

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 2113

4 By: Representative Madison

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 5-66-114(a) TO CLARIFY
9 THAT IT SHALL BE UNLAWFUL FOR ANY PERSON, PARTNERSHIP, OR
10 CORPORATION TO RECEIVE OR TRANSMIT INFORMATION FOR THE
11 PURPOSE OF PROMOTING ANY GAMBLING ACTIVITIES OR LOTTERIES
12 WHICH ARE ILLEGAL IN THE STATE OF ARKANSAS; TO PROVIDE FOR
13 EXCEPTIONS; AND FOR OTHER PURPOSES."

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Subtitle

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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code § 5-66-114(a) is amended to read as follows:

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"(a) It shall be unlawful for any person, partnership, or corporation to receive or transmit information in the State of Arkansas relating to football, baseball, basketball, hockey, polo, tennis, boxing, casino gambling, any lottery, or any other sport or game conducted in or out of this state for the purpose of promoting gaming.

(1) This section shall not apply to radio stations, newspapers, television stations, or other media disseminating such information as news, entertainment, or advertising medium; however, this exemption shall not apply to any person, partnership, or corporation transmitting or attempting to transmit such information through such media *for purposes other than advertising in connection with any election in which the legalization of such activities is at issue.*

1 (2) This section shall not apply to any *person, partnership or*
2 *corporation* conducting a legalized *horse or greyhound* race meet within the
3 State of Arkansas, nor to the receipt or transmission of information related
4 to the promotion of pari-mutuel wagering or horse racing or greyhound racing
5 permitted and regulated by Arkansas law, nor to the receipt or transmission
6 of information regarding the promotion of pari-mutuel wagering on horse
7 racing and greyhound racing conducted outside the State of Arkansas."
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9 SECTION 2. Legislative Intent.

10 The operation of lotteries is illegal in Arkansas, violating both the
11 Arkansas Constitution and the criminal laws of this state. Additionally,
12 casino gambling (some of which constitutes a lottery) is illegal in the State
13 of Arkansas. These prohibitions against such conduct represent a long-
14 standing public policy in this state to prohibit those something-for-nothing
15 activities which tend to undermine the work ethic and tend to undermine the
16 family structure. It is the purpose of this act to protect the people of
17 Arkansas from the promotion in this state of lotteries and gambling which
18 occur in this state and outside this state (*other than pari-mutuel wagering*
19 *on horse racing and dog racing as authorized by Arkansas law*). This act does
20 not change what has long been public policy of this state, nor does it change
21 the current purpose of the statute amended hereby, but merely clarifies that
22 dissemination of information promoting gambling and lottery activities
23 prohibited by Arkansas law, wherever those activities may occur, will not be
24 permitted in this state. *Nothing contained herein shall be construed to*
25 *prohibit or restrict horse racing or greyhound racing, or pari-mutuel*
26 *wagering thereon, as authorized by the Arkansas Horse Racing Law (Ark. Code*
27 *Ann. § 23-110-101, et seq.), the Arkansas Greyhound Racing Law (Ark. Code*
28 *Ann. § 23-111-101, et seq.) or other laws of this state.*
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30 SECTION 3. All provisions of this act of a general and permanent
31 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
32 Code Revision Commission shall incorporate the same in the Code.
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34 SECTION 4. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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5 SECTION 5. All laws and parts of laws in conflict with this act are
6 hereby repealed.

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/s/Rep. Madison

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