

House Bill 1002

By: Representatives Camp of the 135th, Mathiak of the 74th, Powell of the 33rd, Jasperse of the 11th, Chastain of the 7th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to
2 lottery for education, so as to provide for redemption for successful play of bona fide coin
3 operated amusement machines through gifts cards at automated kiosks under certain
4 conditions; to provide a definition; to provide for related matters; to provide for an effective
5 date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to lottery for
9 education, is amended in Code Section 50-27-70, relating to legislative findings and
10 definitions, by adding a new paragraph to subsection (b) to read as follows:

11 "(5.1) 'Gift card' or 'gift certificate' means an electronic payment device or system issued
12 for a specific amount of noncash redemption which was earned by a successful player of
13 a bona fide coin operated amusement machine which:

14 (A) May or may not be increased in value or reloaded;

- 15 (B) Is provided or loaded on a prepaid basis for the future purchase or delivery of any
 16 merchandise or service permitted by law from a single merchant or service provider or
 17 multiple merchants or service providers, whether affiliated or not;
 18 (C) Is honored upon presentation but cannot be exchanged for cash, change, or
 19 currency;
 20 (D) May be used off the premises of the location licensee; and
 21 (E) Is loaded or reloaded or caused to be loaded or reloaded only:
 22 (i) At the location licensee's premises; or
 23 (ii) By the location licensee or its employees at the location licensee's premises."

24 **SECTION 2.**

25 Said chapter is further amended in Code Section 50-27-71, relating to license fees, issuance
 26 of license, display of license, control number, duplicate certificates, application for license
 27 or renewal, and penalty for noncompliance, by adding a new subsection to read as follows:

28 "(a.3)(1) A location owner or location operator shall offer gift cards for noncash
 29 redemption for successful play of a Class B machine at such location in the same manner
 30 as other merchandise for sale at such location. The acceptance of a gift card offered by
 31 the location owner or location operator shall constitute the act of in-store redemption by
 32 a successful player. No value shall be placed on such gift card unless such value has been
 33 won by the player from the successful play of a game on such Class B machine.

34 (2) Notwithstanding any provision of law to the contrary, the merchandise, prizes, toys,
 35 gift certificates, gift cards, novelties, or rewards which may be awarded to a successful
 36 player shall include or be redeemable or exchangeable for any goods or services that such
 37 player is entitled or permitted by law to purchase.

38 (3) Notwithstanding the provisions of Code Section 16-12-35 or any other Code section
 39 to the contrary, a location owner or location operator shall be permitted to allow a player
 40 of a Class B machine to redeem winnings for a gift card, and the award of such gift card

41 shall be a lawful act of in-store redemption; provided, however, that such gift card shall
42 be fully redeemable off the premises.

43 (4) Subject to the requirements of this subsection, successful players may redeem their
44 winnings on a gift card from a self-service gift card or gift certificate redemption device.
45 The device and the cost of such device may be provided by the location owner or location
46 operator, the master licensee, or some combination of such licensees."

47 **SECTION 3.**

48 This Act shall become effective upon its approval by the Governor or upon its becoming law
49 without such approval.

50 **SECTION 4.**

51 All laws and parts of laws in conflict with this Act are repealed.