

By: Flores

H.J.R. No. 98

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the operation of  
2 video lottery games by licensed racetrack operators and certain  
3 Indian tribes.

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

5 SECTION 1. Section 47, Article III, Texas Constitution, is  
6 amended by amending Subsection (a) and adding Subsections (f) and  
7 (g) 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), [~~and~~] (e), and (f) of this section.

11 (f) The Legislature by general law may authorize one or more  
12 of the following legal entities to operate video lottery games:

13 (1) a person that is licensed in this state on January  
14 1, 2007, to conduct wagering on a horse race or greyhound race or  
15 that has submitted on or before that date an application to be  
16 licensed by this state to conduct wagering on a horse race or  
17 greyhound race, provided that the person may be licensed to conduct  
18 video lottery games only at a location licensed for conducting  
19 horse races or greyhound races;

20 (2) the Ysleta del Sur Pueblo and Alabama-Coushatta  
21 Indian tribes, which, under an agreement with this state negotiated  
22 by the governor, may conduct the games only on land held in trust by  
23 the United States for such tribes on January 1, 1998, pursuant to  
24 the Restoration Acts, 25 U.S.C. Section 731 and 18 U.S.C. Section

1 1166 et seq., and 25 U.S.C. Section 2701 et seq., and designated by  
2 the applicable tribe for video lottery activity; and

3 (3) the Kickapoo Traditional Tribe of Texas, which,  
4 under an agreement with this state negotiated by the governor, may  
5 conduct the games only on land held in trust by the United States  
6 for the benefit of the tribe on which Class III gaming is permitted  
7 under the Indian Gaming Regulatory Act of 1988 (P.L. 100-497,  
8 codified at 18 U.S.C. Section 1166 et seq., and 25 U.S.C. Section  
9 2701 et seq.) and designated by the tribe for video lottery  
10 activity.

11 (g) For purposes of Subsection (f) of this section, "video  
12 lottery game" means any game of chance, including a game of chance  
13 in which the outcome may be partially determined by skill or  
14 ability, that for consideration may be played by an individual on an  
15 electronic machine or video display and in which the player may win  
16 a thing of value each time the game is played, regardless of whether  
17 the game is authorized as a lottery under Subsection (e) of this  
18 section.

19 SECTION 2. This proposed constitutional amendment shall be  
20 submitted to the voters at an election to be held November 6, 2007.  
21 The ballot shall be printed to permit voting for or against the  
22 proposition: "The constitutional amendment authorizing the  
23 operation of video lottery games by licensed horse or greyhound  
24 racetrack operators and certain Indian tribes."