

UNOFFICIAL COPY OF HOUSE BILL 1178
CONSTITUTIONAL AMENDMENT

C7
HB 850/05 - W&M

6lr1752

By: **Delegates Madaleno, Simmons, Gutierrez, and Lawton**

Introduced and read first time: February 10, 2006

Assigned to: Ways and Means

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
25 COIN, TOKEN, OR SIMILAR OBJECT OR ON PAYMENT OF CONSIDERATION, MAY BE

1 PLAYED OR OPERATED, THE PLAY OR OPERATION OF WHICH, WHETHER BY SKILL OR
2 CHANCE, ENTITLES THE PLAYER OR OPERATOR TO RECEIVE TOKENS OR ANYTHING
3 OF VALUE, INCLUDING CASH, PREMIUMS, AND MERCHANDISE.

4 (B) THIS SECTION DOES NOT APPLY TO:

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

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

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

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

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

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

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

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.