

By: Deshotel

H.J.R. No. 36

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the operation of
2 casino gaming in certain coastal areas of this state by licensed
3 persons to provide additional money for residual windstorm
4 insurance coverage and catastrophic flooding assistance in the
5 coastal areas; providing for certification or licensing of persons
6 engaged in occupations related to casino gaming.

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

8 SECTION 1. Section 47(a), Article III, Texas Constitution,
9 is amended 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), (d-1), and (e) of this section and by Section
13 47a of this article.

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

16 Sec. 47a. (a) The legislature by general law in accordance
17 with this section shall authorize the operation of casino gaming in
18 this state in which individuals for consideration play games of
19 chance that award prizes and are operated by persons licensed or
20 otherwise authorized by this state to conduct casino gaming to
21 provide additional money for residual windstorm insurance coverage
22 and catastrophic flooding assistance in this state's coastal areas.
23 The law must:

24 (1) limit casino gaming operations in this state to

1 gaming operated by persons licensed in this state to operate casino
2 gaming at not more than nine licensed locations in areas of this
3 state that are within 200 miles of the Gulf of Mexico;

4 (2) provide:

5 (A) a comprehensive certification or licensing
6 program, including necessary background investigations, to govern
7 a person that manages casino gaming operations in this state or that
8 maintains, manufactures, distributes, sells, or leases casino
9 games for use or play in this state;

10 (B) procedures for the state agency responsible
11 for conducting criminal background investigations for the state to
12 provide criminal background information to the state agency
13 responsible for certification or licensing under Paragraph (A) of
14 this subdivision; and

15 (C) procedures for the monitoring and inspection
16 of casino gaming operations as necessary to protect the public
17 health, welfare, and safety, to preserve the integrity of this
18 state and gaming operations in the state, and to prevent financial
19 loss to this state; and

20 (3) prohibit and impose criminal penalties for the
21 possession and operation of all gaming devices other than devices
22 operated in connection with authorized casino gaming operations or
23 gaming devices otherwise authorized by state law.

24 (b) In the general law enacted in accordance with Subsection
25 (a) of this section, the legislature may designate the counties in
26 which a casino gaming operator's license may be issued.

27 (c) All shipments of casino gaming equipment or other gaming

1 devices into, out of, or within this state authorized under this
2 section or a law enacted under this section are legal shipments of
3 the devices and are exempt from the provisions of 15 U.S.C. Sections
4 1171-1178 prohibiting the transportation of gambling devices.

5 SECTION 3. This proposed constitutional amendment shall be
6 submitted to the voters at an election to be held November 5, 2019.
7 The ballot shall be printed to permit voting for or against the
8 proposition: "The constitutional amendment authorizing the
9 operation of casino gaming in certain coastal areas of this state by
10 licensed persons to provide additional money for residual windstorm
11 insurance coverage and catastrophic flooding assistance in the
12 coastal areas."