

SENATE BILL 1631

By Beavers

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 51, Part 1; Title 8, Chapter 4; Title 9, Chapter 4 and Title 49, relative to educational programs and purposes funded by net lottery proceeds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-51-111, is amended by deleting subsection (f) in its entirety and by substituting instead the following:

(f)

(1) There is created a special account in the state treasury to be known as the "K-12 local school building special account," hereinafter referred to as the "K-12 building account", one hundred percent (100%) of moneys constituting an unclaimed prize shall be deposited in the K-12 building account at the end of each fiscal year.

(2) In any fiscal year in which the financial assistance program for attendance at post-secondary educational institutions located within this state is funded pursuant to title 49, chapter 4, part 9, and excess is available from net lottery proceeds for other educational purposes and projects consistent with article XI, § 5 of the Constitution of Tennessee, then in any such fiscal year moneys in the K-12 building account may be appropriated by the general assembly from such account pursuant to subdivision (f)(3).

(3) Moneys in the K-12 building account shall be used exclusively for capital outlay projects, including grants, for K-12 educational facilities consistent with Article XI, § 5 of the Constitution of Tennessee. Such moneys shall

supplement, not supplant, non-lottery educational resources for capital outlay projects for K-12 educational facilities.

(4) Moneys in the K-12 building account shall be invested by the state treasurer in accordance with § 9-4-603.

(5) Notwithstanding any provision of this section to the contrary, interest accruing on investments and deposits of the K-12 building account shall be credited to such account, shall not revert to the lottery for education account or the general fund, and shall be carried forward into the subsequent fiscal year.

(6) Any balance remaining unexpended at the end of a fiscal year in the K-12 building account shall not revert to the lottery for education account or the general fund but shall be carried forward into the subsequent fiscal year.

(7) The general assembly shall appropriate from the K-12 building account by specific reference to it. Such appropriations shall otherwise be made in the manner required by law for appropriations.

SECTION 2. Tennessee Code Annotated, Section 4-51-123(h), is amended by deleting the last sentence of the subsection and by substituting instead the following:

At the end of each fiscal year, one hundred percent (100%) of any unclaimed prize money shall be deposited in the K-12 building account created in accordance with § 4-51-111.

SECTION 3. Tennessee Code Annotated, Section 4-51-109(a)(8), is amended by deleting the language "after school programs special account" and by substituting instead the language "K-12 local school building special account".

SECTION 4. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

SECTION 5. This act shall take effect July 1, 2009, the public welfare requiring it.