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The Senate of the State of Texas

Jane Nelson
Senate District 12

Committees:

HEALTH AND HUMAN SERVICES, CHAIR
SUNSET ADVISORY COMMISSION, VICE CHAIR
GOVERNMENT ORGANIZATION
NOMINATIONS
FINANCE

RQ-0332-GA

March 10, 2005

RECEIVED

MAR 10 2005

OPINION COMMITTEE

The Honorable Greg Abbott
Attorney General of Texas
PO Box 12548
Austin, TX 78711-2548

FILE # MC-44152-05
I.D. # 044152

Dear General Abbott:

I am writing to request your opinion as to whether an amendment to the Texas Constitution is required to enact Senate Bill 1326 by Senator Armbrister, which I have enclosed for your review.

As you know, the Texas Constitution prohibits gambling with narrowly defined exceptions as approved previously by voters. Your office has ruled in the past that the introduction of Video Lottery Terminals at horse and race tracks would require a constitutional amendment to be placed on the ballot for voters to decide. While I have not yet fully studied the Armbrister bill, I am concerned about efforts to bypass the voters.

Your office has been helpful in the past in providing the Legislature with legal guidance. We are in urgent need of your assistance on this issue. Thank you in advance for your prompt attention to this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Jane Nelson".
Senator Jane Nelson