

1 HB55
2 164129-2
3 By Representatives Garrett, Fincher, Mooney, Wingo, Patterson,
4 Whorton (R), Hanes, Shedd, Butler, Collins, Ledbetter,
5 Moore (B), Rich, Sanderford, Farley, Hill (J), Drake,
6 Ainsworth, Treadaway, Johnson (K), Faulkner, Carns,
7 Standridge, Ball and Rowe
8 RFD: Constitution, Campaigns and Elections
9 First Read: 05-AUG-15

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8 SYNOPSIS: Under existing law, a gambling interest or a
9 person or agent on behalf of a gambling interest
10 may contribute money or a thing of value to a
11 candidate for nomination or election to a public
12 office in this state.

13 This bill would prohibit a gambling interest
14 or a person or agent on behalf of a gambling
15 interest to contribute money or a thing of value to
16 a candidate for nomination or election to a state
17 office, or to a political action committee that
18 makes expenditures to or on behalf of candidates
19 for state office.

20 This bill would provide exceptions.

21 Amendment 621 of the Constitution of Alabama
22 of 1901, now appearing as Section 111.05 of the
23 Official Recompilation of the Constitution of
24 Alabama of 1901, as amended, prohibits a general
25 law whose purpose or effect would be to require a
26 new or increased expenditure of local funds from
27 becoming effective with regard to a local

1 governmental entity without enactment by a 2/3 vote
2 unless: it comes within one of a number of
3 specified exceptions; it is approved by the
4 affected entity; or the Legislature appropriates
5 funds, or provides a local source of revenue, to
6 the entity for the purpose.

7 The purpose or effect of this bill would be
8 to require a new or increased expenditure of local
9 funds within the meaning of the amendment. However,
10 the bill does not require approval of a local
11 governmental entity or enactment by a 2/3 vote to
12 become effective because it comes within one of the
13 specified exceptions contained in the amendment.

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 To add a new Section 17-5-15.2 to Chapter 5, Title
20 17 of the Code of Alabama 1975, to prohibit a gambling
21 interest or a person or agent on behalf of a gambling interest
22 to directly or indirectly contribute money or a thing of value
23 to any candidate for nomination or election to a state office,
24 or a political action committee that makes expenditures to or
25 on behalf of candidates for state office, and to provide
26 exceptions; and in connection therewith would have as its
27 purpose or effect the requirement of a new or increased

1 expenditure of local funds within the meaning of Amendment 621
2 of the Constitution of Alabama of 1901, now appearing as
3 Section 111.05 of the Official ReCompilation of the
4 Constitution of Alabama of 1901, as amended.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. The following new Section 17-5-15.2 is
7 added to Chapter 5, Title 17 of the Code of Alabama 1975, to
8 read as follows:

9 §17-5-15.2.

10 (a) A gambling interest or a person or agent on
11 behalf of a gambling interest may not directly or indirectly
12 contribute money or a thing of value to any candidate for
13 nomination or election to a state office, or political action
14 committee that makes expenditures to or on behalf of
15 candidates for state office, except that an individual who is
16 a candidate for a public office in this state and who is
17 employed by or is an agent for a gambling interest may
18 contribute money or a thing of value to his or her own
19 campaign. The term "gambling interest" as used in this section
20 means any business which derives any portion of its gross
21 annual receipts from gambling activities including, but not
22 limited to, the sale of any equipment or paraphernalia used in
23 gambling activities.

24 Section 2. Although this bill would have as its
25 purpose or effect the requirement of a new or increased
26 expenditure of local funds, the bill is excluded from further
27 requirements and application under Amendment 621, now

1 appearing as Section 111.05 of the Official ReCompilation of
2 the Constitution of Alabama of 1901, as amended, because the
3 bill defines a new crime or amends the definition of an
4 existing crime.

5 Section 3. This act shall become effective
6 immediately following its passage and approval by the
7 Governor, or its otherwise becoming law.