

1 HB32
2 171437-1
3 By Representative Beckman (Constitutional Amendment)
4 RFD: Economic Development and Tourism
5 First Read: 09-SEP-15

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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 General Fund Lottery; to
14 provide for participation in multi-state lottery
15 games only; and to require the Legislature to pass
16 general laws 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 General Fund Lottery; to provide for participation in
25 multi-state lottery games only; and to require the Legislature
26 to pass general 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.

1 "Section 2. Establishment of an Alabama General Fund
2 Lottery.

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

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

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

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

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

23 END OF PROPOSED AMENDMENT

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

1 Alabama of 1901, as amended, and the election laws of this
2 state on November 17, 2015.

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

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

13 "Proposed by Act _____."

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

16 "Yes () No ()."