

1 AN ACT proposing an amendment to Section 226 of the Constitution of Kentucky
2 relating to gaming.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. It is proposed that Section 226 of the Constitution of Kentucky be
5 amended to read as follows:

6 (1) The General Assembly may establish a Kentucky state lottery and may establish
7 a state lottery to be conducted in cooperation with other states. Any lottery so established
8 shall be operated by or on behalf of the Commonwealth of Kentucky.

9 (2) The General Assembly may by general law permit charitable lotteries and
10 charitable gift enterprises and, if it does so, it shall:

11 (a) Define what constitutes a charity or charitable organization;

12 (b) Define the types of charitable lotteries and charitable gift enterprises which may
13 be engaged in;

14 (c) Set standards for the conduct of charitable lotteries and charitable gift
15 enterprises by charitable organizations;

16 (d) Provide for means of accounting for the amount of money raised by lotteries
17 and gift enterprises and for assuring its expenditure only for charitable purposes;

18 (e) Provide suitable penalties for violation of statutes relating to charitable lotteries
19 and charitable gift enterprises; and

20 (f) Pass whatever other general laws the General Assembly deems necessary to
21 assure the proper functioning, honesty, and integrity of charitable lotteries and charitable
22 gift enterprises, and the charitable purposes for which the funds are expended.

23 **(3) The General Assembly may by general law define, permit, oversee, and**
24 **regulate all forms of otherwise permissible gaming and, if it does so, it shall:**

25 **(a) Provide for the oversight and control of gaming by an administrative body**
26 **funded by license fees and taxes levied on gaming; and**

27 **(b) Prior to the fiscal year beginning July 2040, allocate one hundred percent**

1 *(100%) of the proceeds generated from licensing fees and taxation of gaming in excess*
2 *of the amount required by paragraph (a) of this subsection to the Kentucky Employees*
3 *Retirement System nonhazardous pension fund, the Kentucky Employees Retirement*
4 *System hazardous pension fund, and the Kentucky Teachers' Retirement System*
5 *pension fund in amounts the General Assembly determines best meet the needs of the*
6 *respective funds at that time.*

7 ~~(4)~~~~(3)~~ Except as provided in this section, lotteries and gift enterprises are
8 forbidden, and no privileges shall be granted for such purposes, and none shall be
9 exercised, and no schemes for similar purposes shall be allowed. The General Assembly
10 shall enforce this section by proper penalties. All lottery privileges or charters heretofore
11 granted are revoked.

12 ➔Section 2. This amendment shall be submitted to the voters of the
13 Commonwealth for their ratification or rejection at the time and in the manner provided
14 for under Sections 256 and 257 of the Constitution and under KRS 118.415. The question
15 to be submitted to the voters regarding this proposed amendment shall read: "Are you in
16 favor of amending the Kentucky Constitution to allow the General Assembly to define,
17 permit, oversee, and regulate all forms of otherwise permissible gaming, if the proceeds
18 are allocated to the public pension system for a twenty-year period?".