

1 SB470
2 157858-3
3 By Senator Taylor
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 18-MAR-14

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8 SYNOPSIS: Under existing law, a gambling interest or
9 a 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 public
17 office in this state, or to a political action
18 committee, committee of any political party in this
19 state, or a group, committee, or association
20 organized in support of a proposition, candidate,
21 political party, or a political action committee.

22 This bill would provide exceptions.

23 Amendment 621 of the Constitution of Alabama
24 of 1901, now appearing as Section 111.05 of the
25 Official Recompilation of the Constitution of
26 Alabama of 1901, as amended, prohibits a general
27 law whose purpose or effect would be to require a

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

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

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To add a new Section 17-5-15.2 to Chapter 5, Title
22 17 of the Code of Alabama 1975, to prohibit a gambling
23 interest or a person or agent on behalf of a gambling interest
24 to directly or indirectly contribute money or a thing of value
25 to any candidate for nomination or election to a public office
26 in this state, or to a committee of any political party in
27 this state, or a group, committee, or association organized in

1 support of a proposition, candidate, or political party, or a
2 political action committee; and to provide exceptions; and in
3 connection therewith would have as its purpose or effect the
4 requirement of a new or increased expenditure of local funds
5 within the meaning of Amendment 621 of the Constitution of
6 Alabama of 1901, now appearing as Section 111.05 of the
7 Official Recompilation of the Constitution of Alabama of 1901,
8 as amended.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

13 §17-5-15.2.

14 (a) A gambling interest or a person or agent on
15 behalf of a gambling interest may not directly or indirectly
16 contribute money or a thing of value to any candidate for
17 nomination or election to a public office in this state, or to
18 any committee of any political party in this state, or to any
19 group, committee, or association organized in support of a
20 candidate, political party, or political action committee,
21 except that an individual who is a candidate for a public
22 office in this state and who is employed by or is an agent for
23 a gambling interest may contribute money or a thing of value
24 to his or her own campaign. The term "gambling interest" as
25 used in this section means any business which derives any
26 portion of its gross annual receipts from gambling activities

1 including, but not limited to, the sale of any equipment or
2 paraphernalia used in gambling activities.

3 Section 2. Although this bill would have as its
4 purpose or effect the requirement of a new or increased
5 expenditure of local funds, the bill is excluded from further
6 requirements and application under Amendment 621, now
7 appearing as Section 111.05 of the Official Recompilation of
8 the Constitution of Alabama of 1901, as amended, because the
9 bill defines a new crime or amends the definition of an
10 existing crime.

11 Section 3. This act shall become effective
12 immediately following its passage and approval by the
13 Governor, or its otherwise becoming law.