

[First Reprint]

**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)

Senator VIN GOPAL

District 11 (Monmouth)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Co-Sponsored by:

Assemblywoman Murphy

SYNOPSIS

Amends State Constitution to permit sports wagering through casinos and current or former horse racetracks on any collegiate athletic competitions.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on November 9, 2020, with amendments.



(Sponsorship Updated As Of: 6/24/2021)

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:

10
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 Legislature
15 unless the specific kind, restrictions and control thereof have been
16 heretofore submitted to, and authorized by a majority of the votes cast
17 by, the people at a special election or shall hereafter be submitted to,
18 and authorized by a majority of the votes cast thereon by, the legally
19 qualified voters of the State voting at a general election, except that,
20 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, and
35 in the case of bonafide 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 shall
39 be prescribed by the Legislature by law, shall authorize the conduct of
40 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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted November 9, 2020.

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 of
6 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 to
11 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 of
14 State lotteries restricted to the selling of rights to participate therein
15 and the awarding of prizes by drawings when the entire net proceeds
16 of any such lottery shall be for State institutions and State aid for
17 education; provided, however, that it shall not be competent for the
18 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 State,
26 of gambling houses or casinos within the boundaries, as heretofore
27 established, of the city of Atlantic City, county of Atlantic, and to
28 license and tax such operations and equipment used in connection
29 therewith. Any law authorizing the establishment and operation of
30 such gambling establishments shall provide for the State revenues
31 derived therefrom to be applied solely for the purpose of providing
32 funding for reductions in property taxes, rental, telephone, gas,
33 electric, and municipal utilities charges of eligible senior citizens and
34 disabled residents of the State, and for additional or expanded health
35 services or benefits or transportation services or benefits to eligible
36 senior citizens and disabled residents, in accordance with such
37 formulae as the Legislature shall by law provide. The type and number
38 of such casinos or gambling houses and of the gambling games which
39 may be conducted in any such establishment shall be determined by or
40 pursuant to the terms of the law authorizing the establishment and
41 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 event¹, except
45 that wagering¹. Wagering shall not be permitted on a college sport
46 or athletic event that takes place in New Jersey or on a sport or athletic
47 event in which any New Jersey college team participates regardless of
48 where the event takes place, except that it shall be lawful for the

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

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

22 It shall also be lawful for the Legislature to authorize by law
23 wagering at current or former running and harness horse racetracks in
24 this State on the results of any professional, college, or amateur sport
25 or athletic event【, except that wagering】¹【. Wagering shall not be
26 permitted on a college sport or athletic event that takes place in New
27 Jersey or on a sport or athletic event in which any New Jersey college
28 team participates regardless of where the event takes place, except that
29 it shall be lawful for the Legislature to authorize by law wagering at
30 current or former running and harness horse racetracks in this State on
31 the results of any college sport or athletic event that is a tournament,
32 playoff, championship, or other postseason competition that takes
33 place in New Jersey, including any such event in which a New Jersey
34 college team participates, and that is sanctioned by a nonprofit
35 collegiate athletic association led by its members. The Legislature
36 shall define, determine, or identify such an association by law】¹.

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

38

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

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, a
7 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."

12 b. In every municipality the following question:

	<p>YES</p>	<p>CONSTITUTIONAL AMENDMENT TO PERMIT WAGERING ON ¹【CERTAIN】 <u>ALL</u>¹ COLLEGE SPORT OR ATHLETIC EVENTS ¹【HELD IN NEW JERSEY】¹</p> <p>Do you approve amending the Constitution to permit wagering through casinos and current or former horse racetracks on ¹【certain】 <u>all</u>¹ college sport or athletic events ¹【that are held in the State】¹?</p> <p>¹【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】 <u>Currently, wagering is prohibited on college sport or athletic events that take place in New Jersey. Wagering is also prohibited on an event in which a team from a New Jersey college participates</u>¹.</p>
	<p>NO</p>	<p>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 ¹【a】 <u>any</u>¹ college sport or athletic event ¹【held in New Jersey as a tournament, playoff, championship, or other postseason competition】¹. 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>¹【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.】¹</p>