

**Introduced by Senator Dodd**  
(Principal coauthor: Assembly Member Gray)

June 27, 2019

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Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to gambling.

LEGISLATIVE COUNSEL'S DIGEST

SCA 6, as introduced, Dodd. Gambling: sports wagering.

The California Constitution prohibits various gaming activities within the state, including casino-style gambling, but authorizes the Governor, subject to ratification by the Legislature, to negotiate and conclude compacts for the operation of slot machines and the conduct of lottery games and banking and percentage card games by federally recognized Indian tribes on Indian lands in California in accordance with federal law. The California Constitution also authorizes the Legislature to provide for the regulation of horse racing, charitable bingo games, the California State Lottery, and charitable raffles.

This measure would authorize the Legislature by statute to authorize and provide for the regulation of sports wagering.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

- 1 *Resolved by the Senate, the Assembly concurring,* That the
- 2 Legislature of the State of California at its 2019–20 Regular
- 3 Session commencing on the third day of December 2018,
- 4 two-thirds of the membership of each house concurring, hereby

1 proposes to the people of the State of California, that the  
2 Constitution of the State be amended as follows:

3 That Section 19 of Article IV thereof is amended to read:

4 SEC. 19. (a) The Legislature has no power to authorize  
5 lotteries, and shall prohibit the sale of lottery tickets in the State.

6 (b) The Legislature may provide for the regulation of horse  
7 races and horse race meetings and wagering on the results.

8 (c) Notwithstanding subdivision (a), the Legislature by statute  
9 may authorize cities and counties to provide for bingo games, but  
10 only for charitable purposes.

11 (d) Notwithstanding subdivision (a), there is authorized the  
12 establishment of a California State Lottery.

13 (e) The Legislature has no power to authorize, and shall prohibit,  
14 casinos of the type currently operating in Nevada and New Jersey.

15 (f) Notwithstanding subdivisions (a) and (e), and any other  
16 ~~provision of state law~~, the Governor is authorized to negotiate and  
17 conclude compacts, subject to ratification by the Legislature, for  
18 the operation of slot machines and for the conduct of lottery games  
19 and banking and percentage card games by federally recognized  
20 Indian tribes on Indian lands in California in accordance with  
21 federal law. Accordingly, slot machines, lottery games, and banking  
22 and percentage card games are hereby permitted to be conducted  
23 and operated on tribal lands subject to those compacts.

24 ~~(f)~~

25 (g) Notwithstanding subdivision (a), the Legislature may  
26 authorize private, nonprofit, eligible organizations, as defined by  
27 the Legislature, to conduct raffles as a funding mechanism to  
28 provide support for their own or another private, nonprofit, eligible  
29 organization's beneficial and charitable works, provided that (1)  
30 at least 90 percent of the gross receipts from the raffle go directly  
31 to beneficial or charitable purposes in California, and (2) any  
32 person who receives compensation in connection with the operation  
33 of a raffle is an employee of the private nonprofit organization that  
34 is conducting the raffle. The Legislature, two-thirds of the  
35 membership of each house concurring, may amend the percentage  
36 of gross receipts required by this subdivision to be dedicated to  
37 beneficial or charitable purposes by means of a statute that is signed  
38 by the Governor.

- 1     *(h) Notwithstanding subdivisions (a) and (e), the Legislature*
- 2     *by statute may authorize and provide for the regulation of sports*
- 3     *wagering.*

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