HOUSE BILL 495

C7 CONSTITUTIONAL AMENDMENT 1lr1432

HB 513/10 – W&M CF 1lr1616

By: **Delegate Bromwell**
Introduced and read first time: February 7, 2011
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Video Lottery Terminals – Expansion to Baltimore–Washington International**
3 **Thurgood Marshall Airport**

4 FOR the purpose of amending the Maryland Constitution to authorize video lottery
5   terminal gaming at Baltimore–Washington International Thurgood Marshall
6   Airport; altering the number of licenses that the State may issue to operate
7   video lottery terminals; altering the number of video lottery terminals that may
8   be authorized in the State; and submitting this amendment to the qualified
9   voters of the State for their adoption or rejection.

10 BY proposing an amendment to the Maryland Constitution
11   Article XIX – Video Lottery Terminals
12   Section 1

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

Article XIX – Video Lottery Terminals

17 1.

18   (a)   This article does not apply to:

19   (1)   Lotteries conducted under Title 9, Subtitle 1 of the State
20 Government Article of the Annotated Code of Maryland;

21   (2)   Wagering on horse racing conducted under Title 11 of the Business
22 Regulation Article of the Annotated Code of Maryland; or

1   (3)   Gaming conducted under Title 12 or Title 13 of the Criminal Law
2 Article of the Annotated Code of Maryland.

3   (b)   In this article, "video lottery operation license" means a license issued to
4 a person that allows players to operate video lottery terminals.

5   (c)   (1)   Except as provided in subsection (e) of this section, the State may
6 issue up to [five] SIX video lottery operation licenses throughout the State for the
7 primary purpose of raising revenue for:

8   (i)   Education for the children of the State in public schools,
9 prekindergarten through grade 12;

10   (ii)   Public   school   construction   and   public   school   capital
11 improvements; and

12   (iii)   Construction of capital projects at community colleges and
13 public senior higher education institutions.

14   (2)   Except as provided in subsection (e) of this section, the State may
15 not authorize the operation of more than [15,000] 17,500 video lottery terminals in
16 the State.

17   (3)   Except as provided in subsection (e) of this section, a video lottery
18 operation license only may be awarded for a video lottery facility in the following
19 locations:

20   (i)   Anne Arundel County, within 2 miles of MD Route 295;

21   (ii)   Cecil County, within 2 miles of Interstate 95;

22   (iii)   Worcester County, within 1 mile of the intersection of Route
23 50 and Route 589;

24   (iv)   On State property located within Rocky Gap State Park in
25 Allegany County; [or]

26   (v)   Baltimore City, if the video lottery facility is:

27   1.   Located:

28   A.   In a nonresidential area;

29   B.   Within one–half mile of Interstate 95;

30   C.   Within one–half mile of MD Route 295; and

1   D.   On property that is owned by Baltimore City on the
2 date on which the application for a video lottery operation license is submitted; and

3   2.   Not adjacent to or within one–quarter mile of property
4 that is:

5   A.   Zoned for residential use; and

6   B.   Used for a residential dwelling on the date the
7 application for a video lottery operation license is submitted**; OR**

8   **(VI) AT THE TERMINAL BUILDING AND SURROUNDING AREA**
9 **WITHIN THE SECURITY PERIMETER OF BALTIMORE–WASHINGTON**
10 **INTERNATIONAL THURGOOD MARSHALL AIRPORT.**

11   (4)   **(I) THIS PARAGRAPH DOES NOT APPLY TO A VIDEO**
12 **LOTTERY OPERATION LICENSE AWARDED FOR OPERATION OF VIDEO LOTTERY**
13 **TERMINALS AT BALTIMORE–WASHINGTON INTERNATIONAL THURGOOD**
14 **MARSHALL AIRPORT.**

15   **(II)**   Except as provided in subsection (e) of this section, the State
16 may not award more than one video lottery operation license in a single county or
17 Baltimore City.

18   (5)   A video lottery facility shall comply with all applicable planning
19 and zoning laws of the local jurisdiction.

20   (d)   Except as provided in subsection (e) of this section, on or after November
21 15, **[**2008**] 2011**, the General Assembly may not authorize any additional forms or
22 expansion of commercial gaming.

23   (e)   The General Assembly may only authorize additional forms or expansion
24 of commercial gaming if approval is granted through a referendum, authorized by an
25 act of the General Assembly, in a general election by a majority of the qualified voters
26 in the State.

27   (f)   The General Assembly may, from time to time, enact such laws not
28 inconsistent with this section, as may be necessary and proper to carry out its
29 provisions.

30   SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
31 determines that the amendment to the Maryland Constitution proposed by this Act
32 affects only one county and that the provisions of Article XIV, § 1 of the Maryland
33 Constitution concerning local approval of constitutional amendments apply.

34   SECTION 3. AND BE IT FURTHER ENACTED, That the aforegoing section
35 proposed as an amendment to the Maryland Constitution shall be submitted to the

1 qualified voters of the State at the next general election to be held in November, 2012
2 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.
3 At that general election, the vote on this proposed amendment to the Constitution
4 shall be by ballot, and upon each ballot there shall be printed the words "For the
5 Constitutional Amendment" and "Against the Constitutional Amendment," as now
6 provided by law. Immediately after the election, all returns shall be made to the
7 Governor of the vote for and against the proposed amendment, as directed by Article
8 XIV of the Maryland Constitution, and further proceedings had in accordance with
9 Article XIV.