

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H3/7/97

A Bill

HOUSE BILL 1935

4
5 By: Representatives Madison and Wooldridge

For An Act To Be Entitled

9 "AN ACT TO PROHIBIT BROADCAST AND PRINT ADVERTISING FOR
10 CASINOS, CASINO-STYLE GAMBLING AND LOTTERY GAMBLING; AND
11 FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO PROHIBIT BROADCAST AND PRINT
15 ADVERTISING FOR CASINOS, CASINO-STYLE
16 GAMBLING AND LOTTERY GAMBLING."

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

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20 SECTION 1. The General Assembly finds that in the interests of
21 protecting the health, safety and welfare of the residents of Arkansas and in
22 promoting and enhancing the economy of Arkansas, advertising designed and
23 intended to entice our residents to engage in casino and lottery gambling
24 should be curtailed. The General Assembly recognizes the overwhelming and
25 unrefuted evidence that clearly demonstrates casino and lottery gambling are
26 predatory economic activities resulting in a regressive form of taxation,
27 economic stagnation, higher incidences of bankruptcies and foreclosures, more
28 insolvent businesses, an increase in unemployment, elevated crime rates,
29 significantly more social problems, such as rises in divorce, abuse and
30 suicide, and a general decline in the quality of life. This compelling
31 statistical and empirical evidence has been produced by a myriad of research
32 studies conducted by universities, medical schools, psychologists, economists,
33 sociologists, criminologists, policy research organizations, and by state
34 governments and various departments and agencies of state governments. The
35 people of Arkansas have long recognized the problems associated with gambling
36 as they most recently demonstrated in the 1996 General Election by refusing to

1 amend Article 19, Section 14 of the Constitution of Arkansas to allow casino,
2 lottery and bingo gambling. In light of such strong, demonstrable evidence as
3 to the harmful effects of casino and lottery gambling, the provisions of this
4 act are established to protect and promote the welfare of Arkansas and its
5 residents.

6
7 SECTION 2. It shall be unlawful for any individual, partnership,
8 association, corporation, or other legal entity of any kind in this state, or
9 for an agent of any individual, partnership, association, corporation, or
10 other legal entity of any kind in this state to broadcast or print
11 advertisements for casinos, casino-style gambling or lottery gambling.

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13 SECTION 3. For the purposes of this act, the terms "lottery gambling"
14 and "lottery operation" shall refer to the type of games conducted by various
15 state governments involving the sale of a large number of tickets and the
16 subsequent chance selection of winners and shall not refer to any and all
17 games of chance in a general sense as Arkansas courts have traditionally
18 interpreted the word "lottery".

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20 SECTION 4. This prohibition shall include the following words,
21 "casino", even if it comprises a part of the name of the advertiser,
22 "blackjack", "slots", "slot machines", "craps", "roulette", "poker", "video
23 poker", "keno", "lottery", "powerball", and other common terms for team sports
24 betting, lottery gambling, casino-style gambling and other games of chance
25 associated with casino and lottery gambling when used in an advertisement
26 intended to induce the viewer, listener or reader to patronize the advertising
27 casino, gambling establishment conducting the casino-style gambling or lottery
28 operation.

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30 SECTION 5. This prohibition shall also include the visual depiction or
31 oral description of the types of gambling enumerated in Section 2 above and
32 other forms of team sports betting, lottery gambling, casino-style gambling
33 and games of chance associated with casino and lottery gambling when used in
34 an advertisement intended to induce the viewer, listener or reader to
35 patronize the advertising casino, gambling establishment conducting the
36 casino-style gambling or lottery operation.

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SECTION 6. Each occurrence of an advertisement shall constitute a separate offense.

SECTION 7. A violation of this section shall be punishable by a fine not to exceed one thousand dollars (\$1,000).

SECTION 8. This prohibition shall not apply to an Arkansas nonprofit, charitable organization described in Section 501(c)(3) of the Internal Revenue Code of the United States when conducting a periodic fund raising event in which a donation to the organization entitles the donor to play certain games for the chance to win prizes.

SECTION 9. This prohibition shall not apply to any organization legally conducting parimutuel wagering on horse or dog racing in Arkansas only to the extent that such organization advertises its parimutuel wagering and other non-gambling activities and offerings.

SECTION 10. This prohibition shall not apply to any form of gambling which the voters of Arkansas may approve by amending Article 19, Section 14 of the Constitution of Arkansas or by adopting any other constitutional provisions or by the passage of permissible statutory enactments having the effect of legalizing additional forms of gambling.

SECTION 11. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 12. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 13. All laws and parts of laws in conflict with this act are hereby repealed.

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/s/Rep. Madison, et al