

1 State of Arkansas

2 85th General Assembly

3 Regular Session, 2005

HJR 1005

4
5 By: Representative Flowers
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8 **HOUSE JOINT RESOLUTION**

9 PROPOSING AN AMENDMENT TO SECTION 14 OF ARTICLE
10 19 OF THE ARKANSAS CONSTITUTION TO AUTHORIZE THE
11 GENERAL ASSEMBLY TO ESTABLISH A STATE LOTTERY TO
12 ASSIST IN FUNDING EDUCATIONAL PROGRAMS AND
13 PURPOSES IN THE STATE OF ARKANSAS; TO CREATE THE
14 ARKANSAS EDUCATION LOTTERY TRUST FUND FOR NET
15 PROCEEDS OF A STATE LOTTERY OR LOTTERIES; TO
16 AUTHORIZE THE GENERAL ASSEMBLY TO PROVIDE THAT
17 GAMES OF BINGO CONDUCTED BY NONPROFIT
18 ORGANIZATIONS FOR CHARITABLE PURPOSES ARE NOT
19 LOTTERIES UNDER THE ARKANSAS CONSTITUTION; AND
20 FOR OTHER PURPOSES.
21

22 **Subtitle**

23 PROPOSING AN AMENDMENT TO SECTION 14 OF
24 ARTICLE 19 OF THE ARKANSAS CONSTITUTION
25 TO AUTHORIZE THE GENERAL ASSEMBLY TO
26 ESTABLISH A STATE LOTTERY TO ASSIST IN
27 FUNDING EDUCATIONAL PROGRAMS AND
28 PURPOSES AND TO ALLOW CHARITABLE BINGO.
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31 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIFTH
32 GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF
33 ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:
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35 That the following is proposed as an amendment to the Constitution of
36 the State of Arkansas, and upon being submitted to the electors of the state



1 for approval or rejection at the next general election for Representatives
2 and Senators, if a majority of the electors voting thereon at the election,
3 adopt the amendment, the amendment shall become a part of the Constitution of
4 the State of Arkansas, to wit:

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6 SECTION 1. Section 14 of Article 19 of the Arkansas Constitution is
7 amended to read as follows:

8 § 14. Lotteries ~~prohibited~~ and charitable bingo games.

9 (a) Except as provided in subsections (b) and (c) of this section, No
10 no lottery shall be authorized by this State, nor shall the sale of lottery
11 tickets be allowed.

12 (b)(1) The General Assembly shall provide for the creation, operation,
13 and regulation of a state lottery or lotteries for the State of Arkansas and
14 for any matters relating to the purposes or provisions of this subsection.

15 (2) Proceeds derived from the state lottery or lotteries shall
16 be used to pay the operating expenses of the lottery or lotteries, including
17 all prizes, without any appropriation required by law, and for educational
18 programs and purposes as provided in subdivision (b)(4) of this section.

19 (3)(A) There is created on the books of the Treasurer of State,
20 Auditor of State, and Chief Fiscal Officer of the State a trust fund to be
21 known as the "Arkansas Education Lottery Trust Fund".

22 (B) Net proceeds after payment of the operating expenses
23 of the lottery or lotteries shall be placed in the Arkansas Education Lottery
24 Trust Fund.

25 (C) The Arkansas Education Lottery Trust Fund shall
26 consist only of the net proceeds of the state lottery or lotteries.

27 (D) The General Assembly shall appropriate funds from the
28 Arkansas Education Lottery Trust Fund only for the purposes specified in
29 subdivision (b)(4) of this section.

30 (4)(A) The educational programs and purposes for which net
31 proceeds derived from the state lottery or lotteries may be appropriated
32 shall include only the following:

33 (i) Tuition grants, scholarships, or loans to
34 citizens of the State of Arkansas to enable the citizens to attend public
35 colleges and universities located within the state;

36 (ii) Capital outlay projects for grades kindergarten

1 through twelve (K-12) educational facilities; and

2 (iii) Early learning programs and after school
3 programs.

4 (B) However, no funds shall be appropriated for the items
5 listed in subdivisions (b)(4)(A)(ii) and (iii) of this section until all
6 persons eligible for and applying for assistance as provided in subdivision
7 (b)(4)(A)(i) of this section have received assistance.

8 (5) Appropriations under this section for educational programs
9 and purposes as provided in subdivision (b)(4) of this section shall be used
10 to supplement, not supplant, nonlottery educational resources for educational
11 programs and purposes.

12 (c)(1) The General Assembly shall provide that the game of bingo when
13 conducted by a nonprofit organization for charitable purposes shall not be
14 considered a lottery for the purposes of this section.

15 (2) The General Assembly shall regulate games of bingo conducted
16 under subsection (c) of this section, including, but not limited to, defining
17 the terms "bingo", "nonprofit organization", and "charitable purposes".

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19 SECTION 2. EFFECTIVE DATE. This amendment shall become effective on
20 January 1, 2007.