

HOUSE JOINT RESOLUTION 606

By Miller L

A RESOLUTION to amend Article XI, Section 5 of the Constitution of Tennessee, relative to casino gambling in Shelby County.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that a majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed that Article XI, Section 5 of the Constitution of the State of Tennessee be amended by deleting the fourth paragraph in its entirety and by substituting instead the following language:

A state lottery means a lottery of the type such as in operation in Georgia, Kentucky and Virginia in 2000.

Except to the extent casinos are authorized in Shelby County or municipalities located therein as herein provided, nothing in this Article XI, Section 5, authorizes games of chance associated with casinos, including, but not limited to, slot machines, roulette wheels, and the like.

The legislative body of Shelby County shall, upon the adoption of a resolution by a two-thirds (2/3) vote, submit to the qualified voters of Shelby County in a general or special election the question: "Shall casino gambling be permitted in Shelby County?"

In the event of an affirmative vote by a majority of the qualified voters of Shelby County voting thereon, and until the repeal thereof by the same procedure, casino gambling shall be permitted to operate within the unincorporated areas of Shelby County in such manner and in such locations as the legislative body of Shelby County may from time to time direct; provided that to insure that such casino operations are conducted legally and that revenue derived from such operations is taxable, as provided by law,

oversight of procedures developed by the Shelby County legislative body shall be provided by the attorney general and reporter and the commissioner of the department of revenue.

In the event of such affirmative vote by the qualified voters of Shelby County, no casino shall be permitted to locate and operate within the municipal boundaries of a specific municipality located within Shelby County, unless the legislative body of the municipality passes an ordinance by a two-thirds (2/3) vote to submit to the qualified voters of such municipality in a general or special election the question: "Shall casino gambling be permitted in _____[Name of the municipality]?" In the event of an affirmative vote by a majority of the qualified voters voting thereon, and until the repeal thereof by the same procedure, casino gambling shall be permitted to operate within such municipality in such manner and in such locations as the legislative body of that municipality may from time to time direct; provided that to insure that such casino operations are conducted legally and that revenue derived from such operations is taxable, as provided by law, oversight of procedures developed by the municipal legislative body shall be provided by the attorney general and reporter and the commissioner of the department of revenue.

To the extent casino gambling is authorized as herein provided, it shall not be a criminal offense to conduct games of chance associated with casinos and the general assembly shall pass no law to in any way restrict, limit or inhibit such games of chance for casinos authorized pursuant to this section.

BE IT FURTHER RESOLVED, that the foregoing amendment be referred to the One Hundred Eighth General Assembly and that this resolution proposing such amendment be published in compliance with Article XI, Section 3 of the Constitution of Tennessee.

BE IT FURTHER RESOLVED, that the clerk of the house of representatives is directed to deliver copies of this resolution to the secretary of state.