

1 SB232  
2 173615-1  
3 By Senators Pittman and Dial (Constitutional Amendment)  
4 RFD: Tourism and Marketing  
5 First Read: 16-FEB-16

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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 State General Fund.

27 "Section 2. Establishment of an Alabama Lottery.

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

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

11           "(c) The administration of the Alabama Lottery shall  
12 be vested in a state agency or entity established by the  
13 Alabama Legislature.

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

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

20           "(f) Approval of this amendment does not authorize  
21 any other form of game of chance or gambling, including but  
22 not limited to, Class III gaming as defined by the Indian  
23 gaming regulatory act, 25 U.S.C. Section 2703."

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 ( )."