87R10361 ADM-D

By:  Guerra H.J.R. No. 102

A JOINT RESOLUTION

proposing a constitutional amendment to authorize the operation of casino gaming in certain state coastal areas to provide additional money for property tax relief; providing for occupational licensing and certification; authorizing fees; limiting certain taxes and fees.

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

SECTION 1.  Section 47(a), Article III, Texas Constitution, is amended to read as follows:

(a)  The Legislature shall pass laws prohibiting lotteries and gift enterprises in this State other than those authorized by Subsections (b), (d), (d-1), and (e) of this section and by Section 47a of this article.

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

Sec. 47a.  (a) The legislature by general law in accordance with this section shall authorize the operation of casino gaming in this state in which individuals for consideration play games of chance that award prizes and are operated by persons licensed or otherwise authorized by this state to conduct casino gaming to provide additional money for property tax relief. A general law enacted in accordance with this section must:

(1)  allow casino gaming operated by appropriately licensed persons at locations in this state that are within 200 miles of the Gulf of Mexico;

(2)  provide:

(A)  a comprehensive licensing and certification program, including criminal history record information, any necessary background investigations, and licensing and certification fees, to govern a person that manages casino gaming operations in this state, that acts as a gaming employee, or that maintains, manufactures, distributes, sells, or leases casino games for use or play in this state;

(B)  procedures for the state agency responsible for maintaining criminal history record information for this state to grant access to the information to the state agency responsible for licensing and certification under Paragraph (A) of this subdivision; and

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

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

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

(c)  All shipments of casino gaming equipment or other gaming devices into, out of, or within this state authorized under this section or a law enacted under this section are legal shipments of the devices and are exempt from the provisions of 15 U.S.C. Sections 1171-1178 prohibiting the transportation of gambling devices.

SECTION 3.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 2, 2021. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the operation of casino gaming in certain state coastal areas to provide additional money for property tax relief."