

By: Menendez

H.J.R. No. 70

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing and regulating
2 slot machines and casino games by licensed operators and certain
3 Indian tribes to provide additional money to fund transportation in
4 this state and to provide additional financial aid for higher
5 education students.

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 Subsection (f) to
9 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 and Section
13 47a of this article.

14 (f) The Legislature by general law may:

15 (1) authorize one or more of the following legal
16 entities to operate slot machines:

17 (A) a person licensed in this State to conduct
18 wagering on a horse race or greyhound race and licensed by this
19 State to operate slot machines at the location licensed for
20 conducting wagering on horse races or greyhound races; or

21 (B) an Indian tribe recognized by the United
22 States government under federal law that operates slot machines on
23 Indian land; and

24 (2) require all or part of this State's net revenue

1 from the regulation and taxation of casino gaming authorized under
2 Section 47a of this article and slot machines authorized under this
3 subsection to be used to provide additional money to fund
4 transportation in this State and to provide additional financial
5 aid for higher education students.

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

8 Sec. 47a. (a) The legislature by general law shall
9 authorize and regulate casino gaming conducted by:

10 (1) a person licensed by this state to conduct casino
11 gaming; or

12 (2) an Indian tribe recognized by the United States
13 government under federal law that conducts casino gaming on Indian
14 land.

15 (b) The legislature by general law shall establish a Texas
16 Gaming Commission to administer the laws regulating gaming
17 activities authorized by this section or Section 47(f) of this
18 article. The legislature may provide qualifications for membership
19 on the commission.

20 (c) The general law enacted under Subsection (a)(1) of this
21 section must authorize the Texas Gaming Commission to issue
22 licenses to conduct casino gaming to:

23 (1) nine casino-anchored destination attraction
24 development projects in this state as follows:

25 (A) seven projects located in different urban
26 areas of this state; and

27 (B) two projects located on islands in the Gulf

1 of Mexico that are tourist destinations with at least 1,000 guest
2 rooms available for visitors in hotels, motels, or condominiums
3 existing on January 1, 2009; and

4 (2) subject to any conditions or exceptions provided
5 by general law, three or more additional licensed locations.

6 (d) The commission may not award a license for a
7 casino-anchored destination attraction development project or
8 other licensed location unless the project or location meets the
9 major economic development qualifications established by this
10 subsection. To qualify for a license, a project or licensed
11 location must include total land and development costs of at least:

12 (1) \$400 million for an urban area project;

13 (2) \$200 million for an island tourist destination
14 project; or

15 (3) \$150 million for an additional licensed location.

16 (e) Except as otherwise provided by this subsection, a local
17 option election shall be held in the manner determined by general
18 law in each county in which a person applies for a license to
19 operate casino gaming. The commission may not award a license for
20 casino gaming in any county unless a majority of the voters of the
21 county voting in the election favor the authorization of casino
22 gaming in that county. If a majority of the voters in a county voted
23 for the proposition that added this section to this constitution,
24 the county is considered to have approved the authorization of
25 casino gaming in that county by local option election as required by
26 this subsection.

27 (f) The legislature by general law may impose additional

1 restrictions on the location of casino-anchored destination
2 attraction developments or other licensed casino locations that are
3 not inconsistent with this section.

4 SECTION 3. This proposed constitutional amendment shall be
5 submitted to the voters at an election to be held November 3, 2009.
6 The ballot shall be printed to permit voting for or against the
7 proposition: "The constitutional amendment authorizing and
8 regulating slot machines and casino games by licensed operators and
9 certain Indian tribes to provide additional money to fund
10 transportation in this state and to provide additional financial
11 aid for higher education students."