

MAR 8 - 2019

SENATE CONCURRENT RESOLUTION

REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY THE
FEASIBILITY OF LEGALIZING SPORTS GAMBLING.

1 WHEREAS, in 1992, Congress passed the Professional and
2 Amateur Sports Protection Act to prohibit certain state-
3 sanctioned sports gambling; and
4

5 WHEREAS, tens of thousands of Hawaii residents wager on the
6 outcome of sporting events through illegal websites that are not
7 subject to regulation or taxation; and
8

9 WHEREAS, it is estimated that online gambling by Hawaii
10 residents generates tens of millions of dollars for gambling
11 organizations without any benefit to the State; and
12

13 WHEREAS, in 2014, New Jersey enacted a law exempting
14 casinos, gambling houses, and race tracks in that state from
15 sports wagering prohibitions, effectively legalizing sports
16 gambling; and
17

18 WHEREAS, the National Collegiate Athletic Association and
19 other sports organizations alleged in *Christie v. National*
20 *Collegiate Athletic Association* that the New Jersey law violated
21 the Professional and Amateur Sports Protection Act; and
22

23 WHEREAS, the United States Court of Appeals for the Third
24 Circuit held that the New Jersey law violates the Professional
25 and Amateur Sports Protection Act; and
26

27 WHEREAS, the parties representing the State of New Jersey
28 appealed to the United States Supreme Court and on December 4,
29 2017, the court held oral arguments; and
30



S.C.R. NO. 167

1 WHEREAS, on May 14, 2018, the United States Supreme Court
2 reversed the decision of the United States Court of Appeals for
3 the Third Circuit, effectively allowing states to authorize
4 sports gambling; now, therefore,

5
6 BE IT RESOLVED by the Senate of the Thirtieth Legislature
7 of the State of Hawaii, Regular Session of 2019, the House of
8 Representatives concurring, that the Director of Commerce and
9 Consumer Affairs is requested to establish a task force to study
10 the feasibility of legalizing sports gambling in Hawaii; and

11
12 BE IT FURTHER RESOLVED that the task force shall consist of
13 the following members:

- 14
15 (1) The Director of Commerce and Consumer Affairs, or the
16 Director's designee, who shall serve as the
17 chairperson of the task force;
18
19 (2) The Director of Business, Economic Development, and
20 Tourism, or the Director's designee;
21
22 (3) The Attorney General, or the Attorney General's
23 designee;
24
25 (4) The Chief Information Officer, or the Chief
26 Information Officer's designee;
27
28 (5) An attorney in private practice with knowledge of
29 sports gambling law, to be invited by the Governor to
30 participate;
31
32 (6) A member of the public with knowledge of sports
33 gambling, to be invited by the President of the Senate
34 to participate; and
35
36 (7) A member of the public with knowledge of sports
37 gambling, to be invited by the Speaker of the House of
38 Representatives to participate; and
39

40 BE IT FURTHER RESOLVED that the Director of Commerce and
41 Consumer Affairs may invite other individuals with relevant
42 knowledge or experience to be members of the task force; and



S.C.R. NO. 167

1 BE IT FURTHER RESOLVED that no member shall be made subject
2 to chapter 84, Hawaii Revised Statutes, solely because of that
3 member's participation as a member of the task force; and
4

5 BE IT FURTHER RESOLVED that the Department of Commerce and
6 Consumer Affairs shall provide administrative support to the
7 task force; and
8

9 BE IT FURTHER RESOLVED that the task force is requested to
10 submit a report of its findings and recommendations, including
11 any proposed legislation, to the Legislature no later than
12 twenty days prior to the convening of the Regular Session of
13 2020; and
14

15 BE IT FURTHER RESOLVED that certified copies of this
16 Concurrent Resolution be transmitted to the Governor; Director
17 of Commerce and Consumer Affairs; Director of Business, Economic
18 Development, and Tourism; Attorney General; and Chief
19 Information Officer.
20
21
22

OFFERED BY:




