

## HB184 INTRODUCED



1 HB184  
2 D4WUTTT-1  
3 By Representatives Rogers, Moore (M) (Constitutional  
4 Amendment)  
5 RFD: Economic Development and Tourism  
6 First Read: 15-Feb-24



SYNOPSIS:

Under existing law, lotteries and gift enterprises are prohibited.

This bill would propose an amendment to the Constitution of Alabama of 2022, to establish an Alabama Lottery to fund education and general fund programs; to create an Alabama Lottery Corporation; to provide that lottery proceeds will not supplant or replace existing education revenues; to establish the Lottery Trust Fund; to permit the Legislature to pass general laws to implement the amendment; and to terminate the lottery and the Alabama Lottery Corporation after 10 years.

A BILL  
TO BE ENTITLED  
AN ACT

Proposing an amendment to Section 65 of the Constitution of Alabama of 2022, to establish an Alabama Lottery; to establish an Alabama Lottery Corporation; to establish the Lottery Trust Fund; to provide for its allocation for education and general fund programs; to authorize the Legislature to implement the amendment through



## HB184 INTRODUCED

enabling legislation; and to terminate the lottery and the Alabama Lottery Corporation after ten years.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 2022, is proposed:

### PROPOSED AMENDMENT

~~"Sec.~~ Section 65.

#### Part I.

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

#### Part II.

(a) The Legislature shall provide for the establishment and regulation of an Alabama Lottery.

(b) Funds deposited into the Education Trust Fund pursuant to subsection (e) may not be used in any manner to replace or supplant existing or any other funds dedicated or intended for education.

(c) The net proceeds from the Alabama Lottery shall be deposited and held in a special, separate account in the State Treasury to be known as the Lottery Trust Fund until such time as the fund is allocated pursuant to this section.



## HB184 INTRODUCED

57       (d) The administration of the Alabama Lottery shall be  
58       vested in a corporation, to be known as the Alabama Lottery  
59       Corporation, which is hereby created. The duties, powers,  
60       authority, and composition of the Alabama Lottery Corporation  
61       shall be provided by general law.

62       (e) Monies in the Lottery Trust Fund shall be allocated  
63       as follows: Forty percent shall be deposited into the State  
64       General Fund, 40 percent shall be deposited into the Education  
65       Trust Fund, and 20 percent is appropriated to the Alabama  
66       Department of Corrections.

67       (f) The Alabama Lottery Corporation may enter into  
68       reciprocal agreements with other jurisdictions for the  
69       operation and promotion of a lottery or lotteries.

70       (g) All interest earnings on monies in the Lottery  
71       Trust Fund shall be held in the fund and allocated only for  
72       those items enumerated in subsection (e).

73       (h) The Legislature may enforce and implement this  
74       section by appropriate general law. The Legislature may  
75       establish definitions to effectuate the implementation of this  
76       amendment.

77       (i) Nothing in this section affects any activity which  
78       was legal at the time the amendment to this section becomes  
79       effective.

80       (j) The lottery and the Alabama Lottery Corporation  
81       created and functioning pursuant to this amendment and any  
82       enabling legislation authorized by this amendment shall  
83       terminate on December 31 of the tenth year following the date  
84       of ratification of this amendment. If this amendment is



## HB184 INTRODUCED

85 ratified, the Alabama Lottery Commission shall begin winding  
86 down lottery operations on January 1 of the tenth year  
87 following the date of the ratification of this amendment."

88       Upon ratification of this constitutional amendment, the  
89 Code Commissioner shall number and place this amendment as  
90 appropriate in the constitution omitting this instructional  
91 paragraph and may make the following nonsubstantive revisions:  
92 change capitalization, hierarchy, spelling, and punctuation  
93 for purposes of style and uniformity; correct manifest  
94 grammatical, clerical, and typographical errors; revise  
95 internal or external citations and cross-references; and  
96 translate effective dates.

### 97                   END OF PROPOSED AMENDMENT

98       Section 2. An election upon the proposed amendment  
99 shall be held in accordance with Sections 284 and 285 of the  
100 Constitution of Alabama of 2022, and the election laws of this  
101 state. The appropriate election official shall assign a ballot  
102 number for the proposed constitutional amendment on the  
103 election ballot and shall set forth the following description  
104 of the substance or subject matter of the proposed  
105 constitutional amendment:

106       "Proposing an amendment to the Constitution of Alabama  
107 of 2022, to establish an Alabama Lottery; to create an Alabama  
108 Lottery Corporation to regulate and administer the lottery; to  
109 allocate the proceeds to the State General Fund, the Education  
110 Trust Fund, and the Department of Corrections; to allow the  
111 Legislature to implement the Alabama Lottery through  
112 appropriate general law; and to terminate the lottery and the



## HB184 INTRODUCED

113 Alabama Lottery Corporation after ten years.

114 Proposed by Act \_\_\_\_."

115 This description shall be followed by the following  
116 language:

117 "Yes ( ) No( )."

118 Section 3. The proposed amendment shall become valid as  
119 a part of the Constitution of Alabama of 2022, when approved  
120 by a majority of the qualified electors voting thereon.