

Regular Session, 2003

HOUSE BILL NO. 583

BY REPRESENTATIVES FARRAR, CAZAYOUX, HOPKINS, AND THOMPSON

FUNDS/FUNDING: (Constitutional Amendment) Dedicates monies in the Lottery Proceeds Fund for support of the minimum foundation program and compulsive and problem gaming

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A JOINT RESOLUTION

Proposing to amend Article XII, Section 6(A) of the Constitution of Louisiana, relative to the Lottery Proceeds Fund; to require annual appropriation of certain monies in the Lottery Proceeds Fund for the minimum foundation program and services for compulsive and problem gaming; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article XII, Section 6(A) of the Constitution of Louisiana, to read as follows:

§6. Lotteries; Gaming, Gambling, or Wagering

Section 6.(A) Lotteries. (1) The legislature may provide for the creation and operation of a state lottery and may create a special corporation for that purpose whose employees shall not be subject to

1 state civil service. The net proceeds from the operation of the lottery  
2 shall be deposited in a special fund created in the state treasury entitled  
3 the Lottery Proceeds Fund. Amounts deposited in the fund shall not be  
4 appropriated for expenditure in the same calendar year in which they  
5 are received. The legislature ~~may~~ shall annually appropriate from the  
6 fund ~~for any purpose.~~ only for the purposes of the minimum foundation  
7 program and no more than five hundred thousand dollars for services  
8 related to compulsive and problem gaming as may be provided by law.

9 (2) A law providing for the creation and operation of a state  
10 lottery, once enacted, may be modified only by a law enacted by  
11 two-thirds of the elected members of each house but may be repealed  
12 in its entirety by a law enacted by a majority thereof. If such a law has  
13 been repealed, the legislature thereafter may provide for the creation  
14 and operation of a state lottery only by law enacted by two-thirds of the  
15 elected members of each house.

16 (3) No state general funds may be expended for the primary  
17 purpose of inducing persons to participate in the lottery. However,  
18 state general funds may be expended for the purpose of reasonably  
19 informing the public solely about the following factors pertaining to the  
20 operation and administration of the lottery:

- 21 (a) The type or types of lottery to be conducted.
- 22 (b) The price or prices of tickets or shares in the lottery.
- 23 (c) The numbers and sizes of prizes.
- 24 (d) The approximate odds of winning.
- 25 (e) The manner of payment.
- 26 (f) Frequency and time of awarding of prizes.

1 (g) Location of sites for sale of tickets or shares and sites of  
2 determination of winners and awarding of prizes.

3 (4) No political subdivision of the state shall authorize or  
4 conduct a lottery.

5 \* \* \*

6 Section 2. Be it further resolved that the provisions of this amendment  
7 shall become effective on July 1, 2004.

8 Section 3. Be it further resolved that this proposed amendment shall be  
9 submitted to the electors of the state of Louisiana at the gubernatorial primary  
10 election to be held in 2003.

11 Section 4. Be it further resolved that on the official ballot to be used at  
12 said election there shall be printed a proposition, upon which the electors of  
13 the state shall be permitted to vote FOR or AGAINST, to amend the  
14 Constitution of Louisiana, which proposition shall read as follows:

15 To require that monies in the Lottery Proceeds Fund be annually  
16 appropriated by the legislature for the minimum foundation  
17 program of education for public elementary and secondary  
18 schools and up to five hundred thousand dollars for services  
19 related to compulsive and problem gaming as may be provided  
20 by law. (Effective July 1, 2004) (Amends Article XII, Section  
21 6(A))

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

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Farrar, et al.

HB No. 583

**Abstract:** Dedicates net lottery proceeds to support the minimum foundation program and the compulsive and problem gaming program.

Present constitution authorizes creation of a state lottery by the legislature and provides that the net proceeds of such lottery be deposited into the Lottery Proceeds Fund, which is a special fund in the state treasury. Monies in the fund are available for appropriation for any purpose but may not be appropriated in the same calendar year in which they are received.

Proposed constitutional amendment retains present constitution except requires annual appropriation of available monies in the Lottery Proceeds Fund solely for the purposes of the minimum foundation program and up to \$500,000 for services related to compulsive and problem gaming as may be provided by law.

Provides for submission of the proposed amendment to the voters at the gubernatorial primary election to be held in 2003.

Effective July 1, 2004.

(Amends Const. Art. XII, §6(A))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

1. Provides that in addition to annual appropriations from the Lottery Proceeds Fund for the minimum foundation program, appropriations not to exceed \$500,000 shall also be made for services related to compulsive and problem gaming as may be provided by law.