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By: **Delegates Pendergrass, Anderson, Bozman, Cadden, Carter, Conroy,  
Doory, Dumais, Heller, Hubbard, Mandel, Marriott, Morhaim,  
Nathan-Pulliam, Oaks, Petzold, Taylor, and F. Turner**

Introduced and read first time: February 8, 2005

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Video Lottery Terminals - Constitutional Amendment Subject to Voter**  
3 **Approval**

4 FOR the purpose of adding a new article to the Maryland Constitution to prohibit the  
5 statutory expansion of forms of gaming, with certain exceptions, by the General  
6 Assembly; limiting the number of licenses that the State may issue to operate  
7 video lottery terminals; limiting to a certain number the number of video lottery  
8 terminals at a certain facility that a video lottery facility licensee may operate;  
9 limiting the number of licenses to operate video lottery terminals to locations at  
10 a certain number of different regions and counties of the State; prohibiting the  
11 State from issuing a license for a video lottery facility under certain  
12 circumstances; and submitting this amendment to the qualified voters of the  
13 State of Maryland for their adoption or rejection.

14 BY proposing an addition to the Maryland Constitution  
15 New Article XIX - Video Lottery Terminals  
16 Section 1 through 3

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
19 concurring), That it be proposed that the Maryland Constitution read as follows:

20 **ARTICLE XIX - VIDEO LOTTERY TERMINALS**

21 1.

22 (A) IN THIS ARTICLE, "VIDEO LOTTERY TERMINAL" MEANS ANY MACHINE OR  
23 OTHER DEVICE THAT, ON INSERTION OF A BILL, COIN, TOKEN, VOUCHER, TICKET,  
24 COUPON, OR SIMILAR ITEM, OR ON PAYMENT OF ANY CONSIDERATION:

25 (1) IS AVAILABLE TO PLAY OR SIMULATE THE PLAY OF ANY GAME OF  
26 CHANCE IN WHICH THE RESULTS, INCLUDING THE OPTIONS AVAILABLE TO THE  
27 PLAYER, ARE RANDOMLY AND IMMEDIATELY DETERMINED BY THE MACHINE OR  
28 OTHER DEVICE; AND

1 (2) BY THE ELEMENT OF CHANCE, MAY DELIVER OR ENTITLE THE  
2 PLAYER WHO OPERATES THE MACHINE OR DEVICE TO RECEIVE CASH, PREMIUMS,  
3 MERCHANDISE, TOKENS, OR ANYTHING OF VALUE, WHETHER THE PAYOUT IS MADE  
4 AUTOMATICALLY FROM THE DEVICE OR IN ANY OTHER MANNER.

5 (B) "VIDEO LOTTERY TERMINAL" INCLUDES A MACHINE OR DEVICE:

6 (1) THAT DOES NOT DIRECTLY DISPENSE MONEY, TOKENS, OR  
7 ANYTHING OF VALUE TO WINNING PLAYERS; AND

8 (2) DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION THAT USES AN  
9 ELECTRONIC CREDIT SYSTEM MAKING THE DEPOSIT OF BILLS, COINS, OR TOKENS  
10 UNNECESSARY.

11 (C) "VIDEO LOTTERY TERMINAL" DOES NOT INCLUDE AN AUTHORIZED SLOT  
12 MACHINE OPERATED BY AN ELIGIBLE ORGANIZATION UNDER TITLE 12, SUBTITLE 3  
13 OF THE CRIMINAL LAW ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

14 2.

15 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION AND EXCEPT  
16 TO THE EXTENT VIDEO LOTTERY TERMINAL GAMING IS AUTHORIZED BY THIS  
17 ARTICLE, THE GENERAL ASSEMBLY MAY NOT AUTHORIZE STATUTORILY ANY  
18 ADDITIONAL FORMS OR EXPANSION OF COMMERCIAL GAMING, INCLUDING  
19 CASINO-STYLE GAMING, CARD GAMES, DICE GAMES, ROULETTE, SLOT MACHINES,  
20 AND VIDEO LOTTERY TERMINALS.

21 (B) THIS SECTION DOES NOT APPLY TO:

22 (1) EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION,  
23 LOTTERIES CONDUCTED UNDER TITLE 9, SUBTITLE 1 OF THE STATE GOVERNMENT  
24 ARTICLE OF THE ANNOTATED CODE OF MARYLAND;

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

27 (3) GAMING CONDUCTED BY A BONA FIDE FRATERNAL, CIVIC, WAR  
28 VETERANS', RELIGIOUS, OR CHARITABLE ORGANIZATION, VOLUNTEER FIRE  
29 COMPANY, OR SUBSTANTIALLY SIMILAR ORGANIZATION INCLUDED UNDER TITLE 12  
30 OR TITLE 13 OF THE CRIMINAL LAW ARTICLE OF THE ANNOTATED CODE OF  
31 MARYLAND.

32 3.

33 (A) (1) THE STATE MAY NOT ISSUE MORE THAN SIX VIDEO LOTTERY  
34 FACILITY LICENSES THROUGHOUT THE STATE.

35 (2) THE STATE MAY NOT AUTHORIZE THE OPERATION OF MORE THAN A  
36 TOTAL OF 13,000 VIDEO LOTTERY TERMINALS IN THE STATE.

1 (3) EACH VIDEO LOTTERY FACILITY MAY NOT OPERATE MORE THAN  
2 3,000 VIDEO LOTTERY TERMINALS.

3 (4) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AT  
4 LEAST ONE VIDEO LOTTERY FACILITY LICENSE SHALL BE ISSUED IN EACH OF THE  
5 FOLLOWING REGIONS:

6 (I) ALLEGANY, FREDERICK, GARRETT, AND WASHINGTON  
7 COUNTIES;

8 (II) BALTIMORE, CARROLL, AND HARFORD COUNTIES;

9 (III) CAROLINE, CECIL, KENT, AND QUEEN ANNE'S COUNTIES;

10 (IV) DORCHESTER, SOMERSET, TALBOT, WICOMICO, AND  
11 WORCESTER COUNTIES;

12 (V) CALVERT, CHARLES, PRINCE GEORGE'S, AND ST. MARY'S  
13 COUNTIES; AND

14 (VI) BALTIMORE CITY, ANNE ARUNDEL, HOWARD, AND  
15 MONTGOMERY COUNTIES.

16 (B) (1) THE STATE MAY ISSUE A VIDEO LOTTERY FACILITY LICENSE ONLY  
17 IN A COUNTY OR BALTIMORE CITY IN WHICH A MAJORITY OF THE VOTES CAST WERE  
18 IN FAVOR OF THIS ARTICLE.

19 (2) THE STATE MAY NOT ISSUE MORE THAN ONE VIDEO LOTTERY  
20 FACILITY LICENSE IN ANY COUNTY LISTED IN SUBSECTION (A)(4) OF THIS SECTION.

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

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