

1 SB19  
2 172388-1  
3 By Senator McClendon (Constitutional Amendment)  
4 RFD: Tourism and Marketing  
5 First Read: 02-FEB-16  
6 PFD: 01/12/2016

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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.

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.

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

24                  Section 2. An election upon the proposed amendment  
25 shall be held in conjunction with the next statewide general  
26 election and shall be held in accordance with Sections 284 and

1 285 of the Constitution of Alabama of 1901, as amended, and  
2 the election laws of this state.

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 allow the Legislature to pass general laws  
10 to implement a lottery to be operated on behalf and for the  
11 benefit of the state.

12 "Proposed by Act \_\_\_\_\_."

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

15 "Yes ( ) No ( )."