

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. Are you in favor of allowing the General Assembly to define, permit,
5 oversee, and regulate all forms of otherwise permissible gaming, if the proceeds are
6 allocated to early childhood education and childcare programs, by amending Section 226
7 of the Constitution of Kentucky to read as stated below?

8 ➔Section 2. It is proposed that Section 226 of the Constitution of Kentucky be
9 amended to read as follows:

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

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

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

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

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

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

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

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

27 **(3) The General Assembly may by general law define, permit, oversee, and**

1 **regulate all forms of otherwise permissible gaming and, if it does so, it shall:**

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

4 **(b) Allocate one hundred percent of the proceeds generated from licensing fees**
5 **and taxation of gaming in excess of the amount required by paragraph (a) of this**
6 **subsection to early childhood education and childcare programs.**

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 3. 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, KRS 118.415, and Sections 4 and 5
15 of this Act.

16 ➔Section 4. Notwithstanding any language in KRS 118.415 to the contrary, the
17 Secretary of State shall cause the entirety of the question in Section 1 of this Act and the
18 entirety of the proposed amendment to the Constitution of Kentucky contained in Section
19 2 of this Act to be published at least one time in a newspaper of general circulation
20 published in this state, and shall also cause to be published at the same time and in the
21 same manner the fact that the amendment will be submitted to the voters for their
22 acceptance or rejection at the next regular election at which members of the General
23 Assembly are to be voted for. The publication required by this section and KRS 118.415
24 shall be made no later than the first Tuesday in August preceding the election at which the
25 amendment is to be voted on.

26 ➔Section 5. Notwithstanding any language in KRS 118.415 to the contrary, the
27 Secretary of State, not later than the second Monday after the second Tuesday in August

1 preceding the next regular election at which members of the General Assembly are to be
2 chosen in a year in which there is not an election for President and Vice President of the
3 United States, or not later than the Thursday after the first Tuesday in September
4 preceding a regular election in a year in which there is an election for President and Vice
5 President of the United States, shall certify the entirety of the question in Section 1 of this
6 Act and the entirety of the proposed amendment to the Constitution of Kentucky
7 contained in Section 2 of this Act to the county clerk of each county, and the county clerk
8 shall have the entirety of the question and the amendment, as so certified, indicated on the
9 ballots provided to the voters in paper or electronic form as applicable to the voting
10 machines in use in each county or precinct.