

**ASSEMBLY BILL**

**No. 1039**

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**Introduced by Assembly Member Hall**

February 22, 2013

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An act to amend Section 19961.06 of the Business and Professions Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 1039, as introduced, Hall. Local gambling control.

Under existing law, a city, county, or city and county may authorize controlled gambling, consistent with state law, if a majority of voters affirmatively approve an ordinance so permitting, as specified. Existing law authorizes a city, county, or city and county to amend the ordinance to increase by 2 the number of gambling tables that may be operated in a gambling establishment in a city, county, or city and county, above the number of tables authorized in the ordinance in effect on January 1, 2010. The authority to amend a gaming ordinance may occur only one time. Any amendment to a city or county ordinance relating to gambling establishments or the Gambling Control Act is required to be submitted to the Department of Justice for review and comment before the ordinance is adopted by the city or county.

This bill, additionally, would provide that an amendment of an ordinance increasing by 2 the number of gambling tables that may be operated in a gambling establishment in a city, county, or city and county, above the number of tables authorized by the ordinance in effect on January 1, 2013, may occur only one time.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 19961.06 of the Business and Professions  
2 Code is amended to read:

3 19961.06. (a) Notwithstanding Sections 19961 and 19962, a  
4 city, county, or city and county may amend an ordinance to  
5 increase by two the number of gambling tables that may be  
6 operated in a gambling establishment in the city, county, or city  
7 and county, ~~compared to~~ *above the number of tables authorized*  
8 *in the ordinance that was in effect on January 1, 2010. A city,*  
9 *county, or city and county may exercise the authority provided by*  
10 ~~this section~~ *subdivision only one time, but this authority shall be*  
11 *in addition to any authorization under any other law for a city,*  
12 *county, or city and county to increase the number of gambling*  
13 *tables that may be operated in a gambling establishment in the*  
14 *city, county, or city and county.*

15 (b) *Notwithstanding Sections 19961 and 19962, and in addition*  
16 *to the authorization granted by subdivision (a), a city, county, or*  
17 *city and county may amend an ordinance to increase by two the*  
18 *number of gambling tables that may be operated in a gambling*  
19 *establishment in the city, county, or city and county, above the*  
20 *number of tables authorized in the ordinance that was in effect on*  
21 *January 1, 2013. A city, county, or city and county may exercise*  
22 *the authority provided by this subdivision only one time, but this*  
23 *authority shall be in addition to any authorization under any other*  
24 *law for a city, county, or city and county to increase the number*  
25 *of gambling tables that may be operated in a gambling*  
26 *establishment in the city, county, or city and county.*

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