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DEPARTMENT OF REVENUE

Division of Gaming

SPORTS BETTING REGULATIONS

1 CCR 207-2

BASIS AND PURPOSE FOR RULE 5

The purpose of Rule 5 is to establish the types of sports betting activities to be conducted by sports betting licensees, including to establish and provide the specific information required to request the authorization of new sports events; to establish the prohibited sports events; to establish the sports events previously authorized; and to establish procedures and fee requirements for sports betting licensees to offer betting on sports events. The statutory basis for Rule 5 is found in sections 44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., and part 15 of article 30 of title 44, C.R.S.

RULE 5 AUTHORIZED SPORTS BETTING ACTIVITIES *Effective 4/14/20*

5.1 Approved sports events and leagues.

- (1) Persons licensed to offer sports betting may accept wagers on those sports events and leagues approved by the Commission, which shall be reflected on the Official Sports Betting Catalog of Events and Wagers. *Amended 5/15/22*
- (2) Where a sports league is authorized, persons licensed to offer sports betting may accept wagers on all sports events conducted by such sports league, where the sports event is of the kind generally conducted by that league.
- (3) The Director or designee shall post the Official Sports Betting Catalog of Events and Wagers on the Division website. As new events and/or leagues are authorized, the Director or designee shall update the Official Sports Betting Catalog of Events and Wagers, and inform the Master, Sports Betting Operator and Internet Sports Betting Operator licensees and applicable sports governing bodies of those changes. Unless otherwise stated by these Rules, all approved sports events or wagers may be offered by all Sports Betting Operators. *Amended 5/15/22*

5.2 Requests to authorize new Sports Events. *Amended 5/15/22*

- (1) Sports betting licensees may request that the Division, through the authority delegated by the Commission, authorize sports events, leagues or bets not already authorized and included on the Official Sports Betting Catalog of Events and Wagers. The request must be approved prior to any licensee offering the new event or wager to the public. Requests made less than three (3) business days before a new even for which the request is made may be denied at the Division's discretion. *Amended 5/15/22*
- (2) The request shall be in a form as specified by the Division, including: *Amended 5/15/22*

- (3) Where a sports betting licensee wishes to authorize a sports event conducted by an approved sports league of a type not generally conducted by that sports league, the Division may contact the sport's governing body for input.
- (4) The Director or Director's designee will consider the request, all provided materials and any relevant input from the sport's governing body or conductor of the sports event prior to authorizing a sports event, league or portion of a sport or athletic event. The wager being requested must meet the following criteria before the request may be approved: *Amended 5/15/22*
 - (a) The outcome is not determined solely by chance; *Amended 5/15/22*
 - (b) The outcome can be verified; *Amended 5/15/22*
 - (c) The event generating the outcome is conducted in a manner that ensures sufficient integrity controls exist so the outcome can be trusted; *Amended 5/15/22*
 - (d) The outcome is not affected by any bet placed; and *Amended 5/15/22*
 - (e) The event is conducted in conformity with all applicable laws. *Amended 5/15/22*

5.3 High School sports events.

Betting on high school sports and equivalent level club or specialty sports events is prohibited and shall not be authorized.

5.4 Fixed Odds or Price on Horse Wagering. *Effective 5/15/22, Amended 12/30/23*

- (1) For the purposes of this Rule 5.4 only:
 - (a) "The governing body" means the racing commission, governmental or other organization that is entrusted with the regulatory duty to ensure integrity of the outcome, from the racetrack where the race is contested.
 - (b) "The owner" means the owner(s) of the animal in the contest.
- (2) Sports betting licensees may request, under specific conditions, that the Commission authorize Horse Racing as sports events and bets. Any approval of Horse Racing as sports events and bets will be specific to the sports betting licensee requesting the event or bet. *Amended 12/30/23*
- (3) On the application for Horse Racing as sports events and bets, sports betting licensees must affirm the licensees have received consent from the following parties: *Amended 12/30/23*
 - (a) To offer in-state horse racing events as a sports event, sports betting licensees must affirm on the application that the licensee has received consent from the following parties:
 - (i) The Colorado Racing Commission;
 - (ii) The racetrack where the race is conducted; and
 - (iii) The association that represents the horse persons competing at all licensed class B Colorado horse track(s). This consent may be a part of the consent provided by the consent received in 5.4(3)(a)(ii).

- (b) To offer horse racing events that occur outside the state of Colorado, but inside the United States, as a sports event, sports betting licensees must affirm the licensees have received consent from the following parties:
 - (i) The host racing commission, or if applicable Breed Specific Racing Commission, in the state where the race is conducted;
 - (ii) The Colorado Racing Commission;
 - (iii) All licensed class B Colorado horse track(s);
 - (iv) The racetrack where the race is conducted; and
 - (v) The association that represents the horse persons competing at the racetrack where the race is conducted. This consent may be a part of the consent provided by the consent received in 5.4(3)(b)(iv). *Amended 12/30/23*
 - (vi) For horse racing events, operators must also obtain the consent of the association that represents the horse persons competing at all licensed class B Colorado horse track(s). This consent may be a part of the consent provided by the consent received in 5.4(3)(b)(iii).

- (c) To offer horse racing events that occur outside of the United States as a sports event, sports betting licensees must affirm the licensees have received consent from the following parties:
 - (i) The Colorado Racing Commission;
 - (ii) All licensed class B Colorado horse track(s);
 - (iii) The racetrack where the race is conducted; and
 - (iv) For horse racing events, the association that represents the horse persons competing at all licensed class B Colorado horse track(s). This consent may be a part of the consent provided by the consent received in 5.4(3)(c)(ii).

- (4) To offer an Esport contest that is based on the sport of racing horses, and has been approved by the Director, sports betting licensees must affirm the licensees have received consent from the following parties:
 - (a) All licensed class B Colorado horse track(s);
 - (b) For horse racing events, the association that represents the horse persons competing at all licensed class B Colorado horse track(s). This consent may be a part of the consent provided by the consent received in 5.4(4)(a).

- (5) Licensees must submit the application at least 72 hours prior to any new scheduled event requested. It shall be the responsibility of the operator requesting the event to obtain all the consents provided for in these rules.
- (6) The application shall be in a form as specified by the Division, including:
 - (a) The name of the horse meet, sport event(s) or race; *Amended 12/30/23*
 - (b) Host track;
 - (c) A description of its policies and procedures regarding event integrity; and
 - (d) Whether the outcome can be verified.
- (7) The Director or Director's designee will consider the following factors prior to determining whether to authorize Horse Racing as sports events:
 - (a) Whether all required consents have been submitted;
 - (b) Whether the outcome is determined solely by chance;
 - (c) Whether the outcome can be verified;
 - (d) Whether the event generating the outcome is conducted in a manner that ensures sufficient integrity controls exist so the outcome can be trusted;
 - (e) That the outcome is not affected by any bet placed; and
 - (f) Whether the event is conducted in conformity with all applicable laws.
- (8) The Commission has a duty to promulgate rules to ensure that activities related to fixed odds racing are conducted honestly and competitively. Where the holding, intermediary, or subsidiary company of a sports betting operator, internet sports betting operator, or master licensee is the holding, intermediary, or subsidiary company of the host-track, the sports betting licensee must provide documentation of the following conditions with the application for the racing sports event:
 - (a) That the consent given by the host-track to the sports betting licensee must be given to all licensed Sports Betting operations in Colorado;
 - (b) That prior to commencing wagering on those events, any other consents given to the sports betting licensee related to the racing sport event, as required by Rule 5.4(3), be given to all licensed Sports Betting operations in Colorado; and
 - (c) That the host-track shall make available to all licensed Sports Betting operations in Colorado, that racing sport event, race or content on the usual and customary terms, including price or commission, should they also wish to contract for that racing sport event, race or content.

- (9) A Content Provider that holds a sports betting license, has exclusive rights to racing content, and, is not connected to a licensed Sports Betting operator, Internet Sports Betting Operator or Master License, shall make available to all licensed Sports Betting operations in Colorado, that racing content on the usual and customary terms, including price, commission or discounts. A Content Provider may secure the consents required in this 5.4 (3) for a contracted Sports Betting Operator. Additionally, where more than one licensed Content Provider is operating in the state, those operators shall use their best efforts working together to provide the best content experience to the Colorado Sports bettor.
- (10) Payment on winning bets shall be made based on the order of finish posted and declared “official” unless otherwise stated in the house rules of the Sports Betting operation.
- (11) The Director or Director’s Designee may request the consent of the Colorado Racing Commission in advance for the conduct of sports betting on Horse Racing as sports events and bets, for all sports betting operations, to fulfill the requirements of the consent needed in 5.4(3). *Amended 12/30/23*
- (12) Nothing in these rules shall usurp on the authority of the Colorado Racing Commission and its regulation and conduct of Pari-Mutual Racing and wagering in Colorado.
- (13) This Rule 5.4 will expire twenty-four (24) months from the approval date of this Rule 5.4, unless otherwise repealed or extended by the Limited Gaming Control Commission prior to the expiration date. Any hearing, investigation, accusation, or other matter initiated by or pending before the Commission or the division of gaming prior to the expiration date will continue until completion of such matter including any associated administrative proceedings. Any and all authorizations for sports events that are authorized pursuant to this Rule 5.4 are voided as of the expiration date, twenty-four (24) months from the approval date of this Rule 5.4, unless otherwise repealed or extended by the Commission prior to the expiration date. *Amended 12/30/23*