

**ASSEMBLY BILL**

**No. 2641**

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**Introduced by Assembly Member Williams**

February 19, 2016

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An act to add Section 19967 to the Business and Professions Code, relating to gambling.

LEGISLATIVE COUNSEL'S DIGEST

AB 2641, as introduced, Williams. Gambling: City of Ventura.

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 Gambling Control Act, a city, county, or city and county, may authorize controlled gambling consistent with state law, as provided. However, until January 1, 2020, existing law prohibits the governing body and the electors of a city, county, or city and county from authorizing or expanding any legal gaming beyond that permitted on January 1, 1996. Additionally, until January 1, 2020, existing law prohibits the commission from issuing a gambling license for a gambling establishment that was not licensed to operate on December 31, 1999, except as specified. Existing law defines “expansion of gambling” for these purposes as, when compared to gambling authorized on January 1, 1996, or under an ordinance adopted pursuant to specified provisions of law, whichever is the lesser number, a change that results in, among other things, an increase of 25% or more in the hours of operation of a gambling establishment in the city, county, or city and county.

This bill would, notwithstanding any other law, including, but not limited to the moratorium described above, authorize the City of Ventura to determine the hours of operation of any gambling establishment located in the City of Ventura that was operating prior to January 1, 2016. The bill would specify that any additional hours of operation authorized by the City of Ventura that are in addition to those hours that a gambling establishment operated prior to January 1, 2016, shall not constitute an expansion of gambling for the purposes described above.

This bill would make legislative findings and declarations as to the necessity of a special statute for the City of Ventura.

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 19967 is added to the Business and  
2 Professions Code, to read:

3 19967. Notwithstanding any other law, including, but not  
4 limited to, paragraph (5) of subdivision (b) of Section 19961, the  
5 City of Ventura may determine the hours of operation of any  
6 gambling establishment located in the City of Ventura that was  
7 operating prior to January 1, 2016. Any additional hours of  
8 operation authorized by the City of Ventura that are in addition to  
9 those hours that a gambling establishment operated prior to January  
10 1, 2016, shall not constitute an expansion of gambling for purposes  
11 of this article.

12 SEC. 2. The Legislature finds and declares that a special law  
13 is necessary and that a general law cannot be made applicable  
14 within the meaning of Section 16 of Article IV of the California  
15 Constitution because of the recent economic challenges, revenue  
16 shortfalls, and increasing costs and mandates, that have left the  
17 City of Ventura falling short of its ability to meet community  
18 expectations for basic local government services and to adequately  
19 invest in and maintain the city's aging critical public infrastructure.  
20 Adequately providing for public safety, police and fire response  
21 times, clean and sufficient supplies of water, and senior and at-risk  
22 programs, among others, are critical to the short-and long-term  
23 health of the local community. Providing for the day-to-day  
24 maintenance of streets and roads, storm water drains, sidewalks,

1 trees, and the city's coastline are critical to ensuring the stability  
2 and safety of the community into the future. In efforts to meet  
3 these demands, the city is continually seeking responsible and  
4 practical revenue sources. Currently, the revenue generated by the  
5 existing gambling establishment provides a critical and stable  
6 revenue source for the city's general fund that is relied upon to  
7 provide for the many important services the city provides and the  
8 community expects. The ability to expand operating hours of the  
9 operation will have no negative impact to the community and will  
10 generate additional revenue to assist the city in meetings these  
11 needs. It will also ensure the continued vitality and stability of the  
12 gambling establishment, ensuring a continued stable revenue source  
13 to the benefit of the general public and the community.

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