

By: Menéndez

S.J.R. No. 90

1 SENATE JOINT RESOLUTION

2 proposing a constitutional amendment to protect the Kickapoo
3 Traditional Tribe of Texas by authorizing it to conduct gaming on
4 certain lands under state law.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 47(a), Article III, Texas Constitution,
7 is amended to read as follows:

8 (a) The Legislature shall pass laws prohibiting lotteries
9 and gift enterprises in this State other than those authorized by
10 Subsections (b), (d), (d-1), and (e) of this section and Section 47a
11 of this article.

12 SECTION 2. Article III, Texas Constitution, is amended by
13 adding Section 47a to read as follows:

14 Sec. 47a. If, after January 1, 2023, video lottery
15 terminals, slot machines, or other forms of gaming are authorized
16 under state law within 200 miles of the boundary of the Kickapoo
17 Traditional Tribe of Texas's reservation near Eagle Pass, Texas,
18 the Kickapoo Traditional Tribe of Texas is authorized to offer the
19 same types of games or devices or other forms of gaming as
20 authorized under state law at a location designated by the Tribe.
21 The number of games or devices authorized at the location shall
22 equal the maximum number, if any, of games or devices authorized
23 under state law for other gaming locations. The location must be on
24 land owned or leased by the Tribe that is within 300 miles of the

1 boundary of the Kickapoo Traditional Tribe of Texas's reservation.
2 The gaming authorized under this section shall be regulated by the
3 Tribe and the Secretary of State. A rule on gaming conducted by the
4 Tribe that is adopted by the Secretary of State may not be more
5 restrictive than a rule applicable to other comparable types of
6 gaming licensed by this state. A tax rate or fee may not be imposed
7 on the Tribe's gaming operation in an amount that exceeds the amount
8 of a tax rate or fee imposed on the operators of other gaming
9 locations or facilities in this state.

10 SECTION 3. This proposed constitutional amendment shall be
11 submitted to the voters at an election to be held November 2, 2023.
12 The ballot shall be printed to permit voting for or against the
13 proposition: "The constitutional amendment to protect the Kickapoo
14 Traditional Tribe of Texas by authorizing it to conduct gaming on
15 certain lands under state law."