

SYNOPSIS: Under existing law, lotteries and gift enterprises are prohibited.

This bill would propose an amendment to Section 65 of the Constitution of Alabama of 1901, to authorize an Alabama Lottery and dedicate the proceeds from the lottery, after expenses and prizes, to the state General Fund, for the ordinary expenses of the executive, legislative and judicial departments of the state.

The amendment would establish an Alabama Lottery Commission to implement, administer, and regulate the operation of such State Lottery. The amendment would further require the Legislature to pass general laws necessary to implement this constitutional amendment.

A BILL

TO BE ENTITLED

AN ACT

“Proposing an amendment to Section 65 of the Constitution of Alabama of 1901 to authorize an Alabama Lottery; to provide for the allocation of the lottery proceeds to the State General Fund; to establish an Alabama State Lottery Commission; and to require the Legislature to implement the constitutional amendment through passage of implementing legislation.”

BE IT ENACTED BY THE LEGISLATURE

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon at the next general election and in accordance with Sections 284, 285 and 287 of the Constitution of Alabama of 1901, as amended.

PROPOSED AMENDMENT

“PART I.

“~~The~~Except as provided in Part II of this section authorizing an Alabama Lottery, 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 of this state, authorizing a lottery or lotteries, and all acts amendatory thereof, or supplemental thereto, are hereby avoided.”

“PART II.

“(a) Authorization of an Alabama State Lottery.

“Notwithstanding Part I of this Section and the existing and continued constitutional prohibitions on lotteries and gift enterprises, there is authorized the establishment of an Alabama Lottery restricted in its operations to those activities authorized by this amendment.

“(b) Lottery Proceeds to General Fund.

The proceeds from the Alabama Lottery shall be applied first to the payment of the expenses of administering and operating the Alabama Lottery by the Lottery Commission and the payment of all prizes, without any further appropriation required by law, and the balance of the proceeds shall be deposited in the State General Fund for the ordinary expenses of the executive, legislative, and judicial departments of the state and for principal and interest payments on the public debt.

“(c) Establishment of an Alabama State Lottery Commission.

There is further established an Alabama State Lottery Commission, which shall function to administer and regulate the Alabama Lottery. The Lottery Commission shall be comprised of seven (7) members who will serve upon appointment by the Governor to be confirmed by the Senate at the next regular session.

“(d) Duty of the Legislature to Enact Implementing Legislation.

“In accordance with the authorization of this Part II, the Legislature shall enforce and implement this amendment by passage of implementing legislation to provide for the administration, operation and regulation of the Alabama Lottery and for the duties and authorities of the Lottery Commission.

“(e) Authorization of Activities.

“The Alabama Lottery shall include only the sale of lottery tickets. The Lottery Commission may enter into reciprocal agreements with other jurisdictions for the operation and promotion of the activities authorized by this amendment.

“(f) Effect of Amendment.

“Nothing in this amendment affects, prohibits, or limits any activity which was legal at the time this amendment becomes effective, including, without limitation, pari-mutuel betting and nonprofit, traditional bingo, as provided for by specific law or laws. Further, nothing in this amendment authorizes any other activity beyond the Alabama Lottery authorized by this amendment.

“The terms and provisions of this amendment shall supersede and take precedence over any other provision of the law which may conflict or be inconsistent with this amendment.”

Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state.

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

“Proposing an amendment to Section 65 of the Constitution of Alabama of 1901 to authorize an Alabama State Lottery; to dedicate the proceeds from the lottery, after operation expenses and payment of prizes, to the State General Fund; to create and establish an Alabama Lottery Commission to administer and regulate the operation of such lottery; and to require the Legislature to implement this constitutional amendment through passage of implementing legislation and general laws.”

“Proposed by Act _____”.

The description shall be followed by the following language:

“Yes () No ()”