

By: Turner

H.J.R. No. 38

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the operation of  
2 video lottery games on behalf of the state by persons licensed to  
3 conduct wagering on horse or greyhound races, persons licensed to  
4 operate the games at additional locations, and recognized Indian  
5 tribes.

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

7 SECTION 1. Section 47, Article III, Texas Constitution, is  
8 amended by amending Subsection (a) and adding Subsections (f), (g),  
9 and (h) to read as follows:

10 (a) The Legislature shall pass laws prohibiting lotteries  
11 and gift enterprises in this State other than those authorized by  
12 Subsections (b), (d), ~~[and]~~ (e), and (f) of this section.

13 (f) The Legislature by general law may authorize one or more  
14 of the following legal entities to operate video lottery games on  
15 behalf of the State as a form of lottery authorized by Subsection  
16 (e) of this section:

17 (1) a person licensed in this State to conduct  
18 wagering on a horse race or greyhound race;

19 (2) an Indian tribe recognized by the United States  
20 government under federal law that:

21 (A) enters into a contract with the State, in  
22 accordance with State law, that authorizes the tribe to operate the  
23 games; and

24 (B) operates the games on premises designated by

1 the tribe for video lottery activity on land recognized as tribal  
2 land of that tribe by the federal government on January 1, 2005; or

3 (3) a person licensed by the State to operate video  
4 lottery games at one of nine additional locations in the various  
5 geographic regions of this State.

6 (g) For purposes of Subsection (f) of this section, "video  
7 lottery game" means a game of chance that may be played for  
8 consideration by an individual on an electronic machine or video  
9 display and in which the player may win a thing of value each time  
10 the game is played.

11 (h) Notwithstanding Section 56, Article III, Texas  
12 Constitution, the Legislature may specify the locations for which  
13 the nine additional licenses may be issued.

14 SECTION 2. This proposed constitutional amendment shall be  
15 submitted to the voters at an election to be held November 8, 2005.  
16 The ballot shall be printed to permit voting for or against the  
17 proposition: "The constitutional amendment authorizing the  
18 operation of video lottery games on behalf of the state by persons  
19 licensed to conduct wagering on horse or greyhound races, persons  
20 licensed to operate video lottery games at nine additional  
21 locations, and recognized Indian tribes."