**South Carolina General Assembly**

122nd Session, 2017-2018

**S. 309**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senator Malloy

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Introduced in the Senate on January 25, 2017

Currently residing in the Senate Committee on **Judiciary**

Summary: Amendment to the Constitution of S.C. (Gambling)

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/25/2017 Senate Introduced and read first time ([Senate Journal‑page 11](file:///h:\sj\20170125.docx))

1/25/2017 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 11](file:///h:\sj\20170125.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=309&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/25/2017](file:///p:\pprever\2017-18\309_20170125.docx)

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS MATTERS, BY ADDING SECTION 16 SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY BY LAW, IN SPECIFIED AREAS OF THE STATE, MAY PROVIDE FOR THE CONDUCT OF GAMBLING AND GAMING ACTIVITIES ON WHICH BETS ARE MADE TO INCLUDE PARI‑MUTUEL BETTING ON HORSE RACING, SPORTS BETTING ON PROFESSIONAL SPORTS, CASINO ACTIVITIES, SUCH AS CARD AND DICE GAMES WHERE THE SKILL OF THE PLAYER IS INVOLVED IN THE OUTCOME, AND GAMES OF CHANCE WITH THE USE OF ELECTRONIC DEVICES OR GAMING TABLES, ALL OF WHICH MUST BE STRICTLY REGULATED AND MAY BE CONDUCTED IN ONE LOCATION OR IN SEPARATE LOCATIONS WITHIN THE SPECIFIED AREA SUBJECT TO SPECIAL LAWS, INCLUDING CRIMINAL LAWS, ENACTED BY THE GENERAL ASSEMBLY, APPLICABLE ONLY IN THE SPECIFIED AREA, WITH THE REVENUE REALIZED BY THE STATE TO BE ALLOCATED TO THE STATE’S RETIREMENT SYSTEMS IN ORDER TO ACHIEVE AND MAINTAIN A RATIO OF THE ACTUARIAL VALUE OF THE SYSTEMS ASSETS TO THE ACTUARIAL ACCRUED LIABILITY OF THE SYSTEMS THAT IS EQUAL TO OR GREATER THAN NINETY PERCENT, TO PROVIDE THAT ANY REVENUE REALIZED ABOVE THE AMOUNT NECESSARY TO ACHIEVE AND MAINTAIN THAT RATIO SHALL BE DEPOSITED IN THE STATE’S GENERAL FUND; AND BY PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS MATTERS, BY DELETING SECTION 8 WHICH MAKES IT UNLAWFUL FOR A PERSON HOLDING AN OFFICE OF HONOR, TRUST OR PROFIT TO ENGAGE IN GAMBLING OR BETTING ON GAMES OF CHANCE, AND REQUIRES THE OFFICER’S REMOVAL FROM OFFICE UPON CONVICTION FOR A GAMBLING OFFENSE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. It is proposed that Article XVII of the Constitution of this State be amended by adding:

“Section 16. The General Assembly by law may provide in specified areas of the State for the conduct of gambling and gaming activities on which bets are made to include pari‑mutuel betting on horse racing, sports betting on professional sports, casino activities, such as card and dice games where the skill of the player is involved in the outcome, and games of chance with the use of electronic devices or gaming tables, all of which strictly must be regulated and may be conducted in one location or in separate locations within the specified area, with the revenue realized by the State to be allocated to the State’s retirement systems in order to achieve and maintain a ratio of the actuarial value of the systems assets to the actuarial accrued liability of the systems that is equal to or greater than ninety percent. Any revenue realized above the amount necessary to achieve and maintain that ratio shall be deposited in the State’s general fund.

Notwithstanding the provisions of Section 14, Article VIII or any other provision of this Constitution, the General Assembly, in establishing the specific locations provided, may alter the application of the criminal laws of this State or any of its political subdivisions and the penalties and sanctions for violations in these locations and may enact special legislation, including criminal laws, relating to or arising from gambling and gaming activities and applicable only in these locations.”

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Article XVII of the Constitution of this State be amended so as to provide that the General Assembly by law, in specified areas of the State, may provide for the conduct of gambling and gaming activities on which bets are made to include pari‑mutuel betting on horse racing, sports betting on professional sports, casino activities, such as card and dice games where the skill of the player is involved in the outcome, and games of chance with the use of electronic devices or gaming tables, all of which strictly must be regulated and may be conducted in one location or in separate locations within the specified area, with the revenue realized by the State and local jurisdictions to be used to reduce the unfunded liabilities of the State’s retirement systems until the actuarially funded ratio equals or exceeds ninety percent with any remaining funds deposited in the State’s general fund, and to allow the General Assembly to enact special laws, including criminal laws, applicable only in the specified area in which gambling is allowed pursuant to this new section?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

SECTION 3. It is proposed that Section 8, Article XVII of the Constitution of this State be amended to read:

“Section 8. ~~It shall be unlawful for any person holding an office of honor, trust or profit to engage in gambling or betting on games of chance; and any such officer, upon conviction thereof, shall become thereby disqualified from the further exercise of the functions of his office, and the office of said person shall become vacant, as in the case of resignation or death.~~ (Reserved.)”

SECTION 4. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 8, Article XVII of the Constitution of this State be amended so as to delete the provision that makes it unlawful for a person holding an office of honor, trust or profit to engage in gambling or betting on games of chance, and requires the officer’s removal from office upon conviction for a gambling offense?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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