

BY: Delegates Quinter, Pendergrass, and F. Turner

AMENDMENTS TO HOUSE BILL NO. 1361, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 3 of the bill, in line 23, after “reports;” insert “providing that the governing body of any county within a certain distance of a video lottery facility that is proposed for operation at a video lottery destination location shall adopt a certain resolution in accordance with certain procedures and hold a certain special election on the resolution; providing for the payment of the cost of the special elections conducted under this Act; imposing certain requirements on the boards of elections of the counties and the county governing bodies in which the special elections are to be held; providing for certain procedures to be followed in holding the special elections; providing that if a majority of certain voters in a special election held under this Act vote for a video lottery facility at a video lottery destination location, the Video Lottery Facility Location Commission may consider awarding a video lottery operation license to an applicant for that location; providing that if a majority of certain voters vote against the video lottery facility at a video lottery destination location, the resolution shall be null and void and the Video Lottery Facility Location Commission may not award a video lottery operation license to any applicant for a video lottery facility at the video lottery facility location destination;”.

On page 2 of the Ways and Means Committee Amendments (HB1361/425864/1), in line 8 of Amendment No. 1, strike “9-1A-36” and substitute “9-1A-37”.

AMENDMENT NO. 2

On page 48 of the bill, after line 21, insert:

“9-1A-37.

- (A) (1) IN THIS SECTION, “COUNTY” INCLUDES THE CITY OF BALTIMORE.
- (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE,

(Over)

BEFORE THE VIDEO LOTTERY LOCATION COMMISSION ESTABLISHED UNDER § 9-1A-36 OF THIS SUBTITLE MAY AWARD A VIDEO LOTTERY OPERATION LICENSE, THE GOVERNING BODY OF ANY COUNTY WITHIN 3 MILES OF A VIDEO LOTTERY FACILITY THAT IS PROPOSED FOR OPERATION BY THE VIDEO LOTTERY FACILITY COMMISSION SHALL ADOPT A RESOLUTION IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION IN SUPPORT OF THE ESTABLISHMENT AND LOCATION OF A VIDEO LOTTERY FACILITY AT THE VIDEO LOTTERY DESTINATION LOCATION.

(3) THE RESOLUTION REQUIRED BY PARAGRAPH (2) OF THIS SUBSECTION:

(I) MUST BE ADOPTED BY THE GOVERNING BODY OF THE COUNTY WITHIN 60 DAYS AFTER THE VIDEO LOTTERY FACILITY LOCATION COMMISSION PROPOSES A VIDEO LOTTERY FACILITY FOR OPERATION AT A VIDEO LOTTERY DESTINATION LOCATION; AND

(II) SHALL CONTAIN A PROVISION ALLOWING, BUT NOT REQUIRING, THE RESOLUTION TO BE PETITIONED TO REFERENDUM IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION.

(B) (1) PRIOR TO THE ADOPTION OF A RESOLUTION DESCRIBED IN SUBSECTION (A)(2) OF THIS SECTION, THE GOVERNING BODY OF THE COUNTY IN WHICH A VIDEO LOTTERY FACILITY IS PROPOSED FOR OPERATION AT A VIDEO LOTTERY DESTINATION LOCATION IN THE COUNTY SHALL HOLD A PUBLIC HEARING ON THE PROPOSED RESOLUTION.

(2) THE GOVERNING BODY OF THE COUNTY SHALL PUBLISH NOTICE OF THE HEARING ON THE PROPOSED RESOLUTION AT LEAST ONCE A WEEK FOR 2 CONSECUTIVE WEEKS BEFORE THE HEARING IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY.

(C) (1) A SPECIAL ELECTION SHALL BE HELD IN THE ELECTION PRECINCTS OF THE STATE LEGISLATIVE DISTRICTS IN A COUNTY THAT ARE LOCATED WITHIN A 3-MILE RADIUS OF THE PROPOSED VIDEO LOTTERY FACILITY

FOR THE VIDEO LOTTERY DESTINATION LOCATION IF A PETITION IN SUPPORT OF PLACING THE RESOLUTION DESCRIBED IN SUBSECTION (A)(2) OF THIS SECTION ON THE BALLOT AT A SPECIAL ELECTION IN THE COUNTY IS CERTIFIED:

(I) IN ACCORDANCE WITH TITLE 6, SUBTITLE 2 OF THE ELECTION LAW ARTICLE WITH THE SIGNATURES OF AT LEAST 1% OF THE LEGALLY QUALIFIED VOTERS OF THE ELECTION PRECINCTS IN THE COUNTY THAT ARE LOCATED WITHIN A 3-MILE RADIUS OF THE VIDEO LOTTERY FACILITY PROPOSED FOR OPERATION AT THE VIDEO LOTTERY DESTINATION LOCATION; AND

(II) WITHIN 60 DAYS FROM THE DATE OF THE ADOPTION OF THE RESOLUTION, AS REQUIRED BY SUBSECTION (A) OF THIS SECTION, BY THE GOVERNING BODY OF THE COUNTY.

(2) THE SPECIAL ELECTION SHALL BE HELD WITHIN 30 DAYS AFTER THE DATE A PETITION IS CERTIFIED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.

(3) THE COST OF THE SPECIAL ELECTION SHALL BE PAID BY THE STATE.

(4) THE APPROPRIATE COUNTY BOARD OF ELECTIONS AND THE APPROPRIATE COUNTY GOVERNING BODY SHALL DO THOSE THINGS NECESSARY AND PROPER TO PROVIDE FOR AND HOLD A SPECIAL ELECTION UNDER THIS SECTION.

(5) THE APPROPRIATE COUNTY BOARD OF ELECTIONS AND THE APPROPRIATE COUNTY GOVERNING BODY SHALL PLACE ON THE BALLOT AT THE SPECIAL ELECTION THE TITLE "ESTABLISHMENT AND LOCATION OF VIDEO LOTTERY FACILITY IN THE COUNTY" AND UNDERNEATH THE TITLE, ON SEPARATE LINES, OPTIONS FOR THE VOTER TO SELECT "FOR THE VIDEO LOTTERY FACILITY" OR "AGAINST THE VIDEO LOTTERY FACILITY".

(6) BEFORE THE SPECIAL ELECTION IS HELD, THE BOARD OF ELECTIONS OF THE APPROPRIATE COUNTY SHALL PUBLISH IN AT LEAST TWO NEWSPAPERS OF GENERAL CIRCULATION IN THE COUNTY, AT LEAST ONCE A WEEK FOR 3 CONSECUTIVE WEEKS, NOTICE OF THE SPECIAL ELECTION AND A COPY OF THE RESOLUTION ADOPTED BY THE COUNTY GOVERNING BODY.

(7) IF A MAJORITY OF THE VOTERS VOTE FOR THE VIDEO LOTTERY FACILITY, THE VIDEO LOTTERY FACILITY LOCATION COMMISSION MAY CONSIDER AWARDING A VIDEO LOTTERY OPERATION LICENSE TO AN APPLICANT FOR A VIDEO LOTTERY FACILITY TO BE LOCATED AT THE VIDEO LOTTERY DESTINATION LOCATION.

(8) IF A MAJORITY OF THE VOTERS VOTE AGAINST THE VIDEO LOTTERY FACILITY, THEN THE RESOLUTION SHALL BE NULL AND VOID AND THE VIDEO LOTTERY FACILITY LOCATION COMMISSION MAY NOT AWARD A VIDEO LOTTERY OPERATION LICENSE TO ANY APPLICANT FOR A VIDEO LOTTERY FACILITY TO BE LOCATED AT THE VIDEO LOTTERY DESTINATION LOCATION.”.