

By: Ellis

S.J.R. No. 6

A JOINT RESOLUTION

1 proposing a constitutional amendment providing immediate
2 additional revenue for the state budget by creating the Texas
3 Gaming Commission, authorizing and regulating the operation of
4 casino games and slot machines by a limited number of licensed
5 operators and certain Indian tribes, and authorizing a limited
6 state video lottery system to be operated at horse and greyhound
7 racetracks and on Indian tribal lands.

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

9 SECTION 1. Article III, Texas Constitution, is amended by
10 adding Section 47a to read as follows:

11 Sec. 47a. (a) Casino gaming and slot gaming are authorized
12 in this state in accordance with this section to provide additional
13 money for the property tax relief fund and additional financial aid
14 for higher education students.

15 (b) The Texas Gaming Commission is established. The
16 commission is composed of five members appointed by the governor
17 with the advice and consent of the senate. Commission members serve
18 staggered six-year terms, with one or two members' terms, as
19 applicable, expiring February 1 of each odd-numbered year. The
20 governor shall fill a vacancy in a position on the commission for
21 the remainder of the unexpired term. The governor shall designate a
22 commission member as presiding officer of the commission to serve
23 in that capacity at the pleasure of the governor.

24 (c) To be eligible for appointment to the commission, a

1 person:

2 (1) must be a citizen of the United States;

3 (2) must have resided in this state for the two years
4 preceding the date of the person's appointment;

5 (3) may not own a financial or other interest in an
6 entity engaged in the conduct of casino or slot gaming or the
7 provision of casino or slot services, or in a security issued by
8 such an entity, or be related within the second degree by affinity
9 or the third degree by consanguinity as determined by general law to
10 an individual who owns such a financial or other interest or
11 security;

12 (4) may not be an applicant for or holder of a license
13 or other affirmative regulatory approval under a law administered
14 by the commission; and

15 (5) may not be a member of the governing body of a
16 political subdivision of this state.

17 (d) The Texas Gaming Commission has broad authority and
18 shall exercise strict control and close supervision over all
19 activities related to casino and slot gaming authorized and
20 conducted in this state under this section or another law
21 administered by the commission.

22 (e) The Texas Gaming Commission shall appoint an executive
23 director and other necessary personnel and adopt rules the
24 commission considers necessary or desirable for the public interest
25 in carrying out the policy and provisions of this section and the
26 other laws administered by the commission, including rules on:

27 (1) licensing and regulating casino owners, slot

1 establishment owners, gaming managers, gaming employees, and
2 manufacturers and distributors of gaming equipment, including the
3 qualifications, definitions, terms, and fees for licenses;

4 (2) criteria for awarding, denying, revoking, and
5 suspending licenses;

6 (3) exclusion of persons and age requirements;

7 (4) procedures for conducting investigations,
8 inspections, criminal background investigations, audits, complaint
9 investigations, and disciplinary hearings;

10 (5) reporting and internal control requirements for
11 license holders;

12 (6) consequences of criminal convictions of license
13 holders or applicants;

14 (7) enforcement provisions, including disciplinary
15 actions and penalties, and security requirements;

16 (8) prize payment and redemption;

17 (9) regulating the operations of casinos and slot
18 establishments; and

19 (10) standards for gaming equipment.

20 (f) The Texas Gaming Commission shall:

21 (1) issue not more than eight licenses to operate slot
22 establishments in this state to persons who are licensed to conduct
23 pari-mutuel wagering on horse or greyhound races at the location
24 licensed for conducting pari-mutuel wagering on horse or greyhound
25 races and who comply with requirements of this section and
26 commission rule;

27 (2) issue not more than six licenses to conduct casino

1 gaming to casino-anchored destination attraction development
2 projects located in different urban areas of this state that comply
3 with requirements of this section and commission rule;

4 (3) issue not more than two licenses to conduct casino
5 gaming to casino-anchored destination attraction development
6 projects located on islands in the Gulf of Mexico that are tourist
7 destinations with at least 1,000 guest rooms available for visitors
8 in hotels, motels, or condominiums existing on January 1, 2013, and
9 that comply with requirements of this section and commission rule;
10 and

11 (4) allow an Indian tribe that is recognized by the
12 United States government under federal law to operate slot machines
13 or casino gaming on its Indian land held in trust by the United
14 States on January 1, 1998, in accordance with federal law and:

15 (A) an effective gaming agreement that includes a
16 provision requiring the Indian tribe to remit to this state a
17 portion of its casino gaming or slot gaming revenue in an amount
18 equal to the rate provided in the agreement; or

19 (B) general state law that includes a provision
20 requiring the Indian tribe to remit to this state a portion of its
21 casino gaming or slot gaming revenue in an amount equal to the rate
22 provided by the general law.

23 (g) In determining whether or, in the case of multiple
24 applicants competing for a limited number of casino owner's
25 licenses or slot establishment owner's licenses within a geographic
26 area, to whom to grant a license, the Texas Gaming Commission shall
27 consider the following factors:

1 (1) the relative prospective revenue to be collected
2 by this state from the conduct of casino gaming at the casino or of
3 slot gaming at the slot establishment and the overall economic
4 impact of each competing applicant's proposed gaming and associated
5 facilities;

6 (2) the relative number of residents of this state who
7 would be employed in an applicant's proposed casino or slot
8 establishment and any proposed associated hotel and nongaming
9 businesses and the relative extent of the applicant's good faith
10 plan to recruit, train, and promote a workforce that reflects the
11 diverse populations of this state in all employment
12 classifications;

13 (3) the relative extent to which an applicant's
14 proposed casino or slot establishment and any proposed associated
15 hotel and nongaming businesses could be reasonably expected to
16 encourage interstate tourism to this state;

17 (4) the relative extent to which the scope, design,
18 location, and construction of the applicant's casino or slot
19 establishment and any associated hotel and nongaming businesses
20 could be reasonably expected to contribute to developing a
21 first-class gaming industry in this state;

22 (5) the applicant's experience in conducting licensed
23 gaming operations and the applicant's financial ability to promptly
24 construct and adequately maintain the casino or slot establishment
25 sought to be licensed, including the experience of partners of the
26 applicant, of affiliated companies of the applicant or its
27 partners, of key personnel of the applicant or its partners, and of

1 operating companies under contract with the applicant; and

2 (6) the percentage of equity interest in the applicant
3 owned or to be owned by residents of this state.

4 (h) To ensure that a requisite level of economic development
5 benefiting the people of this state accompanies each casino or slot
6 establishment for which an owner's license is granted, the Texas
7 Gaming Commission shall require an applicant, as a condition to
8 receiving and holding an owner's license, to commit to building a
9 casino-anchored destination attraction development project or slot
10 establishment that includes total land and development costs of at
11 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 a slot establishment.

16 (i) Notwithstanding Subsection (f) of this section:

17 (1) a license for a casino-anchored destination
18 attraction development project may not be issued in a county
19 unless:

20 (A) a majority of the voters of the county voted
21 for the proposition that added this section to this constitution;

22 or

23 (B) the voters of the county have approved a
24 proposition legalizing casino gaming at a local option election
25 held under this section;

26 (2) not more than two casino owner's licenses may be
27 issued for casinos to be located in the same county; and

1 (3) a casino owner's license may not be issued for a
2 location in an area in which casino gaming or slot gaming is
3 prohibited under a gaming agreement between an Indian tribe and
4 this state.

5 (j) The Texas casino and slot gaming fund is a special fund
6 in the state treasury. All application fees, investigation fees,
7 and license fees collected by the Texas Gaming Commission or on the
8 commission's behalf related to casino and slot gaming shall be
9 deposited to the credit of the Texas casino and slot gaming fund.
10 Except as provided by this section, the Texas casino and slot gaming
11 fund may only be used for the operation of the commission and the
12 administration of this section. If the money in the fund exceeds
13 the amount necessary for the operation of the commission and the
14 administration of this section, the legislature shall transfer any
15 excess amount to the dedicated account known as the property tax
16 relief fund in the general revenue fund. Money from the property
17 tax relief fund may only be appropriated for a purpose that results
18 in a reduction of the average school district maintenance and
19 operations tax rate or as otherwise provided by general law.

20 (k) An applicant applying for an owner's license for a
21 casino-anchored destination attraction development project must
22 submit to the Texas Gaming Commission a \$50 million application
23 fee. An applicant applying for an owner's license for a slot
24 establishment must submit to the commission a \$25 million
25 application fee. If an applicant is not awarded an owner's license,
26 the commission shall refund the application fee less the costs
27 incurred by the commission in reviewing the application and

1 conducting a criminal background investigation on the applicant.

2 (l) A casino gaming tax in an amount equal to 15 percent of
3 the gross gaming revenue of the casino operated under the license is
4 imposed on each holder of a casino owner's license. The tax shall be
5 computed and paid on a monthly basis in accordance with the
6 procedures established by rule of the Texas Gaming Commission.

7 (m) A slot gaming tax in an amount equal to 35 percent of the
8 gross slot income of the slot establishment operated under the
9 license is imposed on each holder of a slot establishment owner's
10 license. The tax shall be computed and paid on a monthly basis in
11 accordance with the procedures established by rule of the Texas
12 Gaming Commission.

13 (n) Of the revenue from the taxes imposed by Subsections (l)
14 and (m) of this section:

15 (1) one-thirtieth of the revenue is allocated to the
16 municipality in which the casino to which the license relates is
17 located and one-thirtieth of the revenue is allocated to the county
18 in which the casino to which the license relates is located; or

19 (2) if the casino is located in an unincorporated
20 area, one-fifteenth of the revenue is allocated to the county in
21 which the casino to which the license relates is located.

22 (o) The comptroller of public accounts shall transfer the
23 appropriate amount allocated under Subsection (n) of this section
24 to the appropriate municipalities and counties not less than
25 monthly in the manner the comptroller considers appropriate.

26 (p) Except as otherwise provided by this section, the
27 revenue from the taxes imposed by Subsections (l) and (m) of this

1 section is allocated as follows:

2 (1) one-twentieth to the general revenue fund for
3 appropriation only to fund a compulsive gambling program
4 established by the Texas Gaming Commission;

5 (2) one-thirtieth to the general revenue fund for
6 appropriation only to the Texas Gaming Commission to provide grants
7 to prosecuting attorneys in this state for the investigation and
8 prosecution of offenses related to the possession of gambling
9 devices and illegal gambling operations; and

10 (3) the remainder to the property tax relief fund in
11 the general revenue fund.

12 (q) The comptroller of public accounts quarterly shall
13 determine the net amount of receipts collected from a casino or slot
14 establishment from the sales and use taxes, hotel occupancy taxes,
15 alcoholic beverage taxes, and franchise taxes imposed under general
16 law, or from other taxes imposed under general law as provided by
17 the legislature in general law, and shall deposit that amount in the
18 general revenue fund. The net amount deposited may only be
19 appropriated to fund the TEXAS grant program established under
20 Subchapter M, Chapter 56, Education Code, or a similar program
21 established by the legislature to provide grants to higher
22 education students in this state.

23 (r) Not more than 10 percent of the total floor space of a
24 casino or slot establishment may be used for gaming areas.

25 (s) Casinos and slot establishments are subject to all
26 applicable state laws and local ordinances related to health and
27 building codes, including rules adopted by the Texas Gaming

1 Commission. A local ordinance or zoning law may not prohibit the
2 development of a casino or slot establishment authorized by this
3 section, except that a casino or slot establishment may not be
4 located in an area that on January 1, 2013, was zoned exclusively
5 residential, unless otherwise provided by commission rule.

6 (t) The commissioners court of a county may at any time
7 order an election to legalize casino gaming under this section in
8 that county. The commissioners court shall order and hold an
9 election to legalize casino gaming under this section in the county
10 if the commissioners court is presented with a petition that meets
11 the requirements of this section and is certified as valid under
12 this section.

13 (u) A petition for a legalization election must include a
14 statement substantially as follows before the space reserved for
15 signatures on each page: "This petition is to require that an
16 election be held in (name of county) to legalize casino gaming in
17 (name of county)." A petition is valid only if it is signed by
18 registered voters of the county in a number that is not less than
19 three percent of the total number of votes cast for governor by
20 qualified voters of the county in the most recent gubernatorial
21 general election. Each voter must enter beside the voter's
22 signature the date the voter signs the petition. A signature may
23 not be counted as valid if the date of signing is earlier than the
24 90th day before the date the petition is submitted to the
25 commissioners court. Each voter must provide on the petition the
26 voter's current voter registration number, printed name, and
27 residence address, including zip code.

1 (v) Not later than the fifth day after the date a petition
2 for an election under this section is received in the office of the
3 commissioners court, the commissioners court shall submit the
4 petition for verification to the county clerk. The county clerk
5 shall determine whether the petition is signed by the number of
6 registered voters of the county required under Subsection (u) of
7 this section. Not later than the 30th day after the date the
8 petition is submitted to the county clerk for verification, the
9 clerk shall certify in writing to the commissioners court whether
10 the petition is valid or invalid. If the county clerk determines
11 that the petition is invalid, the clerk shall state the reasons for
12 that determination.

13 (w) If the county clerk certifies that a petition for an
14 election under this section is valid, not later than the 30th day
15 after the date of certification, the commissioners court shall
16 order that an election be held in the county on the next uniform
17 election date provided under general law that allows sufficient
18 time to comply with applicable provisions of general law. The
19 commissioners court shall state in the order the issue to be voted
20 on. The county clerk shall notify the Texas Gaming Commission by
21 certified mail, return receipt requested, that an election has been
22 ordered. The ballot in a legalization election shall be printed to
23 provide for voting for or against the proposition: "Legalizing
24 casino gaming within (name of county)."

25 (x) The commissioners court shall give written notice of the
26 results of the election to the Texas Gaming Commission not later
27 than the third day after the date the election is canvassed. If the

1 majority of votes cast in a legalization election under this
2 section favor the legalization of casino gaming, casino gaming
3 authorized under this section is permitted within the county
4 holding the election effective on the 10th day after the date the
5 election is canvassed. If less than a majority of the votes cast in
6 the election favor the legalization of casino gaming, casino gaming
7 is not permitted in the county, and a subsequent election on the
8 issue may not be held in the county before the corresponding uniform
9 election date one year after the date of the election. If in each of
10 two consecutive elections within any county less than a majority of
11 the votes cast favor the legalization of casino gaming, casino
12 gaming is not permitted in the county, and a subsequent election on
13 the issue may not be held in the county before the corresponding
14 uniform election date five years after the date of the second
15 election.

16 (y) It is a defense to prosecution for a gambling offense
17 under general law that the action was authorized under this section
18 or Texas Gaming Commission rule.

19 (z) All shipments of slot machines or gaming devices into,
20 out of, or within this state authorized under this section or a rule
21 adopted by the Texas Gaming Commission are legal shipments of the
22 devices and are exempt from the provisions of 15 U.S.C. Sections
23 1171-1178, prohibiting the transportation of gambling devices.

24 (aa) Each state agency, including the attorney general and
25 the comptroller of public accounts, and each state or local law
26 enforcement agency shall cooperate with the Texas Gaming Commission
27 as necessary to implement this section.

1 (bb) The legislature by general law may impose additional
2 restrictions or requirements for the conduct of casino and slot
3 gaming.

4 (cc) Unless specifically authorized by general law, a
5 political subdivision of this state may not impose:

6 (1) a tax on the payment of a casino or slot prize;

7 (2) a tax, fee, or other assessment on consideration
8 paid to play a casino or slot game authorized by this section; or

9 (3) a tax or fee on attendance at or admission to a
10 casino or slot establishment authorized by this section.

11 (dd) In this section, unless modified by general law:

12 (1) "Casino" means a facility at which casino gaming
13 is conducted by a licensed casino owner as authorized by this
14 section.

15 (2) "Casino gaming" means any game of chance or
16 similar activity that involves the making of a bet for
17 consideration. The term includes any type of slot machine or table
18 game wagering using money, casino credit, or any representation of
19 value. The term does not include bingo, charitable raffles, or the
20 state lottery authorized under Section 47 of this article.

21 (3) "Casino owner" means a person, trust, corporation,
22 partnership, limited partnership, association, limited liability
23 company, or other business enterprise that directly holds an
24 ownership or leasehold interest in a casino licensed as provided by
25 this section.

26 (4) "Gross gaming revenue" means the total amount of
27 consideration paid to engage in casino gaming less winnings paid to

1 players of the casino games.

2 (5) "Gross slot income" means the total amount of
3 consideration paid to play slot machines less winnings paid to
4 players of the slot machines.

5 (6) "Slot establishment" means a facility at which
6 slot gaming is conducted by a licensed slot establishment owner as
7 authorized by this section.

8 (7) "Slot establishment owner" means a person, trust,
9 corporation, partnership, limited partnership, association,
10 limited liability company, or other business enterprise that
11 directly holds an ownership or leasehold interest in a slot
12 establishment.

13 (8) "Slot gaming" means any game of chance that for
14 consideration is played on a slot machine. The term does not
15 include bingo, charitable raffles, or the state lottery authorized
16 under Section 47 of this article.

17 (9) "Slot machine" means a mechanical, electrical, or
18 other device or machine that, on insertion of a coin, token, or
19 similar object or on payment of consideration, is available to play
20 or operate a game, the play or operation of which, wholly or partly
21 by the element of chance, may deliver or entitle the person playing
22 or operating the device or machine to receive cash, premiums,
23 merchandise, tokens, or any other thing of value, whether the
24 payoff is made automatically from the device or machine or is made
25 in another manner.

26 SECTION 2. The following temporary provision is added to
27 the Texas Constitution:

1 TEMPORARY PROVISION. (a) This temporary provision applies
2 to the constitutional amendment proposed by the 83rd Legislature,
3 Regular Session, 2013, creating the Texas Gaming Commission and
4 authorizing and regulating the operation of casino games and slot
5 machines by licensed operators and certain Indian tribes to provide
6 money for the property tax relief fund and additional financial aid
7 for higher education students.

8 (b) Not later than January 1, 2014, the governor shall
9 appoint the initial members of the Texas Gaming Commission in
10 accordance with Section 47a, Article III, of this constitution. In
11 making the initial appointments, the governor shall designate one
12 member to a term expiring February 1, 2015, two members to terms
13 expiring February 1, 2017, and two members to terms expiring
14 February 1, 2019.

15 (c) Not later than March 1, 2014, the Texas Gaming
16 Commission shall adopt the rules, including any emergency rules,
17 necessary to implement Section 47a, Article III, of this
18 constitution.

19 (d) This temporary provision expires January 1, 2015.

20 SECTION 3. Article III, Texas Constitution, is amended by
21 adding Section 47b to read as follows:

22 Sec. 47b. (a) To generate additional revenue to fund state
23 governmental programs, this state is authorized to implement a
24 limited state video lottery system to be operated at licensed horse
25 and greyhound racetracks and on Indian tribal lands in accordance
26 with state agency rules adopted under this section or general law
27 enacted under this section. The general law must:

1 (1) establish or designate a gaming commission to
2 adopt and enforce rules consistent with the requirements of this
3 section and the general law enacted under this section;

4 (2) require this state to continually monitor the
5 activity of each video lottery terminal to protect the public
6 health, welfare, and safety and the integrity of the state video
7 lottery system and to prevent financial loss to this state;

8 (3) include a comprehensive registration program to
9 govern a person that manufactures, distributes, sells, or leases
10 video lottery terminals for use or play in this state and a process
11 to approve video lottery terminals for use in the video lottery
12 system in accordance with technical standards established by this
13 state;

14 (4) provide for a comprehensive licensing program to
15 govern a person that owns, manages, or maintains video lottery
16 terminals operated in this state;

17 (5) prohibit operation of video lottery terminals
18 except by licensed persons at the following locations:

19 (A) a horse or greyhound racetrack licensed to
20 conduct pari-mutuel wagering on horse or greyhound races in this
21 state on or before January 1, 2013; and

22 (B) land in this state that on January 1, 1998,
23 was held in trust or recognized as tribal land of an Indian tribe
24 recognized by the United States government under federal law;

25 (6) prohibit and impose criminal penalties for the
26 possession and operation of all electronic and mechanical gaming
27 devices other than:

1 (A) video lottery terminals operated in
2 connection with the video lottery system; or

3 (B) a gaming device expressly authorized under
4 this constitution or other state law;

5 (7) require the gaming commission to:

6 (A) establish a one-time initial license fee;

7 (B) establish additional ongoing license and
8 renewal fees; and

9 (C) collect a portion of net revenue generated by
10 the operation of video lottery terminals in this state in the amount
11 specified by commission rule or general law in accordance with this
12 section and:

13 (i) provide a portion of the amount of net
14 revenue specified by commission rule or general law to state horse
15 and greyhound breed registries and the horsemen's organization; and

16 (ii) submit the remainder of the net
17 revenue to the comptroller of public accounts for deposit in the
18 general revenue fund;

19 (8) require the total fees assessed and net revenue
20 collected under Subdivision (7) of this subsection to:

21 (A) provide a regionally competitive economic
22 environment for video lottery gaming facilities when considering
23 the total taxes and fees applicable to the facilities and the amount
24 of net revenue collected from the facilities; and

25 (B) provide sufficient revenue to the horse and
26 greyhound breed registries and the horsemen's organization to
27 facilitate a nationally competitive horse and greyhound racing

1 industry in this state; and

2 (9) pursue a net reduction in gambling machines in
3 this state by reducing the number of illegal machines in this state
4 through:

5 (A) increasing the offense of possession of a
6 gambling device, equipment, or paraphernalia under Section 47.06,
7 Penal Code, or a similar statute, other than possession authorized
8 by this section or other law, to a felony of the third degree;

9 (B) authorizing the attorney general to
10 prosecute offenses under Section 47.06, Penal Code, or a similar
11 statute; and

12 (C) requiring \$10 million of the state's portion
13 of the annual net revenue generated from the operation of video
14 lottery terminals to be transferred in equal monthly installments
15 to the attorney general to be used for the prosecution authorized
16 under Paragraph (B) of this subdivision.

17 (b) Until the gaming commission is established or
18 designated as required by Subsection (a) of this section, the state
19 agency authorized to operate the state lottery under Section 47(e)
20 of this article shall act as the gaming commission and take all
21 actions necessary to implement this section, including adopting
22 rules and emergency rules, as soon as practicable after the
23 constitutional amendment enacting this section is approved by the
24 voters.

25 (c) All shipments of video lottery terminals or equipment or
26 other gaming devices into, out of, or within this state authorized
27 under this section or general law enacted under this section are

1 legal shipments of the devices and are exempt from the provisions of
2 15 U.S.C. Sections 1171-1178 prohibiting the transportation of
3 gambling devices.

4 SECTION 4. The following temporary provision is added to
5 the Texas Constitution:

6 TEMPORARY PROVISION. (a) This temporary provision applies to
7 the constitutional amendment proposed by the 83rd Legislature,
8 Regular Session, 2013, providing immediate additional revenue for
9 the state budget by authorizing a limited state video lottery
10 system to be operated at horse and greyhound racetracks and on
11 Indian tribal lands and to pursue a net reduction in gambling
12 machines in this state by reducing the number of illegal machines.

13 (b) As soon as practicable after the constitutional
14 amendment described by Subsection (a) of this temporary provision
15 is adopted, the Texas Lottery Commission shall take all actions and
16 adopt all rules, including any emergency rules, necessary to
17 implement Section 47b, Article III, of this constitution. In
18 taking actions to implement Section 47b, the commission shall
19 ensure that the total fees assessed and net revenue collected under
20 Section 47b(a)(7), Article III, of this constitution provide at
21 least \$500 million in revenue to this state during the state fiscal
22 biennium that begins September 1, 2013.

23 (c) This temporary provision expires September 1, 2015.

24 SECTION 5. (a) Contingent on a majority of the voters
25 approving the ballot proposition described in Section 6(a) of this
26 Act and less than a majority of the voters approving the ballot
27 proposition described in Section 6(b) of this Act, Section 47(a),

1 Article III, Texas Constitution, is amended to read as follows:

2 (a) The Legislature shall pass laws prohibiting lotteries
3 and gift enterprises in this State other than those authorized by
4 Subsections (b), (d), and (e) of this section and Section 47a of
5 this article.

6 (b) Contingent on less than a majority of the voters
7 approving the ballot proposition described in Section 6(a) of this
8 Act and a majority of the voters approving the ballot proposition
9 described in Section 6(b) of this Act, Section 47(a), Article III,
10 Texas Constitution, is amended to read as follows:

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

15 (c) Contingent on a majority of the voters approving both
16 the ballot proposition described in Section 6(a) of this Act and the
17 ballot proposition described in Section 6(b) of this Act, Section
18 47(a), Article III, Texas Constitution, is amended to read as
19 follows:

20 (a) The Legislature shall pass laws prohibiting lotteries
21 and gift enterprises in this State other than those authorized by
22 Subsections (b), (d), and (e) of this section and Sections 47a and
23 47b of this article.

24 (d) If less than a majority of voters approve neither the
25 ballot proposition described in Section 6(a) of this Act nor the
26 ballot proposition described in Section 6(b) of this Act, this
27 section has no effect.

1 SECTION 6. (a) The constitutional amendment proposed by
2 Sections 1 and 2 of this resolution shall be submitted to the voters
3 at an election to be held November 5, 2013. The ballot shall be
4 printed to permit voting for or against the proposition: "The
5 constitutional amendment creating the Texas Gaming Commission and
6 authorizing and regulating the operation of casino games and slot
7 machines by a limited number of licensed operators and certain
8 Indian tribes to provide money for the property tax relief fund and
9 additional financial aid for higher education students."

10 (b) The constitutional amendment proposed by Sections 3 and
11 4 of this resolution shall be submitted to the voters at an election
12 to be held November 5, 2013. The ballot shall be printed to permit
13 voting for or against the proposition: "The constitutional
14 amendment providing immediate additional revenue for the state
15 budget by authorizing a limited state video lottery system to be
16 operated at horse and greyhound racetracks and on Indian tribal
17 lands and to pursue a net reduction in gambling machines in this
18 state by reducing the number of illegal machines."