

House Bill 5

By: Representatives Scott of the 76th, Cannon of the 58th, Mitchell of the 88th, Jackson of the 64th, and Burnough of the 77th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to
2 lottery for education, so as to provide that the Georgia Lottery Corporation shall offer one
3 or more games to benefit homeless military veterans; to provide a short title; to provide for
4 definitions; to provide for the deposit of proceeds into the general fund; to provide for a
5 special account to be appropriated for veterans' programs; to provide for purposes for which
6 appropriations shall be made; to provide for lapsing of funds; to provide for related matters;
7 to provide a conditional effective date and automatic repeal; to repeal conflicting laws; and
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to lottery for
12 education, is amended by adding a new article to read as follows:

13 "ARTICLE 4

14 50-27-120.

15 This article shall be known and may be cited as the 'Georgia Lottery for Assistance of
16 Homeless Military Veterans Act.'

17 50-27-121.

18 (a) As used in this Code section, the term:

19 (1) 'Account' means the lottery for assistance of homeless military veterans account.

20 (2) 'Veteran' means an individual who served on active duty in the armed forces of the
21 United States or a state's National Guard and was honorably discharged from such
22 service.

23 (b) The corporation shall offer one or more lottery games for the benefit of Georgia
24 homeless military veterans. The lottery game or games shall commence on
25 January 1, 2024, or as soon thereafter as is reasonably practical. The operation of the
26 lottery game or games shall be governed by Article 1 of this chapter. If any provision of
27 this article is inconsistent with any other provision of this chapter, then this article shall
28 govern.

29 50-27-122.

30 On or before the fifteenth day of each quarter, the corporation shall transfer to the general
31 fund of the state treasury, for credit to the account for the preceding quarter, the amount of
32 all net proceeds during the preceding quarter from the lottery game or games for the benefit
33 of Georgia veterans. Net proceeds shall be deposited in such account and separately
34 overseen by the state treasurer by establishing and maintaining such account within the
35 state treasury.

36 50-27-123.

37 Upon their deposit into the state treasury, any moneys representing a deposit of net
38 proceeds shall then become the unencumbered property of the State of Georgia, and the
39 corporation shall have no power to agree or undertake otherwise. Such moneys shall be
40 invested by the state treasurer in accordance with state investment practices. All earnings
41 attributable to such investments shall likewise be the unencumbered property of the state
42 and shall accrue to the credit of the account.

43 50-27-124.

44 (a) In the budget report to the General Assembly, as a separate budget category entitled
45 'lottery for assistance of homeless military veterans proceeds,' the Governor shall estimate
46 the amount of net proceeds and treasury earnings thereon to be credited to the account
47 during the fiscal year and the amount of unappropriated surplus estimated to be accrued in
48 the account at the beginning of the fiscal year. The sum of estimated net proceeds, treasury
49 earnings thereon, and unappropriated surplus shall be designated 'lottery for assistance of
50 homeless military veterans proceeds.'

51 (b) In the budget report, the Governor shall further make specific recommendations as to
52 the programs and purposes for which appropriations should be made from the account. The
53 General Assembly shall appropriate from such account by specific reference to it, or by
54 reference to 'lottery for assistance of homeless military veterans proceeds.' All
55 appropriations of lottery for assistance of homeless military veterans proceeds to any
56 particular budget unit shall be made together in a separate part entitled, identified,
57 administered, and accounted for separately as a distinct budget unit for lottery for
58 assistance of homeless military veterans proceeds. Such appropriations shall otherwise be
59 made in the manner required by law for appropriations. Such appropriations shall be made
60 for eliminating homelessness, preventing near-term homelessness, and providing safe and
61 secure living conditions for homeless military veterans.

62 50-27-125.

63 Appropriations for homeless military veterans' programs from the account not committed
64 during the fiscal year shall lapse to the general fund and shall be credited to the account.

65 50-27-126.

66 Except as provided by this article, appropriations from the account shall be subject to Part 1
67 of Article 4 of Chapter 12 of Title 45, the 'Budget Act.'"

68 **SECTION 2.**

69 This Act shall become effective on January 1, 2023, only if an amendment to the
70 Constitution of Georgia is ratified at the time of the general election held in 2022 authorizing
71 the expenditure of lottery funds for the benefit of veterans' programs. Otherwise, this Act
72 shall stand automatically repealed on December 31, 2022.

73 **SECTION 3.**

74 All laws and parts of laws in conflict with this Act are repealed.