

**SENATE CONCURRENT
RESOLUTION No. 133**

**STATE OF NEW JERSEY
219th LEGISLATURE**

INTRODUCED OCTOBER 19, 2020

Sponsored by:
Senator PAUL A. SARLO
District 36 (Bergen and Passaic)

SYNOPSIS

Amends State Constitution to permit sports wagering through casinos and current or former horse racetracks on certain sanctioned collegiate tournament, playoff, championship, or other postseason athletic competitions in New Jersey.

CURRENT VERSION OF TEXT

As introduced.



SCR133 SARLO

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

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

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

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11

PROPOSED AMENDMENT

12

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

14 2. No gambling of any kind shall be authorized by the
15 Legislature unless the specific kind, restrictions and control thereof
16 have been heretofore submitted to, and authorized by a majority of
17 the votes cast by, the people at a special election or shall hereafter be
18 submitted to, and authorized by a majority of the votes cast thereon
19 by, the legally qualified voters of the State voting at a general
20 election, except that, without any such submission or 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 and
25 control as shall from time to time be prescribed by the Legislature by
26 law, games of chance of, and restricted to, the selling of rights to
27 participate, the awarding of prizes, in the specific kind of game of
28 chance sometimes known as bingo or lotto, played with cards bearing
29 numbers or other designations, 5 or more in one line, the holder
30 covering numbers as objects, similarly numbered, are drawn from a
31 receptacle and the game being won by the person who first covers a
32 previously designated arrangement of numbers on such a card, when
33 the entire net proceeds of such games of chance are to be devoted to
34 educational, charitable, patriotic, religious or public-spirited uses,
35 and in the case of bona fide veterans' organizations and senior citizen
36 associations or clubs to the support of such organizations, in any
37 municipality, in which a majority of the qualified voters, voting
38 thereon, at a general or special election as the submission thereof
39 shall be prescribed by the Legislature by law, shall authorize the
40 conduct of such games of chance therein;

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

SCR133 SARLO

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

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

24 D. It shall be lawful for the Legislature to authorize by law the
25 establishment and operation, under regulation and control by the
26 State, of gambling houses or casinos within the boundaries, as
27 heretofore established, of the city of Atlantic City, county of Atlantic,
28 and to license and tax such operations and equipment used in
29 connection therewith. Any law authorizing the establishment and
30 operation of such gambling establishments shall provide for the State
31 revenues derived therefrom to be applied solely for the purpose of
32 providing funding for reductions in property taxes, rental, telephone,
33 gas, electric, and municipal utilities charges of eligible senior citizens
34 and disabled residents of the State, and for additional or expanded
35 health services or benefits or transportation services or benefits to
36 eligible senior citizens and disabled residents, in accordance with
37 such formulae as the Legislature shall by law provide. The type and
38 number of such casinos or gambling houses and of the gambling
39 games which may be conducted in any such establishment shall be
40 determined by or pursuant to the terms of the law authorizing the
41 establishment and operation thereof.

42 It shall also be lawful for the Legislature to authorize by law
43 wagering at casinos or gambling houses in Atlantic City on the results
44 of any professional, college, or amateur sport or athletic event **],**
45 **except that wagering] .** Wagering shall not be permitted on a college
46 sport or athletic event that takes place in New Jersey or on a sport or
47 athletic event in which any New Jersey college team participates
48 regardless of where the event takes place, except that it shall be
49 lawful for the Legislature to authorize by law wagering at casinos or

SCR133 SARLO

1 gambling houses in Atlantic City on the results of any college sport
2 or athletic event that is a tournament, playoff, championship, or other
3 postseason competition that takes place in New Jersey, including any
4 such event in which a New Jersey college team participates, and that
5 is sanctioned by a nonprofit collegiate athletic association led by its
6 members. The Legislature shall define, determine, or identify such
7 an association by law;

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

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

23 It shall also be lawful for the Legislature to authorize by law
24 wagering at current or former running and harness horse racetracks
25 in this State on the results of any professional, college, or amateur
26 sport or athletic event~~], except that wagering]~~. Wagering shall not
27 be permitted on a college sport or athletic event that takes place in
28 New Jersey or on a sport or athletic event in which any New Jersey
29 college team participates regardless of where the event takes place,
30 except that it shall be lawful for the Legislature to authorize by law
31 wagering at current or former running and harness horse racetracks
32 in this State on the results of any college sport or athletic event that
33 is a tournament, playoff, championship, or other postseason
34 competition that takes place in New Jersey, including any such event
35 in which a New Jersey college team participates, and that is
36 sanctioned by a nonprofit collegiate athletic association led by its
37 members. The Legislature shall define, determine, or identify such
38 an association by law.

39 (cf: Art.IV, Sec.VII, par.2; amended effective December 5, 2013)

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41 2. When this proposed amendment to the Constitution is finally
42 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
43 shall be submitted to the people at the next general election occurring
44 more than three months after the final agreement and shall be
45 published at least once in at least one newspaper of each county
46 designated by the President of the Senate, the Speaker of the General
47 Assembly and the Secretary of State, not less than three months prior
48 to the general election.

SCR133 SARLO

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

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

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

8 If you favor the proposition printed below make a cross (X), plus
9 (+), or check (✓) in the square opposite the word "Yes." If you are
10 opposed thereto make a cross (X), plus (+) or check (✓) in the square
11 opposite the word "No."
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13 b. In every municipality the following question:
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		<p>CONSTITUTIONAL AMENDMENT TO PERMIT WAGERING ON CERTAIN COLLEGE SPORT OR ATHLETIC EVENTS HELD IN NEW JERSEY</p> <p>Do you approve amending the Constitution to permit wagering through casinos and current or former horse racetracks on certain college sport or athletic events that are held in the State?</p> <p>Wagering would be permitted only on a college tournament, playoff, championship, or other postseason competition. Wagering would also be permitted on those competitions that a New Jersey college team participates in.</p> <p>The event would have to be sanctioned by a nonprofit collegiate athletic association.</p>
	YES	

	NO	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>Currently, the State Constitution prohibits wagering on college sport or athletic events taking place in New Jersey. It also prohibits wagering on an event in which a New Jersey college team participates.</p> <p>This amendment would allow the Legislature to pass laws permitting wagering on a college sport or athletic event held in New Jersey as a tournament, playoff, championship, or other postseason competition. It would permit wagering even if a New Jersey college team participates in the competition. Such wagering would be permitted only through casinos and current or former horse racetracks.</p> <p>A nonprofit collegiate athletic association led by its members would have to sanction such an event. The Legislature would identify such an association by law.</p>
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STATEMENT

Currently, the State Constitution prohibits sports wagering on any college sport or athletic event held New Jersey or in which a New Jersey college team participates. Wagering is permitted only through casinos and current or former horse racetracks.

This amendment would permit wagering through casinos and current or former horse racetracks on a college sport or athletic event that takes place in New Jersey as a tournament, playoff, championship, or other postseason competition. It would permit wagering even if a New Jersey college team participates in such an event. A nonprofit collegiate athletic association that is led by its members would have to sanction such an event.

Sports wagering in New Jersey has become widely popular since the law first permitted it. In addition, New Jersey is home to many collegiate athletic postseason and tournament events, including National Collegiate Athletic Association (NCAA) events. Future events have already been scheduled in New Jersey, such as the East Regional of the 2025 NCAA “March Madness” Men’s College Basketball Tournament. March Madness is a major sporting event and extremely popular for sports bettors across the State and the country. With the addition of the East Regional taking place in New Jersey, the State should provide more opportunities to New Jersey bettors to participate legally in such tournaments.