

Senate Resolution 135

By: Senators Mullis of the 53rd and Cowser of the 46th

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; to provide for related matters; to provide for the submission of this
3 amendment for ratification or rejection; and for other purposes.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 SECTION 1.

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

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

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

14 (c) The General Assembly may by law provide for the operation and regulation of a
15 lottery or lotteries by or on behalf of the state and for any matters relating to the purposes
16 or provisions of this subparagraph. Proceeds derived from the lottery or lotteries operated
17 by or on behalf of the state shall be used to pay the operating expenses of the lottery or

18 lotteries, including all prizes, without any appropriation required by law, and for
19 educational programs and purposes as hereinafter provided. Lottery proceeds shall not be
20 subject to Article VII, Section III, Paragraph II; Article III, Section IX, Paragraph VI(a);
21 or Article III, Section IX, Paragraph IV(c), except that the net proceeds after payment of
22 such operating expenses shall be subject to Article VII, Section III, Paragraph II. Net
23 proceeds after payment of such operating expenses shall be separately accounted for and
24 shall be specifically identified by the Governor in his or her annual budget presented to the
25 General Assembly as a separate budget category entitled 'Lottery Proceeds' and the
26 Governor shall make specific recommendations as to educational programs and educational
27 purposes to which said net proceeds shall be appropriated. In the General Appropriations
28 Act adopted by the General Assembly, the General Assembly shall appropriate all net
29 proceeds of the lottery or lotteries by such separate budget category to educational
30 programs and educational purposes. Such net proceeds shall be used to support
31 improvements and enhancements for educational programs and purposes and such net
32 proceeds shall be used to supplement, not supplant, non-lottery educational resources for
33 educational programs and purposes. The educational programs and educational purposes
34 for which proceeds may be so appropriated shall include only the following:

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

40 (2) Voluntary pre-kindergarten;

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

43 (4) Costs of providing to teachers at accredited public institutions who teach levels
44 K-12, personnel at public postsecondary technical institutes under the authority of the

45 ~~Department of Technical and Adult Education~~ Technical College System of Georgia, and
 46 professors and instructors within the University System of Georgia the necessary training
 47 in the use and application of computers and advanced electronic instructional technology
 48 to implement interactive learning environments in the classroom and to access the
 49 state-wide distance learning network; and

50 (5) Capital outlay projects for educational facilities;
 51 provided, however, that no funds shall be appropriated for the items listed in paragraphs
 52 (4) and (5) of this subsection until all persons eligible for and applying for assistance as
 53 provided in paragraph (1) of this subsection have received such assistance, all approved
 54 pre-kindergarten programs provided for in paragraph (2) of this subsection have been fully
 55 funded, and the education shortfall reserve or reserves provided for in paragraph (3) of this
 56 subsection have been fully funded.

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

61 (e) The General Assembly may by law provide for sports betting to be legal in this state.
 62 The General Assembly may by law define sports betting and provide for the regulation of
 63 sports betting."

64 **SECTION 2.**

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

68 "() YES Shall the Constitution of Georgia be amended so as to authorize sports betting
 69 () NO in this state?"

70 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
71 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
72 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
73 become a part of the Constitution of this state.