

**ASSEMBLY CONCURRENT
RESOLUTION No. 42**

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman RALPH R. CAPUTO
District 28 (Essex)

SYNOPSIS

Proposes constitutional amendment giving Legislature authority to establish not more than two casinos outside of Atlantic City.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



ACR42 CAPUTO

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1 **A CONCURRENT RESOLUTION** proposing to amend Article IV,
2 Section VII, paragraph 2 of the New Jersey Constitution.

3

4 **BE IT RESOLVED** *by the General Assembly of the State of New*
5 *Jersey (the Senate concurring):*

6

7 1. The following proposed amendment to the Constitution of
8 the State of New Jersey is agreed to:

9

10 PROPOSED AMENDMENT

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12 Amend Article IV, Section VII, paragraph 2 to read as follows:

13 2. No gambling of any kind shall be authorized by the
14 Legislature unless the specific kind, restrictions and control thereof
15 have been heretofore submitted to, and authorized by a majority of
16 the votes cast by, the people at a special election or shall hereafter
17 be submitted to, and authorized by a majority of the votes cast
18 thereon by, the legally qualified voters of the State voting at a
19 general election, except that, without any such submission or
20 authorization:

21 A. It shall be lawful for bona fide veterans, charitable,
22 educational, religious or fraternal organizations, civic and service
23 clubs, senior citizen associations or clubs, volunteer fire companies
24 and first-aid or rescue squads to conduct, under such restrictions
25 and control as shall from time to time be prescribed by the
26 Legislature by law, games of chance of, and restricted to, the selling
27 of rights to participate, the awarding of prizes, in the specific kind
28 of game of chance sometimes known as bingo or lotto, played with
29 cards bearing numbers or other designations, **[5]** five or more in
30 one line, the holder covering numbers as objects, similarly
31 numbered, are drawn from a receptacle and the game being won by
32 the person who first covers a previously designated arrangement of
33 numbers on such a card, when the entire net proceeds of such games
34 of chance are to be devoted to educational, charitable, patriotic,
35 religious or public-spirited uses, and in the case of bona fide
36 veterans' organizations and senior citizen associations or clubs to
37 the support of such organizations, in any municipality, in which a
38 majority of the qualified voters, voting thereon, at a general or
39 special election as the submission thereof shall be prescribed by the
40 Legislature by law, shall authorize the conduct of such games of
41 chance therein;

42 B. It shall be lawful for the Legislature to authorize, by law,
43 bona fide veterans, charitable, educational, religious or fraternal
44 organizations, civic and service clubs, senior citizen associations or
45 clubs, volunteer fire companies and first-aid or rescue squads to

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 conduct games of chance of, and restricted to, the selling of rights
2 to participate, and the awarding of prizes, in the specific kinds of
3 games of chance sometimes known as raffles, conducted by the
4 drawing for prizes or by the allotment of prizes by chance, when the
5 entire net proceeds of such games of chance are to be devoted to
6 educational, charitable, patriotic, religious or public-spirited uses,
7 and in the case of bona fide veterans' organizations and senior
8 citizen associations or clubs to the support of such organizations, in
9 any municipality, in which such law shall be adopted by a majority
10 of the qualified voters, voting thereon, at a general or special
11 election as the submission thereof shall be prescribed by law and
12 for the Legislature, from time to time, to restrict and control, by
13 law, the conduct of such games of chance;

14 C. It shall be lawful for the Legislature to authorize the conduct
15 of State lotteries restricted to the selling of rights to participate
16 therein and the awarding of prizes by drawings when the entire net
17 proceeds of any such lottery shall be for State institutions and State
18 aid for education; provided, however, that it shall not be competent
19 for the Legislature to borrow, appropriate or use, under any pretense
20 whatsoever, lottery net proceeds for the confinement, housing,
21 supervision or treatment of, or education programs for, adult
22 criminal offenders or juveniles adjudged delinquent or for the
23 construction, staffing, support, maintenance or operation of an adult
24 or juvenile correctional facility or institution;

25 D. It shall be lawful for the Legislature to authorize by law the
26 establishment and operation, under regulation and control by the
27 State, of gambling houses or casinos within the boundaries, as
28 heretofore established, of the city of Atlantic City, county of
29 Atlantic, and not more than two gambling houses or casinos in other
30 parts of the State, and to license and tax such operations and
31 equipment used in connection therewith. Any law authorizing the
32 establishment and operation of such gambling establishments shall
33 provide for the State revenues derived therefrom to be applied
34 solely for the purpose of providing funding for reductions in
35 property taxes, rental, telephone, gas, electric, and municipal
36 utilities charges of eligible senior citizens and disabled residents of
37 the State, and for additional or expanded health services or benefits
38 or transportation services or benefits to eligible senior citizens and
39 disabled residents, in accordance with such formulae as the
40 Legislature shall by law provide. The type and number of such
41 casinos or gambling houses and of the gambling games which may
42 be conducted in any such establishment shall be determined by or
43 pursuant to the terms of the law authorizing the establishment and
44 operation thereof.

45 It shall also be lawful for the Legislature to authorize by law
46 wagering at casinos or gambling houses in Atlantic City on the
47 results of any professional, college, or amateur sport or athletic
48 event, except that wagering shall not be permitted on a college sport

1 or athletic event that takes place in New Jersey or on a sport or
2 athletic event in which any New Jersey college team participates
3 regardless of where the event takes place;

4 E. It shall be lawful for the Legislature to authorize, by law, (1)
5 the simultaneous transmission by picture of running and harness
6 horse races conducted at racetracks located within or outside of this
7 State, or both, to gambling houses or casinos in the city of Atlantic
8 City and (2) the specific kind, restrictions and control of wagering
9 at those gambling establishments on the results of those races. The
10 State's share of revenues derived therefrom shall be applied for
11 services to benefit eligible senior citizens as shall be provided by
12 law; and

13 F. It shall be lawful for the Legislature to authorize, by law, the
14 specific kind, restrictions and control of wagering on the results of
15 live or simulcast running and harness horse races conducted within
16 or outside of this State. The State's share of revenues derived
17 therefrom shall be used for such purposes as shall be provided by
18 law.

19 It shall also be lawful for the Legislature to authorize by law
20 wagering at current or former running and harness horse racetracks
21 in this State on the results of any professional, college, or amateur
22 sport or athletic event, except that wagering shall not be permitted
23 on a college sport or athletic event that takes place in New Jersey or
24 on a sport or athletic event in which any New Jersey college team
25 participates regardless of where the event takes place.
26 (cf: Art. IV, Sec. VII, par. 2; amended effective December 5, 2013)
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28 2. When this proposed amendment to the Constitution is finally
29 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
30 shall be submitted to the people at the next general election
31 occurring more than three months after the final agreement and
32 shall be published at least once in at least one newspaper of each
33 county designated by the President of the Senate, the Speaker of the
34 General Assembly and the Secretary of State, not less than three
35 months prior to the general election.
36

37 3. This proposed amendment to the Constitution shall be
38 submitted to the people at that election in the following manner and
39 form:

40 There shall be printed on each official ballot to be used at the
41 general election, the following:

42 a. In every municipality in which voting machines are not used,
43 a legend which shall immediately precede the question as follows:

44 If you favor the proposition printed below make a cross (X), plus
45 (+), or check (✓) in the square opposite the word "Yes." If you are
46 opposed thereto make a cross (X), plus (+) or check (✓) in the
47 square opposite the word "No."

48 b. In every municipality the following question:

	YES	<p>CONSTITUTIONAL AMENDMENT TO ALLOW FOR NOT MORE THAN TWO CASINOS OUTSIDE OF ATLANTIC CITY</p> <p>Do you approve amending the Constitution to allow up to two casinos to operate in New Jersey outside of Atlantic City? The State would need to enact laws to authorize these casinos to operate.</p>
	NO	<p>INTERPRETIVE STATEMENT</p> <p>The Constitution now allows casinos to operate only in Atlantic City. This amendment would allow the State to enact laws to permit two casinos to operate outside of Atlantic City. The new casinos would be regulated by the Division of Gaming Enforcement. Any money the State receives from the operation of the new casinos would be used in the same way that current casino revenues are used. The State’s revenues from casino gambling are used for programs that benefit senior citizens and disabled residents in this State.</p>

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STATEMENT

Currently, the Constitution allows the Legislature to authorize by law casinos to be located only within the territorial boundaries of Atlantic City. If approved, this constitutional amendment would allow the Legislature to authorize by law the establishment of not more than two casinos to be located in other parts of the State. As required for current casinos, the additional two casinos would be subject to regulation and control by the State. The State’s revenues derived from gambling activity at the additional casinos would be expended for the constitutionally-dedicated purposes. This amendment also changes a numerical reference to reflect current drafting style.