

1 HB54
2 179388-1
3 By Representative Harper (Constitutional Amendment)
4 RFD: Economic Development and Tourism
5 First Read: 18-AUG-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 allow
13 the Legislature to provide for a lottery to be
14 operated on behalf and for the benefit of the state
15 under terms and regulations set forth by general
16 law.

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 allow the Legislature to
24 provide for a lottery to be operated on behalf and for the
25 benefit of the state under terms and regulations set forth by
26 general law, and to provide for the distribution of proceeds.
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
12 enterprises for any purposes, and shall pass laws to prohibit
13 the sale in this state of lottery or gift enterprise tickets,
14 or tickets in any scheme in the nature of a lottery; and all
15 acts, or parts of acts heretofore passed by the legislature of
16 this state, authorizing a lottery or lotteries, and all acts
17 amendatory thereof, or supplemental thereto, are hereby
18 avoided.

19 "Part II.

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

24 "(b) The proceeds from a lottery established
25 pursuant to this provision shall first be applied to the
26 payment of the expenses of administering and operating the
27 lottery including, without limitation, the payment of all

1 prizes, without any further appropriation required by law, and
2 the balance shall be deposited as follows: sixty-one and one
3 half percent in the State General Fund and thirty-eight and
4 one half percent in the Education Trust Fund."

5 Section 2. An election upon the proposed amendment
6 shall be held in conjunction with the next statewide general
7 election and shall be held in accordance with Sections 284 and
8 285 of the Constitution of Alabama of 1901, as amended, and
9 the election laws of this state.

10 Section 3. The appropriate election official shall
11 assign a ballot number for the proposed constitutional
12 amendment on the election ballot and shall set forth the
13 following description of the substance or subject matter of
14 the proposed constitutional amendment:

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

22 "Proposed by Act _____."

23 This description shall be followed by the following
24 language:

25 "Yes () No ()."