

SB257 INTRODUCED



1 SB257

2 CXAZ8WJ-1

3 By Senators *Coleman, Stewart, Hatcher, Coleman-Madison,*
4 *Figures, Smitherman* (Constitutional Amendment)

5 RFD: Tourism

6 First Read: 03-Feb-26



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4 SYNOPSIS:

5 Under the Constitution of Alabama of 2022, the
6 Legislature has no power to authorize lotteries or gift
7 enterprises for any purposes.

8 This bill would propose an amendment to the
9 Constitution of Alabama of 2022, to authorize the
10 Legislature to establish a state lottery and authorize
11 in-person casino-style games and in-person and online
12 sports wagering activities.

13 This bill would establish a commission to
14 license and regulate all gaming activities in the
15 state.

16 This bill would prohibit the enactment or
17 ratification of any new local amendment to the
18 Constitution of Alabama of 2022, relating to gaming
19 activities.

20 This bill would authorize the Governor to
21 negotiate a Tribal-State gaming compact with the Poarch
22 Band of Creek Indians.

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25 A BILL
26 TO BE ENTITLED
27 AN ACT

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29 Proposing an amendment to the Constitution of Alabama
30 of 2022, relating to lotteries and gift enterprises; to repeal
31 and replace Section 65 of the Constitution of Alabama of 2022;
32 to provide that the Legislature may establish a state lottery
33 and authorize certain forms of gaming activities; to establish
34 a commission to license and regulate all gaming activities in
35 the state; to prohibit any new local amendment to the
36 Constitution of Alabama of 2022, relating to gaming
37 activities; and to authorize the Governor to negotiate a
38 Tribal-State gaming compact with the Poarch Band of Creek
39 Indians.

40 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

41 Section 1. The following amendment to the Constitution
42 of Alabama of 2022, is proposed:

43 PROPOSED AMENDMENT

44 Section 65 of the Constitution of Alabama of 2022, is
45 repealed and in lieu thereof the following language shall be
46 adopted as Section 65:

47 Section 65

48 (a) The Legislature, by general law, may authorize and
49 provide for the following gaming activities:

50 (1) An official state lottery.

51 (2) Casino-style games played only in person on the
52 premises of a licensed gaming establishment.

53 (3) Sports wagering activities conducted in person or
54 through the Internet.

55 (4) Any other kind of gaming activity, if approved by a
56 vote of three-fifths of all members elected to each house of



57 the Legislature taken by roll call vote and entered upon the
58 journals thereof.

59 (b) There is established a commission within the
60 executive branch of government to license and regulate all
61 gaming activities authorized by the Legislature. The
62 Legislature, by general law, shall provide for the membership,
63 powers, and duties of the commission and shall establish a law
64 enforcement division within the commission to police and
65 effectively eradicate any unlawful gaming activity.

66 (c) Beginning on the ratification date of this
67 amendment, any future amendment to this constitution
68 applicable to less than the entire state relating to gaming,
69 including lotteries, gift enterprises, casino-style games,
70 sports wagering, raffles, and bingo, may not take effect and
71 shall be void.

72 (d) (1) The Governor may negotiate a Tribal-State
73 compact with the Poarch Band of Creek Indians for the
74 operation and regulation of Class III games and sports
75 wagering on lands held in trust by the United States for the
76 benefit of the Poarch Band of Creek Indians, as provided under
77 the Indian Gaming Regulatory Act, 25 U.S.C. § 2701 et seq.

78 (2) Following execution of the compact, the Governor
79 shall file the compact with the Secretary of State and the
80 commission. The Secretary of State shall forward an executed
81 copy of the compact to the United States Secretary of the
82 Interior for review and approval in accordance with, and to
83 the extent required by, federal law.

84 (3) The state's immunity to suit in federal court under



85 the Eleventh Amendment to the United States Constitution is
86 expressly waived for the sole purpose of resolving disputes
87 arising under the terms of any compact negotiated pursuant to
88 this section. The waiver of the state's immunity under this
89 section is contingent upon an equivalent submission in the
90 compact by the Poarch Band of Creek Indians to the
91 jurisdiction of federal court.

92 (e) The provisions of this amendment shall not be
93 deemed to repeal or supersede any existing local amendment to
94 the Constitution of Alabama of 2022, relating to bingo.

95 Upon ratification of this constitutional amendment, the
96 Code Commissioner shall number and place this amendment as
97 appropriate in the constitution omitting this instructional
98 paragraph and may make the following nonsubstantive revisions:
99 change capitalization, hierarchy, spelling, and punctuation
100 for purposes of style and uniformity; correct manifest
101 grammatical, clerical, and typographical errors; revise
102 internal or external citations and cross-references; harmonize
103 language; and translate effective dates.

104 END OF PROPOSED AMENDMENT

105 Section 2. An election upon the proposed amendment
106 shall be held in accordance with Sections 284 and 285 of the
107 Constitution of Alabama of 2022, and the election laws of this
108 state. The appropriate election official shall assign a ballot
109 number for the proposed constitutional amendment on the
110 election ballot and shall set forth the following description
111 of the substance or subject matter of the proposed
112 constitutional amendment:



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113 "Proposing an amendment to the Constitution of Alabama
114 of 2022, to (1) authorize the Legislature to establish a state
115 lottery and authorize certain forms of gambling activities;
116 (2) establish a commission to license and regulate all
117 gambling activities in the state; (3) prohibit any future
118 local amendment to the Constitution of Alabama of 2022,
119 relating to gaming activities; and (4) authorize the Governor
120 to negotiate a Tribal-State gaming compact with the Poarch
121 Band of Creek Indians.

122 Proposed by Act ____."

123 This description shall be followed by the following
124 language:

125 "Yes() No()."

126 Section 3. The proposed amendment shall become valid as
127 a part of the Constitution of Alabama of 2022, when approved
128 by a majority of the qualified electors voting thereon.