

# SENATE BILL 158

C7  
SB 243/11 – B&T

CONSTITUTIONAL AMENDMENT

2lr1320

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By: **Senators Pugh, Conway, Jones–Rodwell, McFadden, and Middleton**

Introduced and read first time: January 19, 2012

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Video Lottery Gaming – Table Games**

3 FOR the purpose of amending the Maryland Constitution to authorize a person that  
4 holds a video lottery operation license to offer table games, such as poker,  
5 blackjack, craps, and roulette, to the public; and submitting this amendment to  
6 the qualified voters of the State for their adoption or rejection.

7 BY proposing an amendment to the Maryland Constitution

8 Article XIX – Video Lottery Terminals

9 Section 1

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

13 **Article XIX – Video Lottery Terminals**

14 1.

15 (a) This article does not apply to:

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

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

20 (3) Gaming conducted under Title 12 or Title 13 of the Criminal Law  
21 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 (b) In this article, “video lottery operation license” means a license issued to  
2 a person [that]:

3 (1) THAT allows players to operate video lottery terminals; AND

4 (2) THAT ALLOWS THE PERSON TO OFFER TABLE GAMES,  
5 INCLUDING POKER, BLACKJACK, CRAPS, AND ROULETTE, TO THE PUBLIC.

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

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

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

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

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

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

11                   **(5)    A HOLDER OF A VIDEO LOTTERY OPERATION LICENSE MAY**  
12 **OFFER TABLE GAMES, INCLUDING POKER, BLACKJACK, CRAPS, AND ROULETTE,**  
13 **TO THE PUBLIC.**

14                   **[(5)] (6)**    A video lottery facility shall comply with all applicable  
15 planning and zoning laws of the local jurisdiction.

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

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

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

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

31                   SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
32 proposed as an amendment to the Maryland Constitution shall be submitted to the  
33 qualified voters of the State at the next general election to be held in November, 2012  
34 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.  
35 At that general election, the vote on this proposed amendment to the Constitution

1 shall be by ballot, and upon each ballot there shall be printed the words “For the  
2 Constitutional Amendment” and “Against the Constitutional Amendment,” as now  
3 provided by law. Immediately after the election, all returns shall be made to the  
4 Governor of the vote for and against the proposed amendment, as directed by Article  
5 XIV of the Maryland Constitution, and further proceedings had in accordance with  
6 Article XIV.