

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE DRS75147-LBx-193 (3/2)

Short Title: Lottery Trust Fund.

(Public)

Sponsors: Senator Berger of Franklin.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE CONSTITUTION TO ESTABLISH THE LOTTERY TRUST  
3 FUND.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article V of the Constitution of North Carolina is amended by adding  
6 a new section to read:

7 **"Sec. 15. Lottery Trust Fund.**

8 All gross revenue from operation by the State of a lottery shall be deposited in a fund in the  
9 State Treasury to be designated the Lottery Trust Fund. Expenditures of the Fund shall be  
10 limited to administrative expenses, payments to vendors, prizes, and distribution of the net  
11 proceeds in accordance with law. The net proceeds may be expended only for educational  
12 purposes. The power of the Governor under Article III, Section 5, to reduce expenditures may  
13 not be exercised as to the State Lottery Fund and does not allow those funds to be diverted to  
14 other purposes."

15 **SECTION 2.** The amendment set out Section 1 of this act shall be submitted to the  
16 qualified voters of the State at a statewide election to be held on the same date as the general  
17 election in November of 2010, which election shall be conducted under the laws then  
18 governing elections in the State. Ballots, voting systems, or both may be used in accordance  
19 with Chapter 163 of the General Statutes. The question to be used in the voting systems and  
20 ballots shall be:

21 "[ ] FOR [ ] AGAINST

22 Constitutional amendment to require all the revenues of a state lottery to be placed  
23 in the Lottery Reserve Fund, to require that the net proceeds be used only for educational  
24 purposes, and to forbid diversion of those funds."

25 **SECTION 3.** If a majority of votes cast on the question are in favor of the  
26 amendment set out in Section 1 of this act, the State Board of Elections shall certify the  
27 amendments to the Secretary of State. The constitutional amendments shall become effective  
28 upon such certification.

29 **SECTION 4.** This act is effective when it becomes law.

