

The House Committee on Regulated Industries offers the following substitute to HR 807:

A RESOLUTION

Proposing an amendment to the Constitution so as to authorize the General Assembly to provide by law for casino gambling in this state; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article I, Section II, Paragraph VIII of the Constitution is amended by adding new subparagraphs to read as follows:

"(e)(1) The General Assembly may provide by law for the operation and regulation of casino gambling in this state and for any matters relating to such activity. The General Assembly may by law define casino gambling, establish a licensing framework, limit the number of licenses for such activity within this state to four or less, and otherwise provide for any other matters relating to the purposes or provisions of this subparagraph (e). The General Assembly's limitation and regulation of casino gambling licenses within this state shall not be subject to Article III, Section VI, Paragraph V(c).

(2) The General Assembly may impose by law taxes, revenues, fees, and assessments on casino gambling and the licensing thereof and may authorize any regulatory body designated by the General Assembly to collect such taxes, revenues, fees, and assessments, and such regulatory body may use a portion of such proceeds to pay its operating costs as may be specified by law. Funds may also be appropriated by the General Assembly for the operating costs of the regulatory body. The General Assembly may provide for the regulatory body to transmit to the state treasurer the entire amount of taxes, revenues, fees, and assessments collected by the regulatory body or a portion thereof, or the General Assembly may provide for collection of such taxes, revenues, fees, and assessments through some other method. The proceeds from such taxes, revenues, fees, and assessments transferred to the state treasurer shall be expended by the state only for the purposes authorized by subparagraph (3) of this subparagraph (e). The taxes, revenues, fees, and assessments derived from the licensing and regulation of casino

28 gambling in this state shall not be subject to Article III, Section IX, Paragraph IV(c);
29 Article III, Section IX, Paragraph VI(a); or Article VII, Section III, Paragraph II.

30 (3) The taxes, revenues, fees, and assessments derived from the licensing and
31 regulation of casino gambling in this state shall be separately accounted for and shall be
32 specifically identified by the Governor in his or her annual budget presented to the
33 General Assembly as a separate budget category entitled 'Casino Gaming Proceeds,' and
34 the Governor shall make specific recommendations as to the programs and purposes for
35 which such taxes, revenues, fees, and assessments shall be appropriated. In the General
36 Appropriations Act adopted by the General Assembly, the General Assembly shall
37 appropriate all taxes, revenues, fees, and assessments derived from the licensing,
38 regulation, and taxation of casino gambling transferred to the state treasurer by such
39 separate category as follows:

40 (A) To support improvements and enhancements for educational programs and
41 educational purposes, to supplement, not supplant, noncasino gambling educational
42 resources for educational programs and educational purposes. The educational
43 programs and educational purposes for which proceeds may be so appropriated shall
44 include only the following:

45 (i) Tuition grants, scholarships, or loans to citizens of this state to enable such
46 citizens to attend colleges and universities located within this state, regardless of
47 whether such colleges and universities are operated by the Board of Regents of the
48 University System of Georgia, or to attend institutions operated under the authority
49 of the Technical College System of Georgia;

50 (ii) Voluntary pre-kindergarten; and

51 (iii) One or more educational shortfall reserves in a total amount of not more
52 than 5 percent of the net revenues or proceeds from casino gambling for the preceding
53 fiscal year;

54 provided, however, that no funds shall be appropriated for the items listed in
55 subparagraphs (i) and (iii) of this subparagraph (A) until all persons eligible for and
56 applying for assistance as provided for in subparagraph (i) of this subparagraph (A)
57 have received such assistance.

58 (B) To fund the operational expenses of the state's designated regulatory body for
59 casino gambling, but in no way shall such appropriated amount be less than 1 percent
60 or exceed 5 percent of the total funds dedicated within the separate budget category for
61 Casino Gaming Proceeds, unless the General Assembly has provided by law for the
62 same range of percentage of funds to be retained by the regulatory body prior to such
63 regulatory body transferring funds to the state treasury;

(C) To support the public treatment of problem gambling issues, but in no way shall such appropriated amount be less than 1 percent or exceed 2 percent of the total funds dedicated within the separate budget category for Casino Gaming Proceeds; and

(D) To counties and municipalities hosting licensed resort facilities for casino gambling as provided by law by the General Assembly, but in no way shall such appropriated amount be less than 1 percent or exceed 4 percent of the total funds dedicated within the separate budget category for Casino Gaming Proceeds.

(4) The General Assembly shall be authorized to provide by general law for the creation of one or more funds for the purposes set forth in subparagraph (3) of this subparagraph (e)."

SECTION 2.

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

"() YES Shall the Constitution of Georgia be amended so as to provide for a limited
() NO number of resort-style destination casinos in order to generate revenues to
be used to preserve the long-term financial stability of the HOPE
scholarship program and other educational programs?"

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

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