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By: **Delegates Madaleno, Barkley, Dumais, Glassman, Gutierrez, James,  
Lee, Murray, Petzold, and Simmons**

Introduced and read first time: February 10, 2005

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Gaming - Expansion - Voter Approval Required**

3 FOR the purpose of adding a new article to the Maryland Constitution to prohibit the

4 General Assembly from authorizing on or after a certain date additional forms

5 or expansion of commercial gaming without voter approval; exempting certain

6 forms of gaming from this prohibition; defining a certain term; and submitting

7 this amendment to the qualified voters of the State of Maryland for their

8 adoption or rejection.

9 BY proposing an addition to the Maryland Constitution

10 New Article XIX - Commercial Gaming Expansion

11 Section 1

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

13 MARYLAND, (Three-fifths of all the members elected to each of the two Houses

14 concurring), That it be proposed that the Maryland Constitution read as follows:

15 **ARTICLE XIX - COMMERCIAL GAMING EXPANSION**

16 1.

17 (A) IN THIS ARTICLE, "COMMERCIAL GAMING" INCLUDES:

18 (1) CASINO-STYLE GAMING;

19 (2) CARD GAMES;

20 (3) DICE GAMES;

21 (4) ROULETTE;

22 (5) SLOT MACHINE GAMING; AND

23 (6) GAMING INVOLVING VIDEO LOTTERY TERMINALS OR ANY OTHER

24 ELECTRONIC CONTRIVANCES, MACHINES, OR DEVICES THAT, ON INSERTION OF A

1 COIN, TOKEN, OR SIMILAR OBJECT OR ON PAYMENT OF CONSIDERATION, MAY BE  
2 PLAYED OR OPERATED, THE PLAY OR OPERATION OF WHICH, WHETHER BY SKILL OR  
3 CHANCE, ENTITLES THE PLAYER OR OPERATOR TO RECEIVE TOKENS OR ANYTHING  
4 OF VALUE, INCLUDING CASH, PREMIUMS, AND MERCHANDISE.

5 (B) THIS SECTION DOES NOT APPLY TO:

6 (1) LOTTERIES CONDUCTED UNDER TITLE 9, SUBTITLE 1 OF THE STATE  
7 GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND;

8 (2) WAGERING ON HORSE RACING CONDUCTED UNDER TITLE 11 OF THE  
9 BUSINESS REGULATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND; OR

10 (3) GAMING CONDUCTED BY AN ORGANIZATION OR QUALIFIED  
11 ORGANIZATION INCLUDED UNDER TITLE 12 OR TITLE 13 OF THE CRIMINAL LAW  
12 ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

13 (C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, ON OR AFTER  
14 JANUARY 1, 2007, THE GENERAL ASSEMBLY MAY NOT AUTHORIZE ANY ADDITIONAL  
15 FORMS OR EXPANSION OF COMMERCIAL GAMING.

16 (D) ON OR AFTER JANUARY 1, 2007, THE GENERAL ASSEMBLY MAY AUTHORIZE  
17 ADDITIONAL FORMS OR EXPANSION OF COMMERCIAL GAMING IF APPROVAL IS  
18 GRANTED IN A GENERAL ELECTION:

19 (1) BY A MAJORITY OF THE QUALIFIED VOTERS STATEWIDE; AND

20 (2) BY A MAJORITY OF THE QUALIFIED VOTERS IN THE COUNTY OR  
21 BALTIMORE CITY WHERE THE GAMING WILL TAKE PLACE.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
23 determines that the amendment to the Maryland Constitution proposed by this Act  
24 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the  
25 Maryland Constitution concerning local approval of constitutional amendments do  
26 not apply.

27 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
28 proposed as an amendment to the Maryland Constitution shall be submitted to the  
29 legal and qualified voters of this State at the next general election to be held in  
30 November, 2006 for their adoption or rejection in pursuance of directions contained in  
31 Article XIV of the Maryland Constitution. At that general election, the vote on this  
32 proposed amendment to the Constitution shall be by ballot, and upon each ballot  
33 there shall be printed the words "For the Constitutional Amendment" and "Against  
34 the Constitutional Amendment," as now provided by law. Immediately after the  
35 election, all returns shall be made to the Governor of the vote for and against the  
36 proposed amendment, as directed by Article XIV of the Maryland Constitution, and  
37 further proceedings had in accordance with Article XIV.