

1 SB326
2 191625-1
3 By Senators Sanford and Albritton (Constitutional Amendment)
4 RFD: Tourism and Marketing
5 First Read: 20-FEB-18

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8 SYNOPSIS: Under existing law, lotteries and gift
9 enterprises are prohibited by Section 65 of the
10 Constitution of Alabama of 1901.

11 This bill proposes an amendment to Section
12 65 of the Constitution of Alabama of 1901 to
13 establish an Alabama Lottery; to provide for
14 participation in multi-state lottery games only;
15 and to require the Legislature to pass general laws
16 to implement the amendment.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 Proposing an amendment to Section 65 of the
23 Constitution of Alabama of 1901, to establish an Alabama
24 Lottery; to provide for participation in multi-state lottery
25 games only; and to require the Legislature to pass general
26 laws to implement the amendment.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. The following amendment to the
2 Constitution of Alabama of 1901, as amended, is proposed and
3 shall become valid as a part thereof when approved by a
4 majority of the qualified electors voting thereon and in
5 accordance with Sections 284, 285, and 287 of the Constitution
6 of Alabama of 1901, as amended:

7 PROPOSED AMENDMENT

8 "Section 65.

9 "Part I.

10 "Except as provided in Part II, the ~~The~~ legislature
11 shall have no power to authorize lotteries or gift enterprises
12 for any purposes, and shall pass laws to prohibit the sale in
13 this state of lottery or gift enterprise tickets, or tickets
14 in any scheme in the nature of a lottery; and, except as
15 provided in Part II, all acts, or parts of acts heretofore
16 passed by the legislature of this state, authorizing a lottery
17 or lotteries, and all acts amendatory thereof, or supplemental
18 thereto, are hereby avoided.

19 "Part II.

20 "Section 1. Declarations. The Legislature finds that
21 lotteries have been enacted in many states and the revenues
22 generated from those lotteries have contributed to the benefit
23 of those states. Many Alabamians already participate in other
24 state lotteries. Therefore, the purpose of the proposed
25 amendment is to establish and provide for a lottery to
26 generate revenue for the Education Trust Fund and the State
27 General Fund.

1 "Section 2. Establishment of an Alabama Lottery.

2 "(a) The Legislature, by general law, shall provide
3 for the establishment, administration, operation, and
4 regulation of an Alabama Lottery consistent with this part.

5 "(b) The proceeds from the Alabama Lottery shall be
6 applied first to the payment of the expenses of administering
7 and operating the lottery, including, without limitation, the
8 payment of all prizes, without any further appropriation
9 required by law, and the balance of the proceeds remaining
10 after the payments shall be deposited as follows:

11 (1) seventy-five percent (75%) in the State General
12 Fund; and

13 (2) twenty-five percent (25%) in the Education Trust
14 Fund.

15 "(c) The administration of the Alabama Lottery shall
16 be vested in a state agency or entity established by the
17 Alabama Legislature.

18 "(d) The lottery games authorized shall be limited
19 to multi-state lottery games only.

20 "(e) The control, management, and operation of the
21 lottery shall be provided for in one or more general laws
22 enacted by the Legislature subsequent to and supplemental to
23 this amendment."

24 END OF PROPOSED AMENDMENT

25 Section 2. An election upon the proposed amendment
26 shall be held in accordance with Sections 284 and 285 of the
27 Constitution of Alabama of 1901, now appearing as Sections 284

1 and 285 of the Official Recompilation of the Constitution of
2 Alabama of 1901, as amended, and the election laws of this
3 state.

4 Section 3. The appropriate election official shall
5 assign a ballot number for the proposed constitutional
6 amendment on the election ballot and shall set forth the
7 following description of the substance or subject matter of
8 the proposed constitutional amendment:

9 "Proposing an amendment to the Constitution of
10 Alabama of 1901, to establish an Alabama Lottery; to provide
11 for participation in multi-state lottery games only; and to
12 require the Legislature to pass general laws to implement the
13 amendment.

14 "Proposed by Act _____."

15 This description shall be followed by the following
16 language:

17 "Yes () No ()."