

# HOUSE BILL 4

C7

CONSTITUTIONAL AMENDMENT

8lr0265  
CF SB 4

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By: **The Speaker (By Request – Administration)**

Introduced and read first time: October 29, 2007

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Video Lottery Terminals – Authorization and Limitations**

3 FOR the purpose of adding a new article to the Maryland Constitution to authorize  
4 video lottery terminal gaming in the State for the primary purpose of providing  
5 funds for public education; limiting the number of licenses that the State may  
6 issue to operate video lottery terminals; limiting the number of locations at  
7 which video lottery terminal facilities may be located; limiting the number of  
8 video lottery terminals that may be authorized in the State; providing that the  
9 statutory addition or expansion of forms of commercial gaming by the General  
10 Assembly is prohibited except as provided by this Act; defining a certain term;  
11 and submitting this amendment to the qualified voters of the State of Maryland  
12 for their adoption or rejection.

13 BY proposing an addition to the Maryland Constitution  
14 New Article XIX – Video Lottery Terminals  
15 Section 1

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

19 **ARTICLE XIX – VIDEO LOTTERY TERMINALS**

20 **1.**

21 **(A) THIS ARTICLE DOES NOT APPLY TO:**

22 **(1) LOTTERIES CONDUCTED UNDER TITLE 9, SUBTITLE 1 OF THE**  
23 **STATE GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND;**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4           **(3) GAMING CONDUCTED BY A BONA FIDE FRATERNAL, CIVIC,**  
5 **WAR VETERANS', RELIGIOUS, OR CHARITABLE ORGANIZATION, VOLUNTEER FIRE**  
6 **COMPANY, OR SUBSTANTIALLY SIMILAR ORGANIZATION INCLUDED UNDER**  
7 **TITLE 12 OR TITLE 13 OF THE CRIMINAL LAW ARTICLE OF THE ANNOTATED**  
8 **CODE OF MARYLAND.**

9           **(B) IN THIS ARTICLE, "VIDEO LOTTERY OPERATION LICENSE" MEANS A**  
10 **LICENSE ISSUED TO A PERSON THAT ALLOWS PLAYERS TO OPERATE VIDEO**  
11 **LOTTERY TERMINALS.**

12           **(C) (1) THE STATE MAY ISSUE UP TO FIVE VIDEO LOTTERY**  
13 **OPERATION LICENSES THROUGHOUT THE STATE FOR THE PRIMARY PURPOSE**  
14 **OF RAISING REVENUE FOR:**

15                   **(I) EDUCATION FOR THE CHILDREN OF THE STATE IN**  
16 **PUBLIC SCHOOLS, PREKINDERGARTEN THROUGH GRADE 12;**

17                   **(II) PUBLIC SCHOOL CONSTRUCTION AND PUBLIC SCHOOL**  
18 **CAPITAL IMPROVEMENTS; AND**

19                   **(III) CONSTRUCTION OF CAPITAL PROJECTS AT COMMUNITY**  
20 **COLLEGES AND 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION.**

21           **(2) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION,**  
22 **THE STATE MAY NOT AUTHORIZE THE OPERATION OF MORE THAN 15,000 VIDEO**  
23 **LOTTERY TERMINALS IN THE STATE.**

24           **(3) A VIDEO LOTTERY OPERATION LICENSE ONLY MAY BE**  
25 **AWARDED FOR THE FOLLOWING LOCATIONS:**

26                   **(I) ANNE ARUNDEL COUNTY, WITHIN 2 MILES OF MD**  
27 **ROUTE 295;**

28                   **(II) CECIL COUNTY, WITHIN 2 MILES OF INTERSTATE 95;**

29                   **(III) WORCESTER COUNTY, WITHIN 1 MILE OF THE**  
30 **INTERSECTION OF ROUTE 50 AND ROUTE 589;**

1                   **(IV) ON STATE PROPERTY ASSOCIATED WITH THE ROCKY**  
2 **GAP LODGE AND GOLF RESORT IN ALLEGANY COUNTY; OR**

3                   **(V) BALTIMORE CITY, IN A NONRESIDENTIAL AREA WITHIN**  
4 **ONE-HALF MILE OF INTERSTATE 95 AND MD ROUTE 295, AND NOT ADJACENT**  
5 **TO OR WITHIN ONE-QUARTER MILE OF RESIDENTIAL PROPERTY.**

6           **(D) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, ON OR**  
7 **AFTER NOVEMBER 15, 2008, THE GENERAL ASSEMBLY MAY NOT AUTHORIZE**  
8 **ANY ADDITIONAL FORMS OR EXPANSION OF COMMERCIAL GAMING.**

9           **(E) THE GENERAL ASSEMBLY MAY AUTHORIZE ADDITIONAL FORMS OR**  
10 **EXPANSION OF COMMERCIAL GAMING IF APPROVAL IS GRANTED THROUGH A**  
11 **REFERENDUM, AUTHORIZED BY AN ACT OF THE GENERAL ASSEMBLY, IN A**  
12 **GENERAL ELECTION BY A MAJORITY OF THE QUALIFIED VOTERS IN THE STATE.**

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

18           SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
19 proposed as an amendment to the Maryland Constitution shall be submitted to the  
20 legal and qualified voters of this State at the next general election to be held in  
21 November, 2008 for their adoption or rejection pursuant to Article XIV of the  
22 Maryland Constitution. At that general election, the vote on this proposed amendment  
23 to the Constitution shall be by ballot, and upon each ballot there shall be printed the  
24 words "For the Constitutional Amendment" and "Against the Constitutional  
25 Amendment," as now provided by law. Immediately after the election, all returns shall  
26 be made to the Governor of the vote for and against the proposed amendment, as  
27 directed by Article XIV of the Maryland Constitution, and further proceedings had in  
28 accordance with Article XIV.