testify including yourself, and cross-examine any witnesses testifying against you. If you retain an attorney, you shall do so well in advance of the hearing because a continuance is not granted except for good cause shown. If you do retain an attorney, have the attorney enter an appearance with the Commission at least 10 days prior to the hearing.

2. Filing with the Commission and Service on the Attorney General. Whenever you or your attorney corresponds or files documents with the Commission, you must transmit such documents by the United States first class mail or personal delivery to the Lakewood office of the Colorado

Division of Gaming at 1701 Cole Blvd., Suite 300, Lakewood, CO 80401. You must also simultaneously transmit by the United States first class mail or personal delivery a copy of every such correspondence or document to the Assistant Attorney General whose name appears at the end of hereof, at the Department of Law, Ralph L. Carr Colorado Judicial Center, 8th Floor, 1300 Broadway, Denver, Colorado 80203.

3. Risk of Default. If you fail to appear at said hearing, your license to act as a support employee for limited gaming may be subject to sanction without further notice. Further, if your hearing is scheduled at any time to arise more than thirty days from the date of this notice, you are required to file an answer to the Charges. Your failure to file such an answer to the charges shall be cause for entry of default judgment against you, which default may be set aside for good cause only.

NOTICE OF CHARGES

FACTS

1. On April 22, 2024, Respondent applied for a Colorado Limited Gaming Support Employee License.
2. As part of the application, Respondent signed and dated a Statement of Understanding that states in-part: "I understand I am responsible for knowing and complying with the state laws and regulations governing limited gaming... I further understand that failure to comply with any law, regulation, or the provisions of this Statement of Understanding may be grounds for disciplinary action, including but not limited to the suspension or revocation of my gaming license and a monetary penalty after an administrative hearing."
3. On or about April 25, 2024, Respondent received Colorado Limited Gaming Support Employee License 58752.
4. At the beginning of November 2024, Respondent was employed in a gaming support employee capacity at the Horseshoe Casino.
5. On November 16, 2024, the Division of Gaming began investigating a theft of free play and promotional rewards at the Horseshoe Casino, which involved numerous player cards.
6. Division investigators determined a patron with the initials J.R. used multiple player cards that did not belong to him and redeemed the free play and reward credits on those cards.
7. Division investigators also determined employees in Horseshoe Casino's cashier office changed personal identification numbers (PINs) on player cards for J.R. over the course of multiple days.
8. Section 16(A) of the Commission's Internal Control Minimum Procedures, published by

the Division of Gaming with an effective date of June 1, 2024, states in-part:

“Resetting and/or Changing a Patron PIN: A patron’s PIN may only be changed when the patron is present at the point of the PIN change, (e.g., if the PIN is changed at the Cage, the patron must be present at the Cage at the time of the PIN change). A patron requesting a PIN change must provide official identification verifying his/her identity at the time of the PIN change.”

9. The Guest Services Center Department Policy for Horseshoe Casino and LadyLuck Casino states in-part: “Pin Changes: All pin changes require GSR to see the physical ID of the guest requesting to change the pin. At no time should any representative change any information in a guests account without first verifying the guests ID.”
10. Division investigators identified Respondent as one of the employees who changed PINs for J.R. on other patrons’ player cards without verifying J.R.’s identity as the proper owner of each player card.
11. There were twelve (12) instances during which Respondent in his capacity as a support licensee changed PINs on player cards belonging to other patrons for J.R. The twelve (12) instances include:
 - a. Patron L.L.
 - i. (1) November 10, 2024 at 04:32 - J.R. presented his own driver license (hereafter, “ID”) and Patron L.L.’s player card to Respondent, who accepted L.L.’s player card, but did not verify J.R.’s identity matched L.L.’s name on the player card before changing the pin for J.R. J.R.’s name on the ID did not match Patron L.L.’s name on the player card.
 - ii. (2) November 11, 2024 at 05:51 - J.R. presented his own ID on a phone and Patron L.L.’s player card to Respondent, who accepted L.L.’s player card, but did not verify J.R.’s identity matched L.L.’s name on the player card before changing the pin for J.R. J.R.’s name on the ID did not match Patron L.L.’s name on the player card.
 - b. Patron J.C.
 - i. (3) November 10, 2024 at 00:34 - Respondent swiped J.R.’s ID and Patron J.C.’s player card without verifying J.R.’s identity matched J.C.’s name on the player card before changing the pin for J.R. J.R.’s name on the ID did not match Patron J.C.’s name on the player card.
 - c. Patron J.O.
 - i. (4) November 6, 2024 at 02:30 - J.R. presented his own ID and Patron J.O.’s player card to Respondent, who accepted J.O.’s player card, but did not verify J.R.’s identity matched J.O.’s name on the player card before changing the pin for J.R. J.R.’s name on the ID did not match Patron J.O.’s name on the player card.

- d. Patron M.Ma.
 - i. (5) November 6, 2024 at 05:57 - J.R. presented his own ID and Patron M.Ma.'s player card to Respondent, who accepted M.Ma.'s player card, but did not verify J.R.'s identity matched M.Ma.'s name on the player card before changing the pin for J.R. J.R.'s name on the ID did not match Patron M.Ma.'s name on the player card.
 - ii. (6) November 10, 2024 at 03:36 - J.R. presented his own ID on a phone and Patron M.Ma.'s player card to Respondent, who accepted M.Ma.'s player card, but did not verify J.R.'s identity matched M.Ma.'s name on the player card before changing the pin for J.R. J.R.'s name on the ID did not match Patron M.Ma.'s name on the player card.
- e. Patron N.N.
 - i. (7) November 6, 2024 at 05:44 - J.R. presented his own ID and Patron N.N.'s player card to Respondent, who accepted N.N.'s player card, but did not verify J.R.'s identity matched N.N.'s name on the player card before changing the pin for J.R. J.R.'s name on the ID did not match Patron N.N.'s name on the player card.
- f. Patron J.A.
 - i. (8) November 9, 2024 at 23:14 - J.R. presented his own ID and Patron J.A.'s player card to Respondent, who accepted J.A.'s player card, but did not verify J.R.'s identity matched J.A.'s name on the player card before changing the pin for J.R. J.R.'s name on the ID did not match Patron J.A.'s name on the player card.
 - ii. (9) November 11, 2024 at 05:55 - J.R. presented his own ID on a phone and Patron J.A.'s player card to Respondent, who accepted J.A.'s player card, but did not verify J.R.'s identity matched J.A.'s name on the player card before changing the pin for J.R. J.R.'s name on the ID did not match Patron J.A.'s name on the player card.
- g. Patron M.Mu.
 - i. (10) November 12, 2024 at 00:47 - J.R. presented his own ID and Patron M.Mu.'s player card to Respondent, who accepted M.Mu.'s player card, but did not verify J.R.'s identity matched M.Mu.'s name on the player card before changing the pin for J.R. J.R.'s name on the ID did not match Patron M.Mu.'s name on the player card.
 - ii. (11) November 10, 2024 at 03:55 - J.R. presented his own ID on a phone and Patron M.Mu.'s player card to Respondent, who accepted M.Mu.'s player card, but did not verify J.R.'s identity matched M.Mu.'s name on the player card before changing the pin for J.R. J.R.'s name on the ID did not match Patron M.Mu.'s name on the player card.
- h. Patron Y.L.
 - i. (12) November 9, 2024 at 22:04 - J.R. presented his own ID and Patron Y.L.'s player card to Respondent, who accepted Y.L.'s player card, but did not verify J.R.'s identity matched Y.L.'s name on the player card before changing the pin for J.R. J.R.'s name on the ID did not match

Patron Y.L.'s name on the player card.

12. During each of the twelve (12) incidents, Respondent failed to verify that J.R.'s identity matched the name on the player card before changing each player card's PIN.
13. Division investigators attribute a loss of \$1,734.00 to the eight (8) patrons listed above in free play and promotional rewards on player cards to Respondent's action in changing the PINs for J.R.
14. Division Investigators Katherine Forde and Robb Shimp interviewed Respondent at the Horseshoe Casino interview room on December 8, 2024. The interview was video and audio recorded.
15. During the interview, Respondent admitted that Horseshoe employees are mandated to check IDs before changing a PIN on a player card.
16. Respondent also admitted to Division investigators he was familiar with J.R. and identified him as a "regular customer."
17. Respondent further admitted during the interview that he had changed several PINs on player cards for J.R. without verifying proper identification first.
18. At approximately 8:36 PM, Respondent stated "to be honest I got lazy and I was just doing it" when asked why he would change PINs on player cards without looking at the individual's ID.
19. At the conclusion of the interview, Respondent voluntarily surrendered his support gaming license; however, the Division did not formally accept and process Respondent's voluntary surrender. Respondent subsequently inquired with the Division about withdrawing his surrender, so the Division now recommends summary suspension.

CHARGE I
(1 count)

Pursuant to section 18-4-401 (1), C.R.S., *Theft*, a person commits theft when he or she knowingly obtains, retains, or exercises control over anything of value of another without authorization or by threat or deception and: (a) intends to deprive the other person permanently of the use or benefit of the thing of value; (b) knowingly uses, conceals, or abandons the thing of value in such manner as to deprive the other person permanently of its use or benefit; and/or (c) uses, conceals, or abandons the thing of value intending that such use, concealment, or abandonment will deprive the other person permanently of its use or benefit.

Pursuant to section 18-1-603, C.R.S., a person is legally accountable as principal for the behavior of another constituting a criminal offense if, with the intent to promote or facilitate the

commission of the offense, he or she aids, abets, advises, or encourages the other person in planning or committing the offense.

Pursuant to Gaming Regulation 30-502(2), 1 C.C.R. 207-1, the Commission may initiate disciplinary proceedings against a license where it determines that there is probable cause to believe: that the licensee, the licensee's employees, or agents have violated any of the provisions of article 30 of title 44, C.R.S., or the Rules and Regulations thereunder; that the licensee or persons associated with the licensee are of unsatisfactory moral character; or that violations by the licensee, the licensee's employees, or agents, *of laws other than the limited gaming laws make the licensee no longer suitable for licensing* by the Commission or Director. (emphasis added)

The facts and circumstances alleged in paragraphs 1 through 19 above are incorporated by this reference as though set forth fully herein: by changing the PINs on multiple player cards without properly verifying that J.R.'s identity matched the name on each player card before changing the pin, Respondent aided J.R. in the theft of \$1,734 on player cards. By changing the PINs on the player cards for J.R., Respondent deprived the patrons to whom the player cards belonged, access to the money, free play and promotional rewards on those player cards. Respondent could have declined to change the PINs by verifying that J.R.'s ID did not match the name of the patron listed on each player card, but failed to do so. Respondent's actions aided J.R. in his theft, who accessed the patrons' player cards, thereby depriving the patrons to whom the player cards belonged from their money, free play and promotional rewards. Respondent's actions violated section 18-4-401(1)(a), C.R.S., and Gaming Regulation 30-502(2). Respondent's violation of section 18-4-401(1)(a), C.R.S., makes him no longer suitable for licensing by the Commission, and thereby subjects his support license to revocation and discipline in accordance with section 44-30-524, C.R.S., and Commission Rules under 1 C.C.R. 207-1.

CHARGE II

(1 count)

Pursuant to section 44-30-801(2), C.R.S., Respondent must be a person of good moral character, honesty, and integrity, and be a person whose prior activities, criminal record, reputation, habits and associations do not pose a threat to the public interests of this state or to the control of gaming or create or enhance the dangers of unsuitable or illegal practices, methods, and activities in the conduct of gaming or the carrying on of the business incidental to the conduct of gaming. *See also*, § 44-30-514, C.R.S. Further, pursuant to section § 44-30-509(1)(a), C.R.S., Respondent must establish by clear and convincing evidence his continuing qualification, including suitability, good moral character, honesty, and integrity, as set forth in section 44-30-505, C.R.S. Respondent's limited gaming license is a revocable privilege conditioned upon his continuing qualification and affirmative responsibility to provide law enforcement and regulatory authorities necessary assistance and information as set forth in section 44-30-503, C.R.S.

The facts and circumstances alleged in paragraphs 1 through 19 above are incorporated by this reference as though set forth fully herein: Respondent's conduct reflects poorly on his moral character and suitability to hold a gaming license. By changing the PINs on multiple player cards

without properly verifying that J.R.'s identity matched the name on each player card before changing the pin, Respondent aided J.R. in the theft of \$1,734 on player cards. By changing the PINs on the player cards for J.R., Respondent deprived the patrons to whom the player cards belonged, access to the money, free play and promotional rewards on those player cards. Respondent's actions described in the paragraphs above reflect poorly on his moral character and suitability to hold a gaming license and demonstrate a disregard for lawful conduct. Based on the foregoing, Respondent violated sections 44-30-505, -509(1)(a), and -801(2), C.R.S., and thereby subjects his support license to revocation and discipline, including revocation, in accordance with section 44-30-524, C.R.S., and Commission Rules under 1 C.C.R. 207-1.

CHARGE III (12 counts)

Pursuant to Limited Gaming Regulation 30-1296(12), player information on player cards may only be changed by an authorized, licensed, employee at the request of the patron, or by the patron.

The facts and circumstances alleged in paragraphs 1 through 19 above are incorporated by this reference as though set forth fully herein: Respondent changed the PINs on player cards belonging to Patrons L.L., J.C., J.O., M.Ma., N.N., J.A., M.Mu., and Y.L. on 12 separate occasions for J.R. None of those eight (8) patrons requested Respondent to change the PINs/player information on their player cards. Respondent could have declined to change the PINs by verifying that J.R.'s ID did not match the name of the patron listed on each player card but failed to do so.

Respondent's actions violated Regulation 30-1296(12) on twelve (12) separate occasions [12 counts] and thereby subjects his support license to discipline, including revocation, for each count in accordance with section 44-30-524, C.R.S., and Commission Rules under 1 C.C.R. 207-1.

WHEREFORE, the facts alleged in Charges I through III constitute, in whole or in part, a danger to the public health, safety, or welfare and willful and deliberate violations of the law such that you imperatively cannot be allowed to continue doing licensed gaming business.

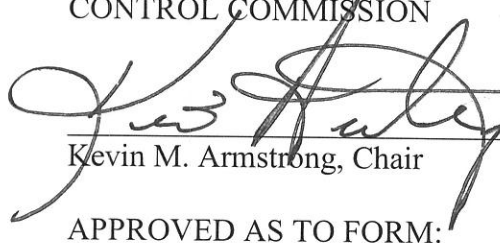
Therefore, your support employee license is subject to summary suspension pursuant to section 24-4-104(4), C.R.S., section 44-30-523, C.R.S., and Colorado Gaming Regulation 30-512, 1 C.C.R. 207-1.

Therefore, additionally, said license may be subject to suspension, revocation, or monetary penalty pursuant to section 44-30-524, C.R.S. and as the evidence presented at the hearing may support.

Therefore, an administrative hearing against the support employee license of Xavier Montoya, support license number 58752, is required and appropriate. A Notice of Hearing will be issued separately from this Order.

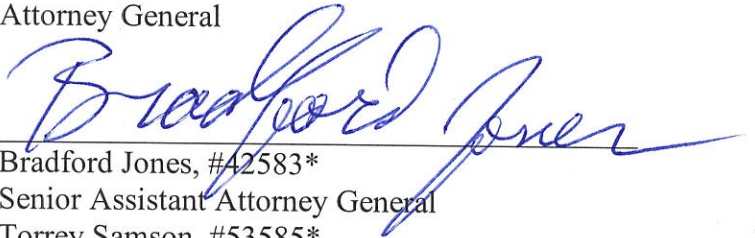
Dated this 20th day of February, 2025

FOR THE COLORADO LIMITED GAMING
CONTROL COMMISSION


Kevin M. Armstrong, Chair

APPROVED AS TO FORM:

PHILIP J. WEISER
Attorney General



Bradford Jones, #42583*

Senior Assistant Attorney General

Torrey Samson, #53585*

Senior Assistant Attorney General

Colorado Department of Law

Ralph L. Carr Colorado Judicial Center

1300 Broadway, 8th Floor

Denver, Colorado 80203

Telephone: (720) 508-6355 (Jones)

(720) 508-6344 (Samson)

Fax: (720) 508-6038

Bradford.jones@coag.gov

Torrey.samson@coag.gov

*Counsel of Record


CERTIFICATE OF SERVICE

This is to certify that I have duly served the within **ORDER OF SUMMARY
SUSPENSION** upon all parties herein named by depositing copies of the same in the United States mail, postage prepaid, at Lakewood, Colorado, this 26th day of February, 2025, addressed as follows:

Xavier Montoya
[REDACTED]
[REDACTED]

(Address of record with the Division of Gaming)

Bradford Jones, Esq.
Senior Assistant Attorney General
Colorado Department of Law
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 8th Floor
Denver, Colorado 80203


Breanne Nolan

Item VIII

Colorado Gaming Rule 14 - Gaming Tax



COLORADO

Department of Revenue

Specialized Business Group—Gaming
1707 Cole Blvd., Suite 300
Lakewood, CO 80401

Memo

To: The Colorado Limited Gaming Control Commission
From: Paul Hogan, Chief Auditor
Cc: Kenya Collins, Director of Administration
Date: April 11, 2025
Re: Gaming Tax Setting Methodology and Other Relevant Information

During April, you will receive budget requests from various state agencies and enter into tax hearings to receive testimony from other entities and public comment. In May, the tax hearing will continue so that you may receive testimony from the remaining entities and input from the public and set the tax rate for fiscal year 2026. Attached, please find several documents that you may find useful during the annual tax setting hearing in April and May:

- Budget Presentation Schedule
- Highlight of Relevant Citations from the Limited Gaming Act
- Gaming Impacts Presentation Schedule (April and May)
- Historical Tax Rates
- Constitutional Distribution Formula

I will present the tax methodology at the onset of the tax hearing in April. If you have any questions, please contact me at 303-961-7479.

BUDGET REQUEST SCHEDULE - 2025

To meet the requirements of Colorado Limited Gaming Regulation (CLGR) 30-1803, the Commission receives budget requests from various state and governmental agencies. The text of this regulation follows:

30-1803 Budget preparation.

(1) In conjunction with the annual tax setting hearings, the Commission shall schedule presentations from all state or governmental agencies with which it has a contract or agreement for the purposes of establishing the upcoming fiscal year budget and any revisions to the current year budget. At that time, the Commission shall require participation from said agencies in providing funding requests and applicable support data.

(2) To ensure a coordinated approach in the state's budgetary process and between the Office of State Planning and Budgeting, the Joint Budget Committee, and the Commission, the Commission requires the following from all agencies seeking funding from the limited gaming fund:

(a) Each such agency will be required to include its request for funding from the limited gaming fund in its departmental budget submission to the Office of State Planning and Budgeting and the Joint Budget Committee in the preceding fall, **including any decision item requests for funding other than a continuation level.**

(b) **If the agency is requesting funding other than a continuation level, the budget request shall also be transmitted to the Commission by November 1.** The agency shall make an informative presentation to the Commission in November, with the formal presentation made during the budget hearings pursuant to 30-1803 (1).

Furthermore, Colorado Revised Statute 44-30-203(2)(j) requires the Division of Gaming to annually prepare and submit to the Commission a proposed budget for the succeeding fiscal year that sets forth a complete financial plan for all proposed expenditures and anticipated revenues of the Division.

A review of budget requests will be conducted before setting the tax rates. According to the requirements outlined above, the Commission will receive budget requests from the following agencies in June:

Colorado Department of Public Safety (CDPS), Colorado State Patrol

CDPS/Division of Fire Prevention and Control

Department of Revenue, Division of Gaming

TAX HEARING SCHEDULE – 2025

To meet the requirements of Colorado Revised Statutes (CRS) 44-30-601, the Commission receives testimony from various entities during the tax hearings. The relevant citations follow.

44-30-601. Gaming tax.

- (1) There is hereby imposed a gaming tax on the adjusted gross proceeds of gaming allowed by this article 30. The tax is set by rule as promulgated by the commission. The commission shall not set the tax at more than forty percent of the adjusted gross proceeds. In setting the tax rate, the commission shall consider the need to provide money to the cities of Central, Black Hawk, and Cripple Creek for historic restoration and preservation; the impact on the communities and any state agency, including infrastructure, law enforcement, environment, public health and safety, education requirements, human services, and other components due to limited gaming; the impact on licensees and the profitability of their operations; the profitability of similar forms of gambling in other states; and the expenses of the commission and the division for their administration and operation. The commission shall also consider the following:
- (a) The amount shall never exceed the percentage provided in section 9 (5)(a) of article XVIII of the state constitution;
 - (b) The amount shall be established in conformity with the spirit and interest of this article 30 so as to encourage business growth and investment in the gaming industry and to permit licensed operations, under normal business conditions and operation procedures, to realize a fair and just profit;
 - (c) The amount shall take into account unreimbursed local financial burdens associated with limited gaming-related operations;
 - (d) In setting the amount, the commission shall take into account profit levels after expenses of similar forms of gaming in other states;
 - (e) The amount shall take into account capital costs required to comply with local, state, or federal requirements; financial reserves required by the commission for payments to winners; and investments necessitated by regulatory requirements of the commission;
 - (f) The amount shall permit the licensed operator a reasonable profit after expenses, including:
 - (I) Capital costs associated with the licensed premises;
 - (II) Capital costs associated with limited gaming equipment;
 - (III) Capital costs required to comply with local or state requirements;
 - (IV) Extraordinary operating costs, including the provision of housing or transportation, or both, for employees;
 - (V) Initial costs associated with commencement of limited gaming;
 - (VI) Financial reserves required by the commission for payment to winners;
 - (VII) Investments necessitated by regulatory requirements of the commission; and
 - (g) If local voters in one or more cities revise any limits on gaming as provided in section 9 (7)(a) of article XVIII of the state constitution:
 - (I) Any commission action that increases the percentage of gaming taxes from the percentages imposed as of July 1, 2008, shall be effective only if approved by voters at a statewide election held under section 20 (4)(a) of article X of the state constitution; and
 - (II) Gaming tax revenues attributable to the locally approved revisions shall be collected and spent as a voter-approved revenue change without regard to any limitation contained in section 20 of article X of the state constitution or any other law.
- (2) When adopting or amending any rule affecting the applicable tax rate or any other attribute or policy relating to application of the gaming tax authorized by subsection (1) of this section, the commission shall consider the impact on recipients of limited gaming tax proceeds, including those from extended limited gaming.

(3) (a) The department shall collect the amount of gaming tax on adjusted gross proceeds determined pursuant to subsection (1) of this section from the licensed retailer and shall have all of the powers, rights, and duties provided in articles 20, 21, and 26 of title 39 to carry out the collection. The commission shall authorize reimbursement to the department of the costs associated with collection of gaming tax on adjusted gross proceeds from licensed operators pursuant to subsection (1) of this section, upon documentation of the costs satisfactory to the commission.

(b) All money collected pursuant to this section shall be deposited in the limited gaming fund created by section 9 (5)(a) of article XVIII of the state constitution.

.....

According to the requirements outlined above, all recipients of gaming fund revenues have been invited to present testimony during the tax hearings in April and May. Some recipients may choose to present in person, provide written statements to be included in the rule-making record, or make no presentation at all. The schedule below is established to provide structure to the hearings. It is not intended to limit the time periods or subject matters the Commission may consider when determining the tax. It is important to note that in addition to the testimony received by the Commission, the Commission solicits public input and comments at each of these meetings.

APRIL HEARING Colorado State Historical Society

Colorado State Judicial Department

State's public community colleges, junior colleges, and local district colleges

- State Board for Community Colleges, CCCS
- Adams State College
- Aims Community College
- Colorado Mesa University
- Colorado Mountain College

MAY HEARING City of Black Hawk

City of Central City

City of Cripple Creek

Gilpin County

Teller County

State Share Recipients

- Colorado Travel and Tourism Promotion Fund
- Advanced Industries Acceleration Cash Fund
- Innovative Higher Education Research Fund
- Creative Industries Cash Fund
- Colorado Office of Film, Television, and Media Operational Account Cash Fund

RubinBrown (contract CPA firm) and Division of Gaming
Colorado Gaming Association

HISTORICAL TAX RATES

October 1991 - September 1992

4%	\$0 to \$440,000
8%	\$440,000 to \$1.2 million
15%	Above \$1.2 million

October 1992 - September 1993

2%	\$0 - \$1 million
20%	Above \$1 million

October 1993 - September 1994

2%	\$0 to \$1 million
8%	\$1 million to \$2 million
15%	\$2 million to \$3 million
18%	Above \$3 million

October 1994 - September 1996

2%	\$0 to \$2 million
8%	\$2 million to \$4 million
15%	\$4 million to \$5 million
18%	Above \$5 million

October 1996 - June 1999

2%	\$0 to \$2 million
4%	\$2 million to \$4 million
14%	\$4 million to \$5 million
18%	\$5 million to \$10 million
20%	Above \$10 million

July 1999 - June 2008

0.25%	\$0 to \$2 million
2%	\$2 million to \$4 million
4%	\$4 million to \$5 million
11%	\$5 million to \$10 million
16%	\$10 million to \$15 million
20%	Above \$15 million

July 2008 - June 2011

0.25%	\$0 to \$2 million
2%	\$2 million to \$5 million
9%	\$5 million to \$8 million
11%	\$8 million to \$10 million
16%	\$10 million to \$13 million
20%	Above \$13 million

July 2011 - June 2012

0.2375%	\$0 to \$2 million
1.9%	\$2 million to \$5 million
8.55%	\$5 million to \$8 million
10.45%	\$8 million to \$10 million
15.2%	\$10 million to \$13 million
19.0%	Above \$13 million

July 2012 - June 2025

0.25%	\$0 to \$2 million
2%	\$2 million to \$5 million
9%	\$5 million to \$8 million
11%	\$8 million to \$10 million
16%	\$10 million to \$13 million
20%	Above \$13 million

CONSTITUTIONAL DISTRIBUTION FORMULA

Limited Gaming Fund (i.e., pre-Amendment 50)

50% to the State General Fund, used at the discretion of the General Assembly.

28% to the State Historical Fund.

12% to the gaming counties of Teller and Gilpin, in proportion to the gaming revenues generated in these respective counties and used at the discretion of county officials.

10% to the gaming cities of Black Hawk, Central City, and Cripple Creek, in proportion to the gaming revenues generated in these respective cities and used at the discretion of city officials.

Extended Limited Gaming Fund (i.e., Amendment 50 Recipients)

78% 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.

12% to the gaming counties of Teller and Gilpin, in proportion to the gaming tax revenue generated in these respective counties and used at the discretion of county officials.

10% to the gaming cities of Black Hawk, Central City, and Cripple Creek, in proportion to the gaming tax revenue generated in these respective cities and used at the discretion of city officials.

OFFICE OF THE STATE COURT ADMINISTRATOR



March 12, 2025

Paul Hogan
Chief Auditor
Colorado Division of Gaming
1707 Cole Blvd. Suite 300
Lakewood, CO 80401

Dear Paul:

We have compiled fiscal impact information related to legalized gaming as requested. In Fiscal Year 1995, the Judicial Branch received an appropriation for six court clerks specifically associated with the workload increases in Gilpin and Teller Counties. In Fiscal Year 1996, the 4th Judicial District allocated a new court clerk position to Teller County in response to workload demands. Since Fiscal Year 1995, the county court judgeships in Gilpin and Teller Counties were increased by a combined 0.45 FTE due to gaming-related cases.

Based on current data, it is estimated that the Fiscal Year 2026 impact to judges and clerks in Gilpin and Teller Counties is shown in the table below.

Staff	Fiscal Year 2026 Costs
7.0 Court Clerks	\$518,538
0.45 Judgeships	\$106,697
Total	\$625,235

Please let me know if you need anything further.

Sincerely,

A handwritten signature in blue ink that reads "Tracy Griffith".

Tracy Griffith
Deputy Director, Financial Services



History Colorado

We Are Colorado. Somos Colorado.

Gaming Commission | 2025 Hearing

Annie Levinsky, Vice President & Chief Operating Officer

Chris Creighton, Chief Financial Officer

April 2025

MISSION & VISION

Mission

We are Colorado. Together, our generational work centers communities, deepens knowledge and catalyzes the transformative power of history.

Vision

It's our vision that every Coloradan feels rooted, draws strength from those who have come before us, and knows they belong in this place.



History Colorado

We Are Colorado. Somos Colorado.

April 2025

STRATEGIC PILLARS

- Build Long-Term Sustainability
- Invest in Rural Prosperity
- Strengthen Colorado through Education
- Share the Diverse Stories of Colorado



History Colorado

We Are Colorado. Somos Colorado.

History in Action

PROGRAMS

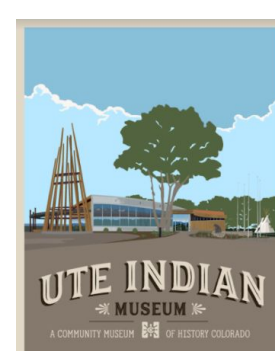
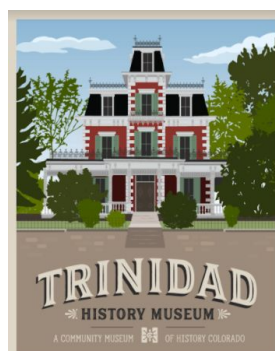
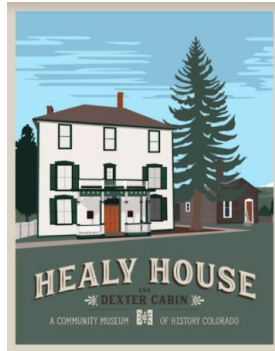
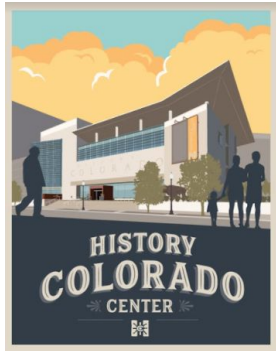
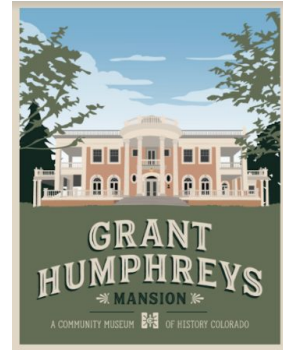
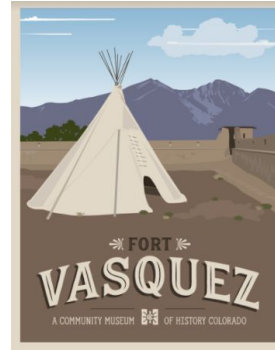
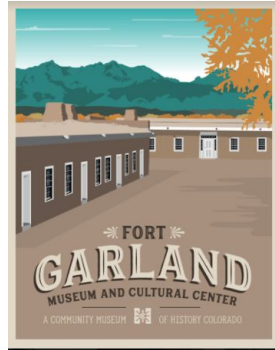
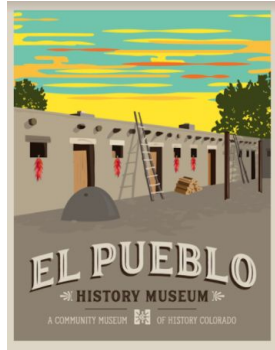
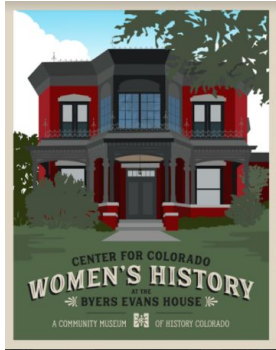
- Education & Hands-On History
- Exhibitions Across the State
- Community Engagement & Museum of Memory
- History Colorado Affiliates
- Publications & Research
- Collections Care and Access & Stephen H. Hart Research Center
- Preservation & Archaeology



History Colorado

We Are Colorado. Somos Colorado.

11 MUSEUMS & HISTORIC SITES



State Historic Preservation Office

PRESERVATION

- We are the State Historic Preservation Office (SHPO) and administer the National Historic Preservation Act in Colorado
- 10-year State Preservation Plan
- Office of the State Archaeologist
- State & National Register Programs & Tax Credits
- Review & Compliance
- Information Management / Resource Database
- Certified Local Government (CLG) Program
- Centennial Farms and Ranches



History Colorado

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State Historical Fund PRESERVATION

- 1990 Constitutional Amendment with Limited Stakes Gaming in Black Hawk, Central City, & Cripple Creek
- Grant Types: Planning, Emergency, Archaeology, Education, Survey/Nomination, and Physical Preservation Work.
- Grant Awards from \$5,000 to \$250,000; Two Competitive Grants Rounds per Year
- Stephen H. Hart Awards for Preservation Excellence
- National Leader in Statewide Preservation Funding



History Colorado

We Are Colorado. Somos Colorado.

April 2025

BY THE NUMBERS

Total individuals served directly/in-person:	761,803
Total number of independent engagements:	2,547,441
Number of kids served with FREE admission: <i>since program launched July 1, 2022</i>	29,162



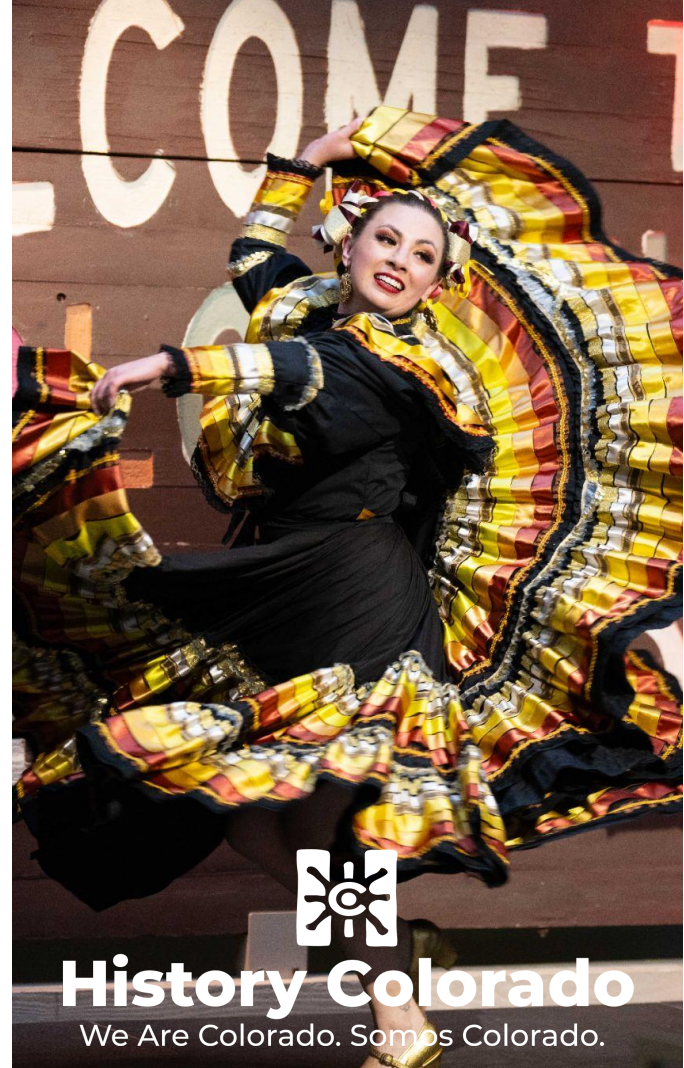
History Colorado

We Are Colorado. Somos Colorado.

April 2025

BY THE NUMBERS

- 145 years of service
- 15 million artifacts in State's Collection
- \$380 million in preservation grants awarded in all 64 counties
- More than 80,000 students served annually from 700 schools



History Colorado

We Are Colorado. Somos Colorado.

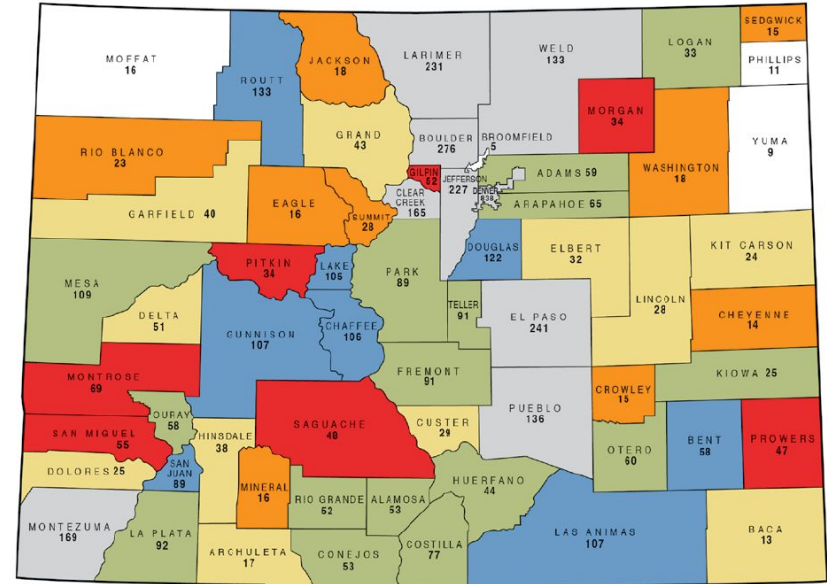
Statewide Service IMPACT

- Served more than 600 kids at 7 Hands-On History locations
- Grew Colorado Heritage for All Initiative to add 150 sites to the State Register of Historic Properties by 2026
- Added 80 members to the new Affiliates Network to serve and support history organizations statewide
- Traveled exhibitions across the state



Statewide Service

**The State
Historical Fund has
awarded over
5,525 throughout
the 64 counties
since its inception.**



A map of Colorado indicating the total number of grants and grant dollars awarded to each county in fiscal year 2024.

Number of grants awarded indicated by numbers on the map. Projects affecting multiple counties are not shown.



64 of 95 \$500,000 to \$1 million \$2 million to \$3 million \$5 million to \$7 million

FY24

STATE HISTORICAL FUND

Total grants requested: 203

Grants awarded: 117

Total grant value: \$11,099,196

Total cash match provided: \$8,244,166

Total project value: \$19,343,369



History Colorado

We Are Colorado. Somos Colorado.

Project Highlight

CHANCELLOR

RANCH

Las Animas, Bent County

Grant: \$149,993

The Chancellor Ranch, a 53,000-acre site, with over 1,700 archaeological sites, is being studied by PCRG. This grant funds research with students, volunteers, and the State Archaeologist to create a detailed report, StoryMap, and public booklet about the site's cultural and Indigenous history.



History Colorado

We Are Colorado. Somos Colorado.

Project Highlight

PEOPLE'S MARKET

San Luis, Costilla County

Grant: \$102,902

The People's Market, Colorado's oldest family-run grocery store, is being revitalized into a co-op. This grant supports the creation of construction documents for the building's rehabilitation, to transform it into a community hub with a grocery store, kitchen, retail spaces and housing, honoring Indigenous and Hispanic culinary tradition.



History Colorado

We Are Colorado. Somos Colorado.

Project Highlight

ST. GEORGE EPISCOPAL

Leadville, Lake County

Grant: \$249,984

The St. George Episcopal Mission, housed in a historic 1880 Carpenter Gothic church, serves as a community hub offering food services, workshops, and language classes. This grant will fund structural repairs, drainage improvements, and snow management to ensure the church remains a vital, welcoming space for the community.



History Colorado

We Are Colorado. Somos Colorado.

History Colorado

LOOKING FORWARD



History Colorado

We Are Colorado. Somos Colorado.

Looking Forward **COLORADO HERITAGE FOR ALL**

Effort to add 150 sites to the State & National Register by end of 2026.
Will increase access to preservation programs, including the State Historical Fund.

43 sites already listed toward goal.



History Colorado
We Are Colorado. Somos Colorado.

Looking Forward **WORKFORCE INITIATIVE**

This competitive grant opportunity is designed to strengthen Colorado's preservation workforce of the future through education and training, including: apprenticeships, internships, and various professional development opportunities. The State Historical Fund is committed to shaping the preservation professionals of tomorrow and ensuring that the workforce reflects the communities it serves.



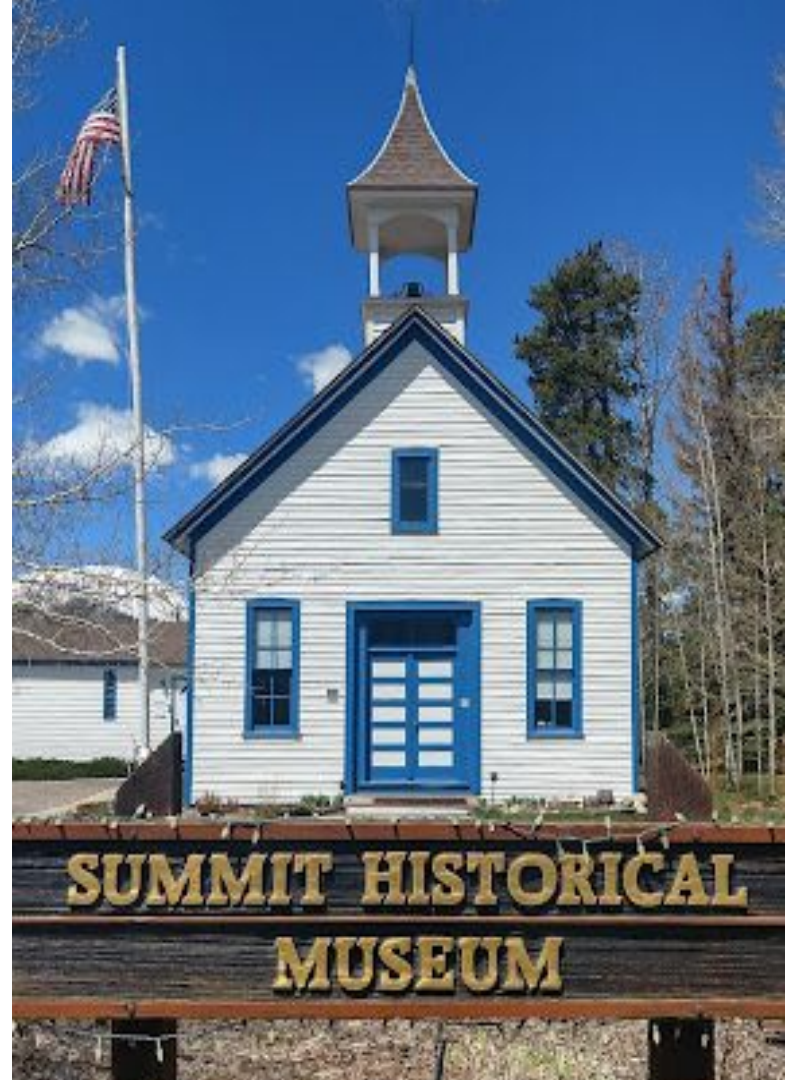
History Colorado

We Are Colorado. Somos Colorado.

Looking Forward

AFFILIATES NETWORK

- Currently 80 members across the state
- Building connections
- Sharing knowledge and expertise
- Traveling exhibitions
- Professional consulting
- Shared promotion



Looking Forward

NEW EXHIBITS

Dogpatch, May 17, El Pueblo

Why We Serve, June 21, Fort Garland

The Journey of Dominguez & Escalante, July 18, Denver

38th Star: Colorado Becomes the Centennial State, Sept 26, Denver

Moments that Made Us, Nov 21, Denver

MOMENTS



THAT MADE US

VISIT **MUSEUM** **TODAY**

Looking Forward

Colorado 150 - America 250



The America 250 - Colorado 150 Commission is committed to recognizing that our shared history includes the experiences of all who have called Colorado home, and that Colorado's story does not end at our state borders but is part of the broader American story.

Starting in the fall of 2025 and throughout 2026, Colorado's Sesquicentennial will be an opportunity for every Coloradan to come together as we:

- Celebrate Colorado by acknowledging our complete history
- Honor what makes Colorado unique
- Embrace our shared destiny as we strive toward a more perfect union.

You're part of something big.

COLORADO 150 | AMERICA 250



History Colorado

We Are Colorado. Somos Colorado.



History Colorado

We Are Colorado. Somos Colorado.



April 2025

Limited Gaming Control Commission
17301 W. Colfax Ave.
Suite 135
Golden, CO 80401

Dear Commission,

On behalf of Aims Community College, I would like to thank the Commission for the work you do for the State of Colorado. The gaming tax revenue the college receives from the gaming industry helps the college provide high quality educational services at an affordable price to the Northern Colorado communities we serve.

The college has no issues or concerns to bring before the Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Chuck Jensen", with a stylized flourish at the end.

Chuck Jensen
Vice President/CFO

Item IX

Fiscal Year 2026 Budget Requests

**COLORADO DEPARTMENT OF PUBLIC SAFETY
SUMMARY
FY 2025-26 BUDGET REQUEST**

DIVISION	ACTUAL FY 2023 TOTAL FUNDS	FTE	ACTUAL FY 2024 TOTAL FUNDS	FTE	APPROVED FY 2025 TOTAL FUNDS	FTE	REQUEST FY 2026 TOTAL FUNDS	FTE
COLORADO STATE PATROL	3,371,891	20.5	4,288,421	21.6	4,792,146	21.8	4,747,625	21.0
DIVISION OF FIRE PREVENTION AND CONTROL	219,772	1.5	231,694	1.5	237,875	1.5	247,063	1.5
TOTAL	3,591,663	22.0	4,520,115	23.1	5,030,021	23.3	4,994,688	22.5

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Colorado Department of Public Safety
COLORADO STATE PATROL
BUDGET NARRATIVE:
FISCAL YEAR 2025-26

PROGRAM TITLE: State Patrol Traffic Enforcement in Gaming Areas
Division: Colorado State Patrol
Division Director: Chief Matthew Packard

STATUTORY REFERENCE: 44-30-203, C.R.S.
44-30-601, C.R.S.

PROGRAM DESCRIPTION:

The Colorado State Patrol (CSP) provides traffic enforcement in the two gaming areas in Gilpin and Teller counties. These activities include all the normal patrolling activities of regular troopers, but activities are on highways and roads that are specifically located in these two gaming locations.

To ensure transparency between the amount requested of the Gaming Commission and the approved Long Bill, the FY 2025-26 CSP budget request includes two additional columns that show the FY 2024-25 amount approved by the Gaming Commission, the continuation amount requested for FY 2025-26, as well as the gaming budget approved (Long Bill) by the Joint Budget Committee (JBC) for the corresponding years.

For the budget request year of 2025-26, the CSP is seeking continuation budget with increases based on new JBC approved personal services common policy levels including salary survey, step increases, Health, Life, and Dental, and Shift Differential. Additionally, there is an increase to Vehicle Lease Payments, and decreases to Digital Trunk Radio Payments, and Payments to OIT requests.

CHANGES TO EXISTING BUDGETS:

Budget Line	FY 2025 Base	FY 2026 Request	Change
Personal Services	\$2,809,839	\$2,988,777	\$178,938
Personal Services Common Policy	\$722,443	\$623,614	-\$98,829
Operating Expenses	\$249,321	\$249,321	\$0
Indirect Cost Assessment	\$548,196	\$558,178	\$9,982
Vehicle Lease Payments	\$179,226	\$211,341	\$32,115
Utilities	\$1,717	\$1,717	\$0
Leased Space	\$7,200	\$7,200	\$0
Operating Common Policy	\$274,204	\$107,476	-\$166,728
Total	\$4,792,146	\$4,747,625	-\$44,522

Explanations:

Personal Services: The Personal Services line reflects a continuation of the trooper and civilian salaries currently assigned to the unit plus common policy increases.

The Computer Aided Dispatch (CAD) allows the CSP to track every call-for-service into any dispatch center and assign it to a specific user agency. With CAD, the Patrol is able to assign every call-for-service to a particular police department, county sheriff, or program within the Patrol. The Patrol uses the last three years of actual data to set the rates for FY 2025-26. The scheduled rate for Gaming dispatch services decreased from \$83,034 in FY 2024-25 to \$47,051 for FY 2025-26. Dispatch Services decreased based on the three-year average of calls for service for the Gaming areas relative to the calls for service of CSP's other customers. The difference between the \$47,051 requested for dispatch services and the \$34,423 on the Communication Program line of the request is accounted for in the personal services common policy lines listed under the Executive Director's Office section.

Personal Services Common Policy: This line represents the costs commonly referred to as POTS, including: AED, SAED, HLD, STD, Salary Survey, and Shift Differential. These amounts are appropriated by the legislature to the Executive Director's Office as "from various sources of re-appropriated funds". The Joint Budget Committee has approved a 2.5% Salary Survey increase for all state employees in FY26, but no step increases applicable for Gaming. The Health, Life, and Dental amount decreases slightly in FY 2025-26 based on the elections of the Troopers currently assigned to the Gaming areas.

Operating: The operating budget is a continuation of the budget approved in FY 2024-25 and aligns with the amount appropriated in the Long Bill.

Indirect Costs: The indirect cost rate is 15.6% for FY 2025-26. Operating Common Policy to include Worker's Compensation, Risk Management, and CORE Operations will now be included in Indirect Costs.

Vehicle Lease Costs: This budget request increases from the FY25 amount by \$32,115. The Vehicle Lease Payments are based on State Fleet Management projections.

Utilities: This is the amount appropriated in the CSP's long bill.

Leased Space: The leased space budget is a continuation of the budget approved in FY 2024-25.

Operating Common Policy: Some Operating Common Policy, including Worker's Compensation, Risk Management, and CORE Operations are included in Indirect Costs. The CSP is requesting \$21,940 for Digital Trunk Radio Payments and \$85,536 for Payments to OIT for FY26 as approved by the Joint Budget Committee.

**COLORADO STATE PATROL
LIMITED GAMING BUDGET
FY 2026 BUDGET REQUEST**

	<u>ACTUAL FY 2023</u>	<u>FTE</u>	<u>ACTUAL FY 2024</u>	<u>FTE</u>
PERSONAL SERVICES				
UNIFORMED STAFF				
Sergeants	282,346	2.5	269,805	2.0
Corporal	226,306	2.1	259,301	2.0
Trooper	1,255,160	14.0	1,433,473	16.0
Salary Subtotal	<u>1,763,812</u>	<u>18.6</u>	<u>1,962,579</u>	<u>20.0</u>
PERA	247,061		278,036	
AED/SAED	173,581		194,579	
Medicare	25,417		28,299	
Uniform Allowance	22,300		22,400	
Sick/Annual Leave Payout	0		0	
<i>Uniformed Subtotal</i>	<u>2,232,172</u>	<u>18.6</u>	<u>2,485,894</u>	<u>20.0</u>
CIVILIAN STAFF				
Admin Asst. III	43,154	0.8	58,525	1.0
Salary Subtotal	<u>43,154</u>	<u>0.8</u>	<u>58,525</u>	<u>1.0</u>
PERA	5,091		6,783	
AED/SAED	4,415		5,853	
Medicare	640		849	
Sick/Annual Leave Payout	0		0	
<i>Civilian Subtotal</i>	<u>53,300</u>	<u>0.8</u>	<u>72,009</u>	<u>1.0</u>
Dispatch Services	55,646	1.09	42,187	0.50
PERA	7,172		4,767	
AED/SAED	6,216		4,096	
Medicare	938		594	
<i>Dispatch Services Subtotal*</i>	<u>69,971</u>	<u>1.1</u>	<u>51,643</u>	<u>0.5 *</u>
*Dispatch Services costs are based on the fee schedule for FY 2022. This is an estimate of the FTE that would equate to Gaming's Fee Collections.				
Total Personal Services Lines	2,355,443	20.5	2,609,546	21.5
Overtime	20,322		23,604	
Common Policy Requests				
Health Life and Dental	273,221		288,825	
Short Term Disability	2,534		2,831	
Shift Differential	569		12	
PS Common Policy Total	<u>276,325</u>		<u>291,668</u>	
Total Personal Services	2,652,090	20.5	2,924,818	21.5

**COLORADO STATE PATROL
LIMITED GAMING BUDGET
FY 2026 BUDGET REQUEST**

		<u>ACTUAL</u> <u>FY 2023</u>	<u>FTE</u>	<u>ACTUAL</u> <u>FY 2024</u>	<u>FTE</u>
OPERATING COSTS					
OBJECT	DESCRIPTION				
2110	Water & Sewer Services	1,129		1,247	
2160	Custodial/Cleaning/Waste Disposal Services	318		1,033	
2220	Bldg Maint & Repair Svcs	2045		417	
2230	Equipment Repair/Service	896		0	
2231	IT Maintenance	0		1,129	
2250	Miscellaneous Rentals			5,662	
2252	State Fleet Variable Charges	158,293		121,425	
2253	Rental of Equipment	7,200		0	
2259	Parking	0		0	
2310	Purchased Construction Services	522		0	
2630	Div of Telecommunications	1,813		1,342	
2631	Commercial Telecommunications	8,992		7,877	
2680	Printing/Reproduction	6,360		6,017	
2710	Purchased Medical Services	495		270	
2810	Freight	310		258	
2820	Other Purchased Services	263		0	
3110	Police Supplies	43,008		68,040	
3112	Automotive Supplies	1,378		1,992	
3113	Clothing & Uniforms	825		1,230	
3116	Software Purchases	0		0	
3117	Educational Supplies	0		0	
3118	Food Service Supplies	0		180	
3119	Lab & Medical Supplies	0		0	
3120	Books/Periodicals	264		705	
3121	Office Supplies	6,402		11,674	
3122	Photographic Supplies	0		0	
3123	Postage	214		565	
3124	Printing/Copy Supplies	0		0	
3126	Repair & Maintenance Supplies	415		506	
3132	Noncapitalizable Furniture	0		5,569	
3140	Noncapitalized IT-PCs	62		1,468	
3143	Noncapitalized IT-Other	0		0	
3940	Electricity	3,237		2,504	
3970	Natural Gas	1,312		831	
4100	Other Operating Expenses	0		0	
4140	Dues & Memberships	0		248	
4180	Official Functions	725		0	
4220	Registration Fees	380		1,500	
	TOTAL	246,859		243,689	
TRAVEL					
2510	<i>In-State Travel</i>	522		1,166	
2513	<i>IN-STATE PERS VEHICLE REIMBSMT</i>	0		0	
	TOTAL OPERATING COSTS	247,381		244,855	

**COLORADO STATE PATROL
LIMITED GAMING BUDGET
FY 2026 BUDGET REQUEST**

	<u>ACTUAL FY 2023</u>	<u>FTE</u>	<u>ACTUAL FY 2024</u>	<u>FTE</u>
AUTO LEASE COSTS				
2251 State Fleet Lease Payments	89,750		104,203	
2255 Leased Space	7,200		7,421	
COMMON POLICY				
Payments to OIT	0		0	
Digital Trunk Radio Payments			30,086	
Worker's Compensation	0		0	
Risk Management & Property Funds	0		0	
CORE Operations	0		0	
Total Common Policy	0		30,086	
INDIRECT COSTS	375,470		397,714	
LIMITED GAMING TOTAL	3,371,891	20.5	3,709,097	21.5

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Long Bill, Line Items	Total Request		Total Continuation		Year to Year FY26	
	Approved FY 2024-25		Request FY 2025-26		Request to FY25	
<u>Division</u>	Total Funds	FTE	Total Funds	FTE	Variance	% Change
(2) Colorado State Patrol						
Sergeants, Technicians, and Troopers (include PERA, Medicare, & Uniform)	2,653,424	20.0	2,850,467	20.0	197,043	7.4%
Civilians (include PERA & Medicare)	66,849	1.0	69,557	1.0	2,708	4.1%
Communications Program (include PERA & Medicare)	60,602	0.8	34,423	0.0	(26,179)	-43.2%
Operating Expenses	249,321		249,321		0	0.0%
Indirect Cost Assessment (15.6% for FY25 & FY26)	548,196		558,178		9,982	1.8%
Overtime	28,964		34,330		5,366	18.5%
Vehicle Lease Payments	179,226		211,341		32,115	17.9%
Utilities	1,717		1,717		0	0.0%
Central Appropriations (Related to Gaming)						
(1) Executive Director's Office, (A) Administration						
Unfunded Liability Amortization Equalization Payments	250,827		262,604		11,777	4.7%
Health, Life and Dental	240,216		237,210		(3,006)	-1.3%
Short Term Disability 0.07%	3,768		1,838		(1,930)	-51.2%
PERA Direct Distribution (SB18-200)	44,401		44,095		(306)	
Salary Survey (2.5% ATB for FY26)	179,290		63,774		(115,517)	-64.4%
Merit Pay (if applicable)	-		-		0	0.0%
Shift Differential	3,941		2,651		(1,289)	-32.7%
FAMLI	-		11,442		11,442	#DIV/0!
Leased Space	7,200		7,200		0	0.0%
Payments to OIT	231,262		85,536		(145,726)	0.0%
Workers' Compensation	-		-		0	0.0%
Payment to Risk Management and Property Funds	-		-		0	0.0%
CORE Operations	-		-		0	0.0%
Digital Trunk Radio Payments	42,942		21,940		(21,002)	-48.9%
Total	4,792,146	21.8	4,747,625	21.0	(44,522)	-0.9%

Long Bill (LB) H.B.24-1430, Line Items	Total Continuation		Total Continuation		Year to Year FY26 Long	
<u>Division</u>	Total Funds	FTE	Total Funds	FTE	Variance	% Change
<u>(2) Colorado State Patrol</u>						
Sergeants, Technicians, and Troopers (include PERA, Medicare, & Uniform)	2,716,363	20.0	2,889,912	20.0	173,549	6.4%
Civilians (include PERA & Medicare)	86,970	1.0	90,584	1.0	3,614	4.2%
Communications Program (include PERA & Medicare)	60,602	0.8	34,423	0.0	(26,179)	-43.2%
Operating Expenses	249,321		249,321		0	0.0%
Indirect Cost Assessment (15.6% for FY25 & FY26)	548,196		558,178		9,982	1.8%
Overtime	28,964		34,330		5,366	18.5%
Vehicle Lease Payments	179,226		211,341		32,115	17.9%
Utilities	1,717		1,717		0	0.0%
Central Appropriations (Related to Gaming)						
<u>(1) Executive Director's Office, (A) Administration</u>						
Unfunded Liability Amortization Equalization Payments	250,827		262,604		11,777	4.7%
Health, Life and Dental	240,216		237,210		(3,006)	-1.3%
Short Term Disability	3,768		1,838		(1,930)	-51.2%
PERA Direct Distribution (SB18-200)	44,401		44,095		(306)	
Salary Survey (2.5% ATB for FY26)	179,290		63,774		(115,517)	-64.4%
Leased Space	7,200		7,200		0	0.0%
Payments to OIT	231,262		85,536		(145,726)	0.0%
Workers' Compensation	-		-		0	0.0%
Payment to Risk Management and Property Funds	-		-		0	0.0%
CORE Operations	-		-		0	0.0%
Digital Trunk Radio Payments	42,942		21,940		(21,002)	100.0%
Total	4,875,206	21.8	4,796,654	21.0	(78,552)	-1.6%

Colorado Department of Public Safety
Division of Fire Prevention and Control (DFPC)

Fiscal Year 2025-26 Budget Narrative

PROGRAM TITLE: Fire Safety in Limited Gaming Establishments
Division: Division of Fire Prevention and Control
Division Director: Mike Morgan

STATUTORY REFERENCE:

Section 44-30-515 (1)(a), C.R.S., states:

"The building in which limited gaming will be conducted and the areas where limited gaming will occur shall meet safety standards and conditions for the protection of life and property as determined by the local fire official and the local building official. In making the determinations, the codes adopted by the director of the division of fire prevention and control (DFPC) within the department of public safety (Department) pursuant to section 24-33.5-1203.5 constitute the minimum safety standards for limited gaming structures; except that, in connection with structures licensed for limited gaming and operating on or before July 1, 2011, any newly adopted building codes shall not be applied retroactively to structures that were newly constructed or remodeled to accommodate licensed limited gaming."

Section 44-30-515 (2), C.R.S., states:

"A certificate of compliance shall be issued to an applicant for a premises license by the local fire and building officials, and approved by the division of fire prevention and control. A copy of the local inspection report shall be filed with the state division of fire prevention and control. Once the division has deemed that the minimum requirements for fire prevention and control have been met, the division shall approve the certificate of compliance within five working days from receipt of the inspection report. If not acted upon within five days, the certificate of compliance shall be considered approved. The certificate shall be current and valid and shall cover the entire building where limited gaming is conducted."

Section 44-30-515 (4), C.R.S., states:

"The division of fire prevention and control and the state historical society shall provide technical assistance to the local building officials, the local fire officials, the local historical preservation commissions, and the commission upon request."

PROGRAM DESCRIPTION:

This program was created on June 4, 1991, as a result of enactment of the Colorado Limited Gaming Act (Senate Bill 91-149). The purpose of this program is to establish minimum standards for fire and life safety in limited gaming establishments and to provide technical assistance to local building and fire officials in the gaming communities of Central City, Black Hawk, and Cripple Creek.

This program provides oversight of local enforcement of the minimum standards for fire and life safety in limited gaming establishments; conducts reviews of building construction, fire suppression systems, fire

detection and fire alarm system plans; conducts fire and life safety inspections of buildings containing limited gaming establishments and maintenance inspections of fire suppression, fire detection and fire alarm system installations. This program also approves Certificates of Compliance with fire and life safety requirements before the establishment can obtain a license from the Colorado Limited Gaming Commission to operate as a limited gaming establishment.

GOAL STATEMENT:

To establish and enforce minimum standards of fire and life safety in Colorado's limited gaming establishments in order to reduce the risk of fire, fire related injuries, deaths and property loss in these facilities.

OBJECTIVES:

1. FY 2026. To review inspection reports submitted by local fire jurisdictions within 48-hours of receipt, 90% of the time, and within 72-hours, 100% of the time.
2. FY 2026. To take action on the certificate of compliance within 72-hours following the review of a local jurisdiction's inspection report or DFPC inspection, 75% of the time, and within five business days, 100% of the time.
3. FY 2026. To notify the Commission within 24-hours of any revocation or denial of a certificate of compliance.
4. FY 2026. When requested by the local fire jurisdiction, to conduct the inspection of the subject property within 2-weeks.
5. FY 2026. When requested by the local fire jurisdiction, to provide initial plan review comments within 8-weeks of complete plan review submittal by the subject property.
6. FY 2026. To meet quarterly, either in-person or by phone, with representatives of each local fire jurisdiction to obtain information pertaining to inspections and plan reviews conducted by the local jurisdiction and to solicit any need for DFPC assistance.

WORKLOAD MEASURES:

Workload Measure		Actual 2022	Actual 2023	Actual 2024	Estimate 2025
Number of Existing Gaming Establishments Inspected	Target	32	32	32	32
	DFPC	11	20	9	9
	Local AHJ ¹	21	6	4	23
Number of Plan Reviews Conducted for Gaming Establishments	DFPC	1	2	0	1
	Local AHJ	23	0	0	
Existing Gaming Establishments with outstanding deficiencies	Target	0	0	0	0
	Actual	7	9	3	
Number of Fire Safety Deficiencies Cited Upon Inspection	Target	200	200	200	150
	Actual	261	191	121	
Number (Percent) of Fire Safety Deficiencies Corrected Upon Re-inspection	Target	95%	95%	95%	95%
	Actual	64.2%	100%	99%	
Number of Advanced Technical Support Activities	Target	10	10	10	5
	Actual	3	5	4	

¹ Local AHJ - Local Authority Having Jurisdiction.

CHANGES FROM PRIOR YEAR BUDGET:

To ensure transparency between the amount requested of the Gaming Commission and the approved Long Bill, the FY 2025-26 DFPC budget request includes two additional columns that show the FY 2024-25 amount approved by the Gaming Commission, the continuation amount requested for FY 2025-26, as well as the gaming budget approved (Long Bill) by the Joint Budget Committee (JBC) for the corresponding years. While fiscally appropriate, the requested amounts may differ from the continuation appropriation in the Long Bill approved by the General Assembly.

The DFPC request includes \$247,063 total funds and 1.5 FTE for FY 2025-26, which is an increase of \$9,189 from the FY 2024-25 Commission award, or 3.9 percent. The following paragraphs provide a summary of changes from the prior year award.

Personal Services: The Department requests \$192,597 total funds and 1.5 FTE for FY 2025-26. The increase of \$10,690 is the result of the annualization of the 3% salary survey increase in FY25, the 2.5% salary survey increase for FY26, the implementation of the DPA Step Pay system beginning in FY25, the implementation allocation of the Family and Medical Leave Insurance program, and an assumption that personal services benefits will be the same as the previous year actual cost.

Operating Expenses: The Department requests \$17,500 total funds for FY 2025-26, a continuation request from FY 2024-25.

Other Expenses: The Department requests \$36,966 total funds for FY 2025-26. The decrease of \$1,501 is associated with changes to various common policy / centrally appropriated line items and indirect cost assessment.

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**COLORADO DEPARTMENT OF PUBLIC SAFETY
DIVISION OF FIRE PREVENTION AND CONTROL
LIMITED GAMING PROGRAM
FY 2025-26 BUDGET REQUEST**

Item	Actual FY23 Total Funds	FTE	Actual FY24 Total Funds	FTE
Personal Services				
Management Group	32,798	0.4	35,122	0.4
Compliance Specialist Group	25,144	0.3	28,931	0.3
Inspector Group	68,904	0.8	63,010	0.7
Salary Subtotal	126,846	1.5	127,064	1.5
PERA	13,896		14,537	
Other Retirement Plans	-		-	
Medicare	1,746		1,815	
S.B. 04-257 Amortization Equalization Disbursement	6,030		6,275	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	6,030		6,275	
Short Term Disability	173		180	
Health, Life, Dental, and Vision	18,043		19,375	
Annual/Sick Leave Payout	-		373	
Cellco Partnership	-		-	
Total Personal Services	172,764	1.5	175,894	1.5
Central Appropriations				
PERA Direct Distribution*	-		-	
Payments to OIT	-		-	
Workers' Compensation	-		-	
Payment to Risk Management and Property Funds	-		-	
CORE Operations	-		-	
Vehicle Lease Payments	4,225		4,839	
Indirect Cost Assessment	28,353		23,922	
Total Central Appropriations	32,578	-	28,761	-

**COLORADO DEPARTMENT OF PUBLIC SAFETY
DIVISION OF FIRE PREVENTION AND CONTROL
LIMITED GAMING PROGRAM
FY 2025-26 BUDGET REQUEST**

Item	Actual FY23 Total Funds	FTE	Actual FY24 Total Funds	FTE
Operating				
1960 Personal Services - Information Technology	120		-	
2230 Equipment Maintenance	-		-	
2231 Information Technology Maintenance	1,193		-	
2240 Motor Vehicle Maintenance	-		-	
2252 Rental/Motor Pool Mile Charge	5,198		5,273	
2530 Out-of-State Travel	-		108	
2631 Communication Charges - External	480		280	
3110 Supplies and Materials	215		271	
3113 Clothing and Uniform Allowance	-		-	
3120 Books/Periodicals/Subscriptions	62		-	
3121 Office Supplies	-		146	
3123 Postage	10		83	
3128 Noncapitalizable Equipment	-		-	
3132 Noncapitalizable Furniture and Office Systems	-		-	
3140 Noncapitalizable Information Technology	-		-	
3145 Software Subscriptions	1,135		1,193	
4170 Miscellaneous Fees And Fines	457		-	
4180 Official Functions	462		-	
6211 IT - Direct Purchase	4,000		-	
6280 Other Capital Equipment	-		-	
6510 Capitalized Professional Services	-		5,316	
Subtotal	13,332		12,671	
Travel				
2510 In-State Travel	1,098		4,742	
Subtotal	1,098		4,742	
Total Operating and Travel	14,430		17,412	
Limited Gaming Total	219,772	1.5	222,066	1.5

Long Bill, Line Items	Approved FY25 Total		Requested FY26 Total		Year to Year FY26 Request to FY25 Approved	
	Funds	FTE	Funds	FTE		
(3) Division of Fire Prevention and Control						
Personal Services (includes PERA & Medicare)	146,880	1.5	148,432	1.5	1,552	1.1%
Operating Expenses	17,500		17,500		0	0.0%
Indirect Cost Assessment (15.6% FY25, 15.8% FY26)	28,378		29,400		1,022	3.6%
<i>Central Appropriations</i>						
(1) Executive Director's Office, (A) Administration						
Salary Survey (2.5% FY26)	2,047		5,707		3,660	178.8%
Step Pay (if applicable)	-		3,467		3,467	100.0%
Unfunded Liability Amortization Equalization Payments	14,688		14,844		156	1.1%
Short Term Disability	250		104		(146)	1.1%
FAMLI	-		668		668	-58.4%
Health, Life, Dental, and Vision	18,043		19,375		1,333	0.0%
PERA Direct Distribution	21		23		2	7.4%
Payments to OIT	2,555		1,030		(1,525)	9.5%
Workers' Compensation	-		-		0	-59.7%
Payment to Risk Management and Property Funds	-		-		0	0.0%
CORE Operations	-		-		0	0.0%
Vehicle Lease Payments	5,088		5,220		132	0.0%
Digital Trunk Radio Payments	2,425		1,293		(1,132)	2.6%
IT Accessibility	-		-		0	-46.7%
Total	237,875	1.5	247,063	1.5	9,189	3.9%

Long Bill (LB) H.B. 24-1430 , Line Items	Approved FY25 Total Funds	FTE	Requested FY26 Total Funds	FTE	Year to Year FY26 Request to FY25 Approved	
<u>(3) Division of Fire Prevention and Control</u>						
Personal Services (includes PERA & Medicare)	148,432	1.5	157,606	1.5	9,174	6.2%
Operating Expenses	17,500		17,500		0	0.0%
Indirect Cost Assessment (13.6% FY24, 15.6% FY25)	27,944		38,677		10,733	38.4%
Central Appropriations						
<u>(1) Executive Director's Office, (A) Administration</u>						
Salary Survey (2.5% FY26)	2,047		3,940		1,893	92.5%
Step Pay (if applicable)	-		-		0	100.0%
Unfunded Liability Amortization Equalization Payments	14,688		14,844		156	1.1%
Short Term Disability	250		104		(146)	-58.4%
FAMLI	-		668		668	0.0%
Health, Life, Dental, and Vision	18,043		19,375		1,333	7.4%
PERA Direct Distribution	21		23		2	9.5%
Payments to OIT	2,555		1,030		(1,525)	-59.7%
Workers' Compensation	-		-		0	0.0%
Payment to Risk Management and Property Funds	-		-		0	0.0%
CORE Operations	-		-		0	0.0%
Vehicle Lease Payments	5,088		5,220		132	2.6%
Digital Trunk Radio Payments	2,425		1,293		(1,132)	-46.7%
IT Accessibility	-		-		0	0.0%
Total	238,993	1.5	260,280	1.5	21,288	8.9%