

BASIS AND PURPOSE FOR RULE 6

The purpose of Rule 6 is to establish procedures to allow persons to obtain declaratory orders from the Commission in compliance with section 24-4-105 (11), C.R.S. The statutory basis for Rule 6 is found in sections 12-47.1-201, C.R.S., 12-47.1-203, C.R.S., 12-47.1-302, C.R.S., and 24-4-105 (11), C.R.S. *Eff 10/16/13*

RULE 6 DECLARATORY ORDERS

47.1-601 Petition for declaratory order.

A person wishing the Commission to issue its ruling as to the applicability to that person of any statutory provision or rule relating to limited gaming, or order of the Commission or any order of the Director may file with the Director a nonrefundable filing fee in the amount of \$80.00. If the petitioner is the Division or a governmental agency or a political subdivision of this State no fee shall be required. With approval of Commission, the filing fee may be waived. Any person wishing a ruling shall file a petition in substantially the following form:

State of Colorado Limited Gaming Control Commission

Pursuant to the provisions of Regulation 47.1-601, I (name of petitioner), of (address of petitioner), am (title or capacity of petitioner), and hereby petition the Commission for its declaratory order with respect to the following:

- (1) The state statute, regulation, rule, order, decision, or determination in question is: (here identify or quote the pertinent statute, rule, etc.)
- (2) The facts and circumstances which give rise to the issue to be answered by the Commission's declaratory order are:
- (3) The precise issue to be answered by the declaratory order is:

Dated at (city and state), this _____ day of _____, 20 _____

(Signature of Petitioner)

(Address of Petitioner)

47.1-602 Commission action on petition.

Upon receipt of a petition, the Commission may request from the petitioner any additional information it requires for the issuance of its order. Following receipt of the petition, the Commission must either dismiss the petition, hold a hearing, or issue its declaratory order within 60 days where no additional information is requested or where such additional information is promptly provided, and serve a copy of it by mail on the petitioner. The Commission shall not issue a declaratory order where additional information has been requested and has not been provided.

47.1-603 Number of copies of petition.

A person filing a petition for declaratory order must file an original or electronic copy with the Director. An additional paper or electronic copy must be filed with the Attorney General. *Eff 10/16/13*