

SENATE BILL 441

C7

CONSTITUTIONAL AMENDMENT

11r0572

By: **Senators Kasemeyer, Brinkley, DeGrange, Edwards, Forehand, Garagiola, Getty, King, Klausmeier, McFadden, Middleton, Miller, Pipkin, Pugh, Robey, and Stone**

Introduced and read first time: February 4, 2011

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Gaming – Video Lottery Terminals – Additional Forms or Expansion of**
3 **Commercial Gaming by Supermajority of General Assembly**

4 FOR the purpose of proposing an amendment to Article XIX – Video Lottery Terminals
5 of the Maryland Constitution; authorizing the General Assembly to allow
6 additional forms or expansion of the operation of video lottery terminals or
7 other commercial gaming if approval is granted by three-fifths of the members
8 of the Senate and three-fifths of the members of the House of Delegates;
9 repealing certain restrictions concerning the number and placement of video
10 lottery terminals in the State and the primary purpose for which revenues from
11 the terminals may be used; repealing a requirement that approval for additional
12 forms or expansion of commercial gaming be granted through a statewide
13 referendum; and submitting this amendment to the qualified voters of the State
14 for their adoption or rejection.

15 BY proposing an amendment to the Maryland Constitution
16 Article XIX – Video Lottery Terminals
17 Section 1

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

21 **Article XIX – Video Lottery Terminals**

22 1.

23 (a) This article does not apply to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 B. Within one-half mile of Interstate 95;
- 2 C. Within one-half mile of MD Route 295; and
- 3 D. On property that is owned by Baltimore City on the
4 date on which the application for a video lottery operation license is submitted; and
- 5 2. Not adjacent to or within one-quarter mile of property
6 that is:
- 7 A. Zoned for residential use; and
- 8 B. Used for a residential dwelling on the date the
9 application for a video lottery operation license is submitted.

10 (4) Except as provided in subsection (e) of this section, the State may
11 not award more than one video lottery operation license in a single county or
12 Baltimore City.

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

15 (d) Except as provided in subsection (e) of this section, on or after November
16 15, 2008, the General Assembly may not authorize any additional forms or expansion
17 of commercial gaming.]

18 [(e)] **(B)** The General Assembly may only authorize additional forms or
19 expansion of **THE OPERATION OF VIDEO LOTTERY TERMINALS OR OTHER**
20 commercial gaming if approval is granted [through a referendum, authorized by an act
21 of the General Assembly, in a general election by a majority of the qualified voters in
22 the State] **BY THREE-FIFTHS OF THE MEMBERS OF THE SENATE AND**
23 **THREE-FIFTHS OF THE MEMBERS OF THE HOUSE OF DELEGATES.**

24 [(f) The General Assembly may, from time to time, enact such laws not
25 inconsistent with this section, as may be necessary and proper to carry out its
26 provisions.]

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

32 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
33 proposed as an amendment to the Maryland Constitution shall be submitted to the
34 qualified voters of the State at the next general election to be held in November, 2012

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