



NOTICE OF ADOPTION

Office of the Secretary of State  
Bingo and Raffles Games  
8 CCR 1505-2

April 1, 2010

Pursuant to section 12-9-103(1)(b), C.R.S. (2009), and the rulemaking provisions of the State Administrative Procedure Act, section 24-4-103(3)(a), C.R.S. (2009), I, Bernie Buescher, Colorado Secretary of State, and licensing authority, do hereby adopt and give **NOTICE** of the permanent rule adoption this 1st day of April, 2010, of the Secretary of State Bingo and Raffles Games Rules (8 CCR 1505-2) as follows (additions to the current rules are reflected in **SMALL CAPS** or are underlined and deletions from current rules are shown in ~~stricken type~~).

Rule 2.0 B. is amended as follows:

- B. **Bingo-raffle licensee rules:** The rules established by each bingo-raffle licensee for items not covered by the bingo-raffle law or the Rules ~~and Regulations~~ Covering and Regulating ~~Conduct of Bingo/and Raffles Games~~, relating to the payment for, and playing of, games of chance. ~~at each occasion.~~

New Rule 2.0 V. is adopted as follows:

- V. **WHEEL RAFFLE:** A RAFFLE WHERE THE WINNING TICKET IS DETERMINED BY A SPINNING A WHEEL UNTIL A POINTER LANDS IN ONE OF DISCRETE SEGMENTS MARKED ON THE WHEEL. THE WHEEL CONSISTS OF A BOARD MOUNTED ON A SPINDLE WITH A SPECIFIC NUMBER OF DISCRETE NUMBERS OR SYMBOLS MARKING EACH SEGMENT ON THE OUTER CIRCUMFERENCE.

Rule 5.0 A.1 is amended as follows:

**5.0 SALE AND USE OF BINGO CARDS, PACKS AND SHEETS AND RAFFLE TICKETS**

A. **Sales**

1. **Method of Payment by Player – No Credit.** ~~No bingo-raffle licensee or any of its members shall allow any person to play any game of chance on credit.~~ The consideration charged for the privilege of playing ~~each~~ ANY game of chance shall be collected in full, in advance, by check, ~~or~~ cash, OR DEBIT OR CREDIT CARD. A BINGO-RAFFLE LICENSEE MAY ACCEPT DEBIT OR CREDIT CARDS, BUT THE BINGO-RAFFLE LICENSEE ACCEPTS ALL RISKS OF CANCELLATION OF THE CHARGES BY THE PLAYER AND FOR CHECKS RETURNED FOR INSUFFICIENT FUNDS. NONE OF THE LOSSES MAY BE CHARGED TO BINGO, RAFFLE, OR PULL-TAB ACTIVITIES. FEES PAID TO A CHECK GUARANTEE SERVICE OR DEBT COLLECTION FIRM FOR RECOVERY OF BAD CHECKS OR CANCELLED CREDIT CHARGES MAY BE PAID FROM THE BINGO ACCOUNT.

- ~~a. Bingo raffle licensees may accept debit cards for payment if the bingo raffle licensee has the proper equipment and procedures in place to ensure that payment is made by debit and not by credit and that prior to implementing debit card payments, such equipment and procedures are first inspected by the licensing authority and that permission is granted in writing by the licensing authority.~~
- ~~b. Short or bad checks are the bingo raffle licensee's responsibility and none of the losses will be charged to bingo, raffle or pull tab activities. Fees paid to a check guarantee service for recovery on bad checks may be paid from bingo receipts.~~

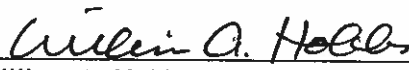
New Rule 9.0 E. 5. is adopted as follows:

5. **WHEEL RAFFLES.** A BINGO RAFFLE LICENSEE MAY CONDUCT A WHEEL RAFFLE IF THE NUMBER OF TICKETS SOLD FOR A PARTICULAR RAFFLE IS NO GREATER THAN THE NUMBER OF DISCRETE NUMBERS OR SYMBOLS ON THE WHEEL, AND EACH TICKET SOLD MATCHES ONE AND ONLY ONE OF THE NUMBERS OR SYMBOLS ON THE WHEEL. IF FEWER TICKETS THAN THE NUMBER OF SEGMENTS ARE SOLD, THE LICENSEE MUST CONTINUE TO SPIN THE WHEEL UNTIL THERE IS A WINNER. A LICENSEE SHALL NOT USE ANY WHEEL CONTAINING 0 OR 00 UNLESS IT OFFERS TO SELL TICKETS FOR THOSE SEGMENTS, AND A PURCHASER MUST WIN IF HE OR SHE POSSESSES A TICKET BEARING THE NUMBERS 0 OR 00.

These new and amended rules shall take effect twenty (20) days after publication in the Colorado Register in accordance with the State Administrative Procedures Act.

A written Statement of Basis, Purpose and Specific Statutory Authority is attached and hereby incorporated herein by reference.

Dated this 1st day of April, 2010

  
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William A. Hobbs  
Deputy Secretary of State

For

Bernie Buescher  
Colorado Secretary of State

**STATE OF COLORADO**

**Department of State**

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**Bernie Buescher**

Secretary of State

**William A. Hobbs**

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**Statement of Basis, Purpose and Specific Statutory Authority**

**Office of the Secretary of State  
Bingo and Raffles Games**

**April 1, 2010**

**1. Basis and Purpose**

This statement pertains to amendments to the Colorado Secretary of State Bingo and Raffles Games Rules. The amendments and additions to these rules are necessary to achieve the uniform and proper administration of the bingo and raffles laws of the State of Colorado, including Article XVIII of the Colorado Constitution and Article 9, Title 12 of the Colorado Revised Statutes.

It is the general purpose of these rules to clarify and carry out the provisions of Article 9, Title 12, C.R.S. (2009) by amending existing rules and adopting new rules based on citizen and licensee input and in consultation with the Bingo-Raffle Advisory Board.

The adoption of specific amendments to the Bingo and Raffles Games Rules are as follows:

- The amendments to Rule 2.0 B are necessary to harmonize the rule title as described in Rule 1.0 as the Rules Covering and Regulating Bingo/Raffles.
- The adoption of Rule 2.0 V and the amendments to Rule 9.0 E.5. are necessary to define "Wheel Raffle" and to clarify that a wheel raffle is an acceptable device to randomly determine a number pursuant to the definition of "raffle".
- The amendments to Rule 5.0. A.1 are necessary to delete the prohibition against the use of credit cards. Charitable organizations are using the Internet as a method of marketing and selling raffle tickets. The current prohibition against credit cards inhibits their ability to use modern, efficient methods to conduct charitable gaming.

**2. Statutory Authority**

Amendments to the Colorado Secretary of State's Bingo and Raffles Games Rules are adopted pursuant to section 12-9-103(1)(b), C.R.S. (2009), which authorizes the Secretary of State to "supervise the administration and enforcement of this article, and in consultation with the board, to adopt, amend, and repeal rules governing the holding, operating and conducting of games of chance..."

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# Amendments Adopted April 1, 2010

## SECRETARY OF STATE

### BINGO AND RAFFLES GAMES

[8 CCR 1505-2]

(Clean Version)

Rule 2.0 B. is amended as follows:

- B. **Bingo-raffle licensee rules:** The rules established by each bingo-raffle licensee for items not covered by the bingo-raffle law or the Rules Covering and Regulating Bingo/Raffles relating to the payment for, and playing of, games of chance.

New Rule 2.0 V. is adopted as follows:

- V. **Wheel Raffle:** A raffle where the winning ticket is determined by a spinning a wheel until a pointer lands in one of discrete segments marked on the wheel. The wheel consists of a board mounted on a spindle with a specific number of discrete numbers or symbols marking each segment on the outer circumference.

Rule 5.0 A.1 is amended as follows:

#### 5.0 SALE AND USE OF BINGO CARDS, PACKS AND SHEETS AND RAFFLE TICKETS

##### A. Sales

- 1. **Method of Payment by Player – No Credit.** The consideration charged for the privilege of playing any game of chance shall be collected in full, in advance, by check, cash, or debit or credit card. A bingo-raffle licensee may accept debit or credit cards, but the bingo-raffle licensee accepts all risks of cancellation of the charges by the player and for checks returned for insufficient funds. None of the losses may be charged to bingo, raffle, or pull-tab activities. Fees paid to a check guarantee service or debt collection firm for recovery of bad checks or cancelled credit charges may be paid from the bingo account.

New Rule 9.0 E. 5. is adopted as follows:

- 5. **Wheel raffles.** A bingo raffle licensee may conduct a wheel raffle if the number of tickets sold for a particular raffle is no greater than the number of discrete numbers or symbols on the wheel, and each ticket sold matches one and only one of the numbers or symbols on the wheel. If fewer tickets than the number of segments are sold, the licensee must continue to spin the wheel until there is a winner. A licensee shall not use any wheel containing 0 or 00 unless it offers to sell tickets for those segments, and a purchaser must win if he or she possesses a ticket bearing the numbers 0 or 00.