

SENATE BILL 1632

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 lottery funded capital outlay projects for K-12 educational facilities pursuant to Article XI, Section 5 of the Constitution of Tennessee.

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

SECTION 1. Tennessee Code Annotated, Section 4-51-111, is amended by adding the following language as a new subsection (g):

(g)

(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".

(2) Notwithstanding any provision of law to the contrary, ten cents (10¢) of every dollar collected by the corporation through the sale of lottery tickets shall be deposited in the K-12 building account. Such amount shall be deemed excess lottery funds for the purposes of Article XI, § 5 of the Constitution of Tennessee.

(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 may appropriate moneys from the fund by specific reference to it. Such appropriations shall otherwise be made in the manner required by law for appropriations.

SECTION 2. 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 3. This act shall take effect July 1, 2009, the public welfare requiring it.