

Regular Session, 2003

ACT No. 1305

HOUSE BILL NO. 583

BY REPRESENTATIVES FARRAR, CAZAYOUX, HOPKINS, THOMPSON, AND BALDONE AND SENATORS ELLINGTON, HOLLIS, MARIONNEAUX, MCPHERSON, SCHEDLER, AND ULLO

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 state civil service. The net proceeds from the operation of the lottery shall be deposited in a special fund created in the state treasury entitled the Lottery Proceeds Fund. Amounts deposited in the fund shall not be appropriated for expenditure in the same calendar year in which they

are received. The legislature ~~may~~ shall annually appropriate from the fund ~~for any purpose~~: only for the purposes of the minimum foundation program and no more than five hundred thousand dollars for services related to compulsive and problem gaming as may be provided by law.

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once enacted, may be modified only by a law enacted by two-thirds of the elected members of each house but may be repealed in its entirety by a law enacted by a majority thereof. If such a law has been repealed, the legislature thereafter may provide for the creation and operation of a state lottery only by law enacted by two-thirds of the elected members of each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

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

- (a) The type or types of lottery to be conducted.
- (b) The price or prices of tickets or shares in the lottery.
- (c) The numbers and sizes of prizes.
- (d) The approximate odds of winning.
- (e) The manner of payment.
- (f) Frequency and time of awarding of prizes.
- (g) Location of sites for sale of tickets or shares and sites of determination of winners and awarding of prizes.

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

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

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

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE