

Senate Resolution 821

By: Senators Jones of the 25th and Mullis of the 53rd

## A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Georgia so as to provide for  
 2 sports betting in this state under certain circumstances; to provide for related matters; to  
 3 provide for the submission of this amendment for ratification or rejection; and for other  
 4 purposes.

5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

### 6 SECTION 1.

7 Article I, Section II of the Constitution is amended by revising Paragraph VIII as follows:

8 "Paragraph VIII. *Lotteries and nonprofit bingo games.* (a) Except as herein specifically  
 9 provided in this Paragraph ~~VIII~~, all lotteries, and the sale of lottery tickets, and all forms  
 10 of pari-mutuel betting and casino gambling are hereby prohibited; and this prohibition shall  
 11 be enforced by penal laws.

12 (b) The General Assembly may by law provide that the operation of a nonprofit bingo  
 13 game shall not be a lottery and shall be legal in this state. The General Assembly may by  
 14 law define a nonprofit bingo game and provide for the regulation of nonprofit bingo games.

15 (c) The General Assembly may by law provide for the operation and regulation of a  
 16 lottery or lotteries, including the operation and regulation of sports betting in conjunction  
 17 with such lottery or lotteries, by or on behalf of the state and for any matters relating to the  
 18 purposes or provisions of this subparagraph. Such lottery or lotteries, with such associated  
 19 sports betting, shall be implemented and regulated by the Georgia Lottery Corporation or  
 20 any successor entity created by the General Assembly consistent with the enabling  
 21 legislation for the Georgia Lottery Corporation or any such successor entity. Proceeds  
 22 derived from the lottery or lotteries and associated sports betting operated by or on behalf  
 23 of the state shall be used to pay the operating expenses of the lottery or lotteries and sports  
 24 betting, including all lottery prizes, without any appropriation required by law, and for  
 25 educational programs and purposes as hereinafter provided. Lottery and sports betting  
 26 proceeds shall not be subject to Article VII, Section III, Paragraph II; Article III,  
 27 Section IX, Paragraph VI(a); or Article III, Section IX, Paragraph IV(c), except that the net

28 proceeds after payment of such operating expenses shall be subject to Article VII, Section  
 29 III, Paragraph II. Net proceeds after payment of such operating expenses shall be  
 30 separately accounted for and shall be specifically identified by the Governor in his or her  
 31 annual budget presented to the General Assembly as a separate budget category entitled  
 32 '~~Lottery Proceeds~~ Proceeds,' and the Governor shall make specific recommendations as to  
 33 educational programs and educational purposes to which said net proceeds shall be  
 34 appropriated. In the General Appropriations Act adopted by the General Assembly, the  
 35 General Assembly shall appropriate all net proceeds of the lottery or lotteries and sports  
 36 betting by such separate budget category to educational programs and educational  
 37 purposes. Such net proceeds shall be used to support improvements and enhancements for  
 38 educational programs and purposes and such net proceeds shall be used to supplement, not  
 39 supplant, ~~non-lottery~~ nonlottery and sports betting educational resources for educational  
 40 programs and purposes. The educational programs and educational purposes for which  
 41 proceeds may be so appropriated shall include only the following:

42 (1) Tuition grants, scholarships, or loans to citizens of this state to enable such citizens  
 43 to attend colleges and universities located within this state, regardless of whether such  
 44 colleges or universities are operated by the board of regents, or to attend institutions  
 45 operated under the authority of the ~~Department of Technical and Adult Education~~  
 46 Technical College System of Georgia;

47 (2) Voluntary pre-kindergarten;

48 (3) One or more educational shortfall reserves in a total amount of not less than 10  
 49 percent of the net proceeds of the lottery for the preceding fiscal year;

50 (4) Costs of providing to teachers at accredited public institutions who teach  
 51 levels K-12, personnel at public postsecondary technical institutes under the authority of  
 52 the ~~Department of Technical and Adult Education~~ Technical College System of Georgia,  
 53 and professors and instructors within the University System of Georgia the necessary  
 54 training in the use and application of computers and advanced electronic instructional  
 55 technology to implement interactive learning environments in the classroom and to access  
 56 the state-wide distance learning network; and

57 (5) Capital outlay projects for educational facilities;

58 provided, however, that no funds shall be appropriated for the items listed in ~~paragraphs (4)~~  
 59 ~~and (5)~~ subparagraphs (c)(4) and (c)(5) of this ~~subsection Paragraph~~ until all persons  
 60 eligible for and applying for assistance as provided in ~~paragraph (1)~~ subparagraph (c)(1)  
 61 of this ~~subsection Paragraph~~ have received such assistance, all approved pre-kindergarten  
 62 programs provided for in ~~paragraph (2)~~ subparagraph (c)(2) of this ~~subsection Paragraph~~  
 63 have been fully funded, and the education shortfall reserve or reserves provided for in  
 64 ~~paragraph (3)~~ subparagraph (c)(3) of this ~~subsection Paragraph~~ have been fully funded.

65 (d) On and after January 1, 1995, the holding of raffles by nonprofit organizations shall  
66 be lawful and shall not be prohibited by any law enacted prior to January 1, 1994. Laws  
67 enacted on or after January 1, 1994, however, may restrict, regulate, or prohibit the  
68 operation of such raffles."

69

**SECTION 2.**

70 The above proposed amendment to the Constitution shall be published and submitted as  
71 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
72 above proposed amendment shall have written or printed thereon the following:

73 "( ) YES Shall the Constitution of Georgia be amended so as to authorize sports betting

74 ( ) NO in this state under certain circumstances?"

75 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

76 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If

77 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall

78 become a part of the Constitution of this state.