

By: Alvarado

H.J.R. No. 40

A JOINT RESOLUTION

1 proposing a constitutional amendment requiring the legislature to
2 establish a state gaming commission and to authorize and provide
3 for the regulation of gaming conducted at certain locations in this
4 state, authorizing federally recognized Indian tribes to conduct
5 gaming on certain Indian lands, and requiring the governor to call
6 the legislature into special session to consider gaming
7 legislation.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

9 SECTION 1. Section 47, Article III, Texas Constitution, is
10 amended by amending Subsection (a) and adding Subsections (f), (g),
11 and (g-1) to read as follows:

12 (a) The Legislature shall pass laws prohibiting lotteries
13 and gift enterprises in this State other than those authorized by
14 Subsections (b), (d), ~~[and]~~ (e), (f), and (g) of this section.

15 (f) The Legislature by general law shall establish a state
16 gaming commission to administer the laws regulating gaming
17 activities authorized under this subsection and may authorize and
18 provide for regulation of the conduct in this State of one or more
19 types of gaming, including casino gaming, at locations:

20 (1) on coastal barrier islands at least 25 miles in
21 length that are accessible by a public road on one or more bridges;

22 (2) on dredge spoil islands at least 18 miles in length
23 that are located in coastal counties;

24 (3) for which a license to conduct pari-mutuel

1 wagering on horse or greyhound races is in effect; and

2 (4) in municipalities with a population of at least
3 675,000.

4 (g) This section does not prohibit an Indian tribe or tribal
5 organization that was included on the December 30, 1998, list of
6 Indian Entities Recognized and Eligible to Receive Services from
7 the United States Bureau of Indian Affairs, published in the
8 Federal Register by the Secretary of the Interior as required by 25
9 U.S.C. Section 479a-1, from conducting gaming on land in this State
10 that is held in trust for the tribe or organization or that is
11 recognized as the tribe's or organization's tribal land by the
12 United States in Polk County, Texas, or in El Paso County, Texas.
13 The prohibitions described by Subsection (a) of this section do not
14 apply to gaming by the tribe or organization on land described by
15 this subsection, and the tribe or organization may conduct gaming
16 on that land.

17 (g-1) Unless the Legislature enacts laws to implement
18 Subsection (f) of this section before that date, not later than June
19 1, 2016, the Governor shall call the Legislature into special
20 session for the sole purpose of considering and enacting laws to
21 implement Subsection (f) of this section. This subsection expires
22 January 1, 2017.

23 SECTION 2. This proposed constitutional amendment shall be
24 submitted to the voters at an election to be held November 3, 2015.
25 The ballot shall be printed to provide for voting for or against the
26 proposition: "The constitutional amendment requiring the
27 legislature to establish a state gaming commission and to authorize

1 and provide for the regulation of gaming conducted in this state on
2 certain coastal barrier islands, on certain dredge spoil islands in
3 coastal counties, at locations for which a license to conduct
4 pari-mutuel wagering on horse or greyhound races is in effect, and
5 in municipalities with a population of at least 675,000,
6 authorizing federally recognized Indian tribes to conduct gaming on
7 certain Indian lands, and requiring the governor to call the
8 legislature into special session to consider gaming legislation."