

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 20, 2015

TO: Honorable Wayne Smith, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HJR129 by Thompson, Senfronia (Proposing a constitutional amendment authorizing the Ysleta del Sur Pueblo Tribe and the Alabama-Coushatta Tribe of Texas to conduct all forms of gaming on certain tribal land and requiring the tribes to annually pay five percent of net proceeds from gaming to the comptroller of public accounts for deposit in the general revenue fund.), **As Introduced**

The proposed amendment does not provide for a gaming compact between the State of Texas and the two tribes. Attorney General Opinion GA-0278, dated December 9, 2004, casts doubt on the state's authority to collect gaming revenues from Indian tribes by general law without a gaming compact. Therefore, the fiscal impact cannot be determined at this time.

The cost for publication of the resolution is (\$118,681).

The resolution would propose an amendment to Article III of the Texas Constitution to add Section 47a to authorize the Ysleta del Sur Pueblo Tribe and the Alabama-Coushatta Tribe of Texas to conduct all forms of gaming on land that is part of the tribe's reservation. The state would not have civil or criminal regulatory jurisdiction over such gaming, provided the tribe fulfills several requirements, including that 5 percent of the net proceeds the tribe receives would be paid annually to the Comptroller for deposit to the General Revenue Fund.

The resolution would propose a conforming amendment to Section 47(a) of Article III of the Texas Constitution.

The proposed amendment would be submitted to voters at an election to be held November 3, 2015.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time

Source Agencies: 304 Comptroller of Public Accounts, 362 Texas Lottery Commission

LBB Staff: UP, CL, SD