- 1 HB6
- 2 178091-1
- 3 By Representative Harper (Constitutional Amendment)
- 4 RFD: Economic Development and Tourism
- 5 First Read: 07-FEB-17
- 6 PFD: 10/13/2016

178091-1:n:05/10/2016:LFO-OL/bdl 1 2 3 4 5 6 7 Under existing law, lotteries and gift 8 SYNOPSIS: 9 enterprises are prohibited by Section 65 of the 10 Constitution of Alabama of 1901. This bill proposes an amendment to Section 11 65 of the Constitution of Alabama of 1901 to allow 12 13 the Legislature to provide for a lottery to be operated on behalf and for the benefit of the state 14 15 under terms and regulations set forth by general 16 law, and to provide for the distribution of the 17 proceeds. 18 19 A BILL 20 TO BE ENTITLED 21 AN ACT 22 23 Proposing an amendment to Section 65 of the 24 Constitution of Alabama of 1901, to allow the Legislature to provide for a lottery to be operated on behalf and for the 25 26 benefit of the state under terms and regulations set forth by

general law, and to provide for the distribution of the proceeds.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. The following amendment to the 5 Constitution of Alabama of 1901, as amended, is proposed and 6 shall become valid as a part thereof when approved by a 7 majority of the qualified electors voting thereon and in 8 accordance with Sections 284, 285, and 287 of the Constitution 9 of Alabama of 1901, as amended:

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PROPOSED AMENDMENT

"Section 65.

"<u>Part I.</u>

13 "Except as provided in Part II, the The legislature 14 shall have no power to authorize lotteries, or gift 15 enterprises, or casino style gambling, for any purposes, and 16 shall pass laws to prohibit the sale in this state of lottery 17 or gift enterprise tickets, or tickets in any scheme in the 18 nature of a lottery; and all acts, or parts of acts heretofore 19 passed by the legislature of this state, authorizing a lottery 20 or lotteries, and all acts amendatory thereof, or supplemental thereto, are hereby avoided. 21

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"Part II.

"(a) The legislature may establish or otherwise
 provide for a lottery to be operated on behalf and for the
 benefit of the state under terms and regulations set forth by
 general law.

"(b) The proceeds from a lottery established 1 2 pursuant to this provision shall first be applied to the 3 payment of the expenses of administering and operating the lottery including, without limitation, the payment of all 4 prizes, without any further appropriation required by law, and 5 the balance shall be deposited as follows: sixty-one and one 6 7 half percent in the State General Fund and thirty-eight and one half percent in the Education Trust Fund." 8

9 Section 2. An election upon the proposed amendment 10 shall be held in conjunction with the next statewide general 11 election and shall be held in accordance with Sections 284 and 12 285 of the Constitution of Alabama of 1901, as amended, and 13 the election laws of this state.

14 Section 3. The appropriate election official shall 15 assign a ballot number for the proposed constitutional 16 amendment on the election ballot and shall set forth the 17 following description of the substance or subject matter of 18 the proposed constitutional amendment:

"Proposing an amendment to the Constitution of Alabama of 1901, to allow the Legislature to pass general laws to implement a lottery to be operated on behalf and for the benefit of the state and to provide that the net proceeds be split with sixty-one and one half percent deposited in the State General Fund and thirty-eight and one half percent deposited in the Education Trust Fund.

26 "Proposed by Act ."

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 This description shall be followed by the following

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 language:

3 "Yes ( ) No ( )."