

House Resolution 807

By: Representatives Stephens of the 164th, Rogers of the 29th, Harbin of the 122nd, and Evans of the 42nd

A RESOLUTION

1 Proposing an amendment to the Constitution so as to authorize the General Assembly to
 2 provide by law for the local authorization of a limited number of licensed casino resorts
 3 within the state; to authorize the operation and regulation of limited casino gaming within
 4 the state; to provide for related matters; to provide for the submission of this amendment for
 5 ratification or rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Article I, Section II, Paragraph VIII of the Constitution is inserting new subparagraphs to be
 9 designated subparagraphs (e) through (g) to read as follows:

10 "(e) The General Assembly may provide by law for the operation and regulation of
 11 limited casino gaming in this state at licensed resort facilities located only in those counties
 12 or municipalities that have approved by public referendum the establishment of such
 13 facilities. No casino gaming shall be conducted at any licensed resort facility in any county
 14 or municipality in this state until such activities are approved by a majority of the electors
 15 of such county or municipality voting in a referendum on the conduct of casino gaming at
 16 a licensed resort facility in such county or municipality. The General Assembly may by
 17 law define a licensed resort facility, provide for the operation and regulation of such
 18 facilities, establish a licensing framework for such facilities, limit the total number of such
 19 facilities within this state to up to six as set forth in subparagraph (f) of this Paragraph, and
 20 otherwise provide for any other matters relating to the purposes or provisions of this
 21 subparagraph and subparagraph (g) of this Paragraph. Notwithstanding the contents of this
 22 subparagraph and subparagraph (g) of this Paragraph, all other forms of casino gaming
 23 shall remain prohibited in this state; and this prohibition shall be enforced by penal laws.

24 (f) The General Assembly shall provide by law for the issuance of no more than six
 25 casino gaming licenses within this state at any given time. Such casino gaming licenses
 26 shall be issued as set forth by the General Assembly to licensed resort facilities located
 27 within five distinct geographic licensing regions of the state, described as follows:

28 (1) Licensing Region One – Licensing Region One shall encompass the Counties of
 29 Banks, Barrow, Bartow, Burke, Carroll, Catoosa, Chattooga, Cherokee, Clarke, Clayton,
 30 Cobb, Columbia, Coweta, Dade, Dawson, DeKalb, Douglas, Elbert, Fannin, Fayette,
 31 Floyd, Forsyth, Franklin, Fulton, Gilmer, Glascock, Gordon, Greene, Gwinnett,
 32 Habersham, Hall, Hancock, Haralson, Hart, Heard, Henry, Jackson, Jefferson, Jenkins,
 33 Johnson, Lincoln, Lumpkin, Madison, McDuffie, Morgan, Murray, Newton, Oconee,
 34 Oglethorpe, Paulding, Pickens, Polk, Rabun, Richmond, Rockdale, Screven, Spalding,
 35 Stephens, Taliaferro, Towns, Union, Walker, Walton, Warren, Washington, White,
 36 Whitfield, and Wilkes and such independent municipalities located within the borders of
 37 those counties;

38 (2) Licensing Region Two – Licensing Region Two shall encompass the Counties of
 39 Bryan, Bulloch, Candler, Chatham, Effingham, Emanuel, Evans, Liberty, Long,
 40 McIntosh, Montgomery, Tattnall, Telfair, Toombs, Treutlen, and Wheeler and such
 41 independent municipalities located within the borders of those counties;

42 (3) Licensing Region Three – Licensing Region Three shall encompass the Counties
 43 of Baldwin, Bibb, Bleckley, Butts, Crawford, Dodge, Houston, Jasper, Jones, Lamar,
 44 Laurens, Monroe, Peach, Putnam, Twiggs, and Wilkinson and such independent
 45 municipalities located within the borders of those counties;

46 (4) Licensing Region Four – Licensing Region Four shall encompass the Counties of
 47 Chattahoochee, Crisp, Dooly, Harris, Macon, Marion, Meriwether, Muscogee, Pike,
 48 Pulaski, Quitman, Schley, Stewart, Sumter, Talbot, Taylor, Troup, Upson, Webster, and
 49 Wilcox and such independent municipalities located within the borders of those counties;
 50 and

51 (5) Licensing Region Five – Licensing Region Five shall encompass the Counties of
 52 Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Brantley, Brooks, Calhoun,
 53 Camden, Charlton, Clay, Clinch, Coffee, Colquitt, Cook, Decatur, Dougherty, Early,
 54 Echols, Glynn, Grady, Irwin, Jeff Davis, Lanier, Lee, Lowndes, Miller, Mitchell, Pierce,
 55 Randolph, Seminole, Terrell, Thomas, Tift, Turner, Ware, Wayne, and Worth and such
 56 independent municipalities located within the borders of those counties.

57 No more than two casino gaming licenses may be issued at any given time within
 58 Licensing Region One to licensed resort facilities located in any of the counties or
 59 municipalities therein. The General Assembly shall provide by general law, however, that
 60 the secondary casino gaming license issued in Licensing Region One is limited in scope
 61 as compared to the primary casino gaming license, with the secondary casino gaming
 62 license authorizing the licensee to operate no more than an aggregate of 2,000 total gaming
 63 positions, as defined by law, at any given time. No more than one casino gaming license
 64 per region may be issued at any given time to licensed resort facilities located in any of the

65 counties or municipalities within Licensing Region Two, Licensing Region Three,
66 Licensing Region Four, or Licensing Region Five. The absence of an active casino gaming
67 license in any of the state's described licensing regions shall not alter the limitations placed
68 on the number of permitted licenses within each region by this subparagraph. The General
69 Assembly's limitation and regulation of casino gaming licenses within this state shall not
70 be subject to Article III, Section VI, Paragraph V(c) of the Constitution.

71 (g) The General Assembly shall provide by law that proceeds derived from the licensing,
72 regulation, and taxation of casino gaming at licensed resort facilities in this state will be
73 used for educational programs and educational purposes as hereinafter provided, for the
74 payment of operating expenses associated with the state's designated regulatory body for
75 casino gaming, and for those other purposes set forth herein. The revenues and proceeds
76 derived from the licensing, regulation, and taxation of casino gaming at licensed resort
77 facilities in this state shall not be subject to Article III, Section IX, Paragraph IV(c);
78 Article III, Section IX, Paragraph VI(a); or Article VII, Section III, Paragraph II of the
79 Constitution. Revenues and proceeds derived from the licensing, regulation, and taxation
80 of casino gaming at licensed resort facilities in this state shall be separately accounted for
81 and shall be specifically identified by the Governor in his or her annual budget presented
82 to the General Assembly as a separate budget category entitled 'Casino Gaming Proceeds'
83 and the Governor shall make specific recommendations as to the programs and purposes
84 for which said revenues and proceeds shall be appropriated. In the General Appropriations
85 Act adopted by the General Assembly, the General Assembly shall appropriate all revenues
86 and proceeds derived from the licensing and taxation of casino gaming at licensed resort
87 facilities in this state by such separate category to educational programs and educational
88 purposes, to the payment of the operational expenses of the state's designated regulatory
89 body for casino gaming, to supporting the public treatment of problem gaming issues, and
90 to counties and municipalities hosting licensed resort facilities for casino gaming.
91 Revenues and proceeds dedicated to supporting educational programs and educational
92 purposes shall be used to support improvements and enhancements for educational
93 programs and purposes, and such revenues and proceeds shall be used to supplement, not
94 supplant, non-casino gaming educational resources for educational programs and
95 educational purposes. The educational programs and educational purposes for which
96 proceeds may be so appropriated shall include only the following:

97 (1) Tuition grants, scholarships, or loans to citizens of this state to enable such citizens
98 to attend colleges and universities located within this state, regardless of whether such
99 colleges and universities are operated by the board of regents, or to attend institutions
100 operated under the authority of the Department of Technical and Adult Education;

101 (2) Voluntary pre-kindergarten; and

102 (3) One or more educational shortfall reserves in a total amount of not more
 103 than 5 percent of the net revenues or proceeds from casino gaming for the preceding
 104 fiscal year;
 105 provided, however, that no funds shall be appropriated for the items listed in
 106 subparagraphs (2) and (3) of this subparagraph (g) until all persons eligible for and
 107 applying for assistance as provided for in subparagraph (1) of this subparagraph (g) have
 108 received such assistance. Revenues and proceeds dedicated to funding the operational
 109 expenses of the state's designated regulatory body for casino gaming may be appropriated
 110 as provided by law by the General Assembly, but in no way shall such revenues and
 111 proceeds exceed 5 percent of the total revenues and proceeds dedicated within the separate
 112 budget category for Casino Gaming Proceeds. Revenues and proceeds dedicated to
 113 supporting the public treatment of problem gaming issues may be appropriated as provided
 114 by law by the General Assembly, but in no way shall such revenues and proceeds exceed
 115 2 percent of the total revenues and proceeds dedicated within the separate budget category
 116 for Casino Gaming Proceeds. Revenues and proceeds dedicated to counties and
 117 municipalities hosting licensed resort facilities for casino gaming may be appropriated as
 118 provided by law by the General Assembly, but in no way shall such revenues and proceeds
 119 exceed 4 percent of the total revenues and proceeds dedicated within the separate budget
 120 category for Casino Gaming Proceeds."

121 **SECTION 2.**

122 The above proposed amendment to the Constitution shall be published and submitted as
 123 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
 124 above proposed amendment shall have written or printed thereon the following:

125 "() YES Shall the Constitution of Georgia be amended to preserve the long-term
 126 () NO financial stability of the HOPE scholarship program and to support other
 127 educational programs through net tax and licensing revenues generated by
 128 permitting a limited number of counties and municipalities to approve by
 129 referendum the establishment of licensed resort facilities within their
 130 localities where casino gaming is permitted?"
 131

132 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

133 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
 134 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
 135 become a part of the Constitution of this state.