S T A T E O F N E W Y O R K

7276--B

I N S E N A T E

May 2, 2012

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 9 of article 1 of the constitution, in relation to authorizing a lottery game for a community grant fund, which fund shall be dedicated to certain community groups

Section 1. Resolved (if the Assembly concur), That subdivision 1 of section 9 of article 1 of the constitution be amended to read as follows:

1. No law shall be passed abridging the rights of the people peaceably to assemble and to petition the government, or any department thereof; nor shall any divorce be granted otherwise than by due judicial proceedings; except as hereinafter provided, no lottery or the sale of lottery tickets, pool-selling, book-making, or any other kind of gambling, except lotteries operated by the state and the sale of lottery tickets in connection therewith as may be authorized and prescribed by the legislature, the net proceeds of which shall be applied exclusively to or in aid or support of education in this state as the legislature may prescribe, EXCEPT THAT THE LEGISLATURE MAY ENACT LEGISLATION AUTHORIZING THE CREATION OF A SEPARATE LOTTERY GAME THE PROCEEDS OF WHICH SHALL BE APPLIED EXCLUSIVELY TO A COMMUNITY GRANT FUND TO BE CREATED BY SUCH LEGISLATION, WHICH FUND SHALL BE DEDICATED TO COMMUNITY GROUPS ORGANIZED PURSUANT TO PARAGRAPH THREE OR FOUR OF SUBDIVISION (C) OF SECTION FIVE HUNDRED ONE OF THE INTERNAL REVENUE CODE OF NINETEEN HUNDRED EIGHTY-SIX, AS AMENDED, ADMINISTERING EDUCATIONAL, RECREATIONAL, CULTURAL, SENIOR, VETERANS OR SOCIAL SERVICES PROGRAMS OR PROVIDING VOLUNTEER AMBULANCE SERVICES, AS THE LEGISLATURE MAY PRESCRIBE, and except pari-mutuel betting on horse races as may be prescribed by the legislature and from which the state shall derive a reasonable revenue for the support of government, shall hereafter be authorized or allowed within this state; and the legislature shall pass appropriate laws to prevent offenses against any of the provisions of this section.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD89158-04-2

S 2. Resolved (if the Assembly concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.