

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

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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, 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  
25 provide for a lottery to be operated on behalf and for the  
26 benefit of the state under terms and regulations set forth by

1 general law, and to provide for the distribution of the  
2 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:

10 PROPOSED AMENDMENT

11 "Section 65.

12 "Part I.

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  
21 thereto, are hereby avoided.

22 "Part II.

23 "(a) The legislature may establish or otherwise  
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.

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

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:

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

26                   "Proposed by Act \_\_\_\_\_."

1                    This description shall be followed by the following  
2       language:  
3                    "Yes ( ) No ( )."