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AB-1168 Gambling: local moratorium. (2017-2018)

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Assembly Bill No. 1168

CHAPTER 744

An act to amend Sections 19962 and 19963 of the Business and Professions Code, relating to gambling.

[Approved by Governor September 26, 2018. Filed with Secretary of State September 26, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1168, Gipson. Gambling: local moratorium.

Existing law, the Gambling Control Act, provides for the licensure and regulation of various legalized gambling activities and establishments by the California Gambling Control Commission and the investigation and enforcement of those activities and establishments by the Department of Justice.

Under the existing Gambling Control Act, a city, county, or city and county may authorize controlled gambling consistent with state law. Existing law prohibits, until January 1, 2020, the governing body and the electors of a city, county, or city and county that has not authorized legal gaming within its boundaries prior to January 1, 1996, from authorizing legal gaming. Existing law also prohibits, until January 1, 2020, an ordinance in effect on January 1, 1996, that authorizes legal gaming within a city, county, or city and county from being amended to expand gaming in that jurisdiction beyond that permitted on that effective date.

This bill would instead make those prohibitions applicable until January 1, 2023.

Existing law also prohibits, until January 1, 2020, the commission from issuing a gambling license for a gambling establishment that was not licensed to operate on December 31, 1999, except as specified.

This bill would instead make that prohibition applicable until January 1, 2023.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 19962 of the Business and Professions Code is amended to read:

19962. (a) Neither the governing body nor the electors of a county, city, or city and county that has not authorized legal gaming within its boundaries prior to January 1, 1996, shall authorize legal gaming.

(b) An ordinance in effect on January 1, 1996, that authorizes legal gaming within a city, county, or city and county may not be amended to expand gaming in that jurisdiction beyond that permitted on January 1, 1996.

(c) This section shall remain in effect only until January 1, 2023, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2023, deletes or extends that date.

SEC. 2. Section 19963 of the Business and Professions Code is amended to read:

19963. (a) In addition to any other limitations on the expansion of gambling imposed by Section 19962 or any provision of this chapter, the commission may not issue a gambling license for a gambling establishment that was not licensed to operate on December 31, 1999, unless an application to operate that establishment was on file with the department prior to September 1, 2000.

(b) This section shall remain in effect only until January 1, 2023, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2023, deletes or extends that date.