S T A T E  O F  N E W  Y O R K

9346

I N  A S S E M B L Y

February 22, 2012

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Racing and Wagering

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 9 of article 1 of the constitution, in relation to authorizing certain gambling games

Section 1. RESOLVED (if the Senate concur), That section 9 of article 1 of the constitution be amended by adding a new subdivision 3 to read as follows:

3. NOTWITHSTANDING THE FOREGOING PROVISIONS OF THIS SECTION, THE LEGISLATURE SHALL PERMIT GAMBLING IN THE FORM OF GAMES OF CHANCE, GAMBLING GAMES OR TABLE GAMES, PLAYED BY MEANS OF CARDS OR DICE, BY MEANS OF ANY MECHANICAL, ELECTRONIC OR ELECTROMECHANICAL EQUIPMENT, DEVICE OR MACHINE OR BY ANY OTHER MEANS, AT LEAST INCLUDING BUT NOT LIMITED TO, POKER OF ANY KIND, BLACKJACK, CRAPS, ROULETTE, SLOT MACHINES AND ANY OTHER GAMES WHERE THE OUTCOME MAY BE DETERMINED BY SKILL OR LUCK; PROVIDED THAT SUCH GAMES MAY ONLY BE CONDUCTED BY AN ENTITY WHICH, ON OR BEFORE SEPTEMBER FIRST, TWO THOUSAND ELEVEN, WAS LICENSED BY LAW THEN IN EFFECT TO CONDUCT VIDEO LOTTERY GAMING AND ONLY UPON THE PREMISES, OR UPON PREMISES CONTIGUOUS TO THE PREMISES, WHERE SUCH VIDEO LOTTERY WAS SO AUTHORIZED TO BE CONDUCTED. THE NET PROCEEDS DERIVED BY THE STATE FROM SUCH GAMES OF CHANCE, GAMBLING GAMES OR TABLE GAMES SHALL BE APPLIED EXCLUSIVELY TO OR IN AID OR SUPPORT OF EDUCATION IN THIS STATE AS THE LEGISLATURE MAY PRESCRIBE. NO COUNTY, CITY, TOWN, VILLAGE OR OTHER POLITICAL SUBDIVISION OF THE STATE SHALL EITHER HAVE THE POWER TO PASS LOCAL LAWS OR ORDINANCES RELATING TO SUCH GAMES OR BE AUTHORIZED TO IMPOSE, LEVY OR COLLECT A TAX OR FEE ON ADMISSION TICKETS TO THE FACILITIES WHERE SUCH GAMES ARE CONDUCTED, ON WAGERS MADE BY PATRONS OF SUCH FACILITY, OR ON REVENUES RETAINED BY THE ENTITIES OPERATING SUCH FACILITIES.

S 2. RESOLVED (if the Senate concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, to be published for three months previous to the time of such election.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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