

House Bill 910

By: Representative Hatchett of the 155th

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,
2 so as to authorize and provide for the regulation and taxation of sports betting in this state;
3 to provide for additional powers and duties of the Georgia Lottery Corporation; to provide
4 for the corporation to engage in certain activities related to sports betting; to provide for a
5 short title; to provide for legislative findings; to revise and provide for definitions; to provide
6 for the corporation's powers and duties relative to sports betting; to provide for the
7 procedures, limitations, requirements, and qualifications of the licensing of any person
8 offering, operating, or managing sports betting in this state; to provide for rules and
9 regulations promulgated by the corporation; to provide for a privilege tax; to require certain
10 reports; to regulate wagers and provide requirements for bettors; to provide for bettors to
11 restrict themselves from placing certain wagers; to provide certain resources for individuals
12 with problem gambling or a betting or gambling disorder; to provide for the collection and
13 disposition of fees and fines; to prohibit certain conduct by the corporation, employees of the
14 corporation, licensees, and other persons; to provide for certain penalties; to provide for
15 construction; to amend Part 1 of Article 2 of Chapter 12 of Title 16 of the Official Code of
16 Georgia Annotated, relating to gambling, so as to exclude any consideration paid to a sports
17 betting licensee from the definition of "bet"; to provide for the exemption of persons licensed
18 for online sports betting from regulations and restrictions regarding gambling information;

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19 to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and
20 taxation, so as to exempt wagers placed as part of sports betting; to provide for related
21 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

23 **PART I**
24 **SECTION 1-1.**

25 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
26 in Code Section 50-27-3, relating to definitions for the "Georgia Lottery for Education Act,"
27 by revising paragraphs (13) and (20) and adding a new paragraph to read as follows:

28 "(13) 'Lottery,' 'lotteries,' 'lottery game,' or 'lottery games' means any game of chance
29 approved by the board and operated pursuant to this chapter, including, but not limited
30 to, instant tickets, ~~on-line~~ online games, online sports betting, and games using
31 mechanical or electronic devices but excluding pari-mutuel betting and casino gambling
32 as defined in this Code section."

33 "(20) 'Pari-mutuel betting' means a method or system of wagering on actual races
34 involving horses or dogs at tracks which involves the distribution of winnings by pools.
35 Such term shall not mean lottery games which may be predicated on a horse racing or dog
36 racing scheme that does not involve actual track events. Such term shall not mean the
37 lottery game of sports betting or traditional lottery games which may involve the
38 distribution of winnings by pools."

39 "(23.1) 'Sports betting' shall have the same meaning as provided in Code Section
40 50-27-122."

SECTION 1-2.

Said title is further amended in Code Section 50-27-9, relating to general powers of the Georgia Lottery Corporation, by revising paragraphs (18) and (19) of subsection (a) and adding a new paragraph to read as follows:

"(18) To act as a retailer, to conduct promotions which involve the dispensing of lottery tickets or shares, and to establish and operate a sales facility to sell lottery tickets or shares and any related merchandise; ~~and~~

(19) To perform any actions and carry out any responsibilities provided for in Article 4 of this chapter; and

~~(19)~~(20) To adopt and amend such regulations, policies, and procedures as necessary to carry out and implement its powers and duties, organize and operate the corporation, regulate the conduct of lottery games in general, and any other matters necessary or desirable for the efficient and effective operation of the lottery or the convenience of the public. The promulgation of any such regulations, policies, and procedures pursuant to this article and Article 2 of this chapter shall be exempt from the requirements of Chapter 13 of this title, the 'Georgia Administrative Procedure Act.' Notwithstanding any other provision of law to the contrary, hearings related to any dispute between licensees under Code Section 50-27-102 shall be held in accordance with the provisions of Part 1 of Article 1 of Chapter 9 of Title 9, the 'Georgia Arbitration Code.' All other hearings and any rules, regulations, policies, or procedures related to the administration, enforcement, or violation of this article shall be subject to the provisions of Chapter 13 of this title."

PART II**SECTION 2-1.**

Said title is further amended by adding a new article to Chapter 27, relating to the "Georgia Lottery for Education Act," to read as follows:

"ARTICLE 4

Part 1

50-27-120.

This article shall be known and may be cited as the 'Georgia Lottery Game of Sports Betting Act.'

50-27-121.

The General Assembly finds that:

(1) Article I, Section II, Paragraph VIII(c) of the Constitution of the State of Georgia authorizes the General Assembly to provide by law for any matters relating to purposes or provisions of that subparagraph, which purposes and provisions include the operation and regulation of a lottery or lotteries and which purposes and provisions may encompass sports betting as a game or games offered by the Georgia Lottery Corporation;

(2) Sports betting shall be overseen and regulated, and may also be offered, by the Georgia Lottery Corporation in a manner that provides continuing entertainment to the public, maximizes revenues, and ensures that sports betting is operated in this state with integrity and dignity and free of political influence;

(3) The corporation shall be accountable to the General Assembly and to the public for the management and oversight of sports betting in this state through a system of audits and reports;

(4) The ability to offer sports betting in this state under a license issued in accordance with this article constitutes a taxable privilege and not a right;

(5) Net proceeds of sports betting conducted pursuant to this article shall be used for the purposes authorized by Article I, Section II, Paragraph VIII of the Constitution of Georgia; and

(6) In accordance with Code Section 50-27-2, sports betting shall be conducted in a manner so as to safeguard the fiscal soundness of the state, to enhance public welfare, and to support the funding authorized by Article I, Section II, Paragraph VIII of the Constitution of Georgia.

50-27-122.

As used in this article, the term:

(1) 'Adjusted gross income' means the total of all moneys paid to a licensee as bets minus federal excise taxes and minus the total amount paid out to winning bettors, including the cash value of merchandise.

(2) 'Applicant' means any person that applies for a license under this article.

(3) 'Bettor' means an individual who is:

(A) Physically present in this state when placing a wager with a licensee;

(B) Twenty-one years of age or older; and

(C) Not prohibited from placing a wager or bet under Code Section 50-27-162.

(4) 'Bond' means a bond held in escrow for the purpose of maintaining adequate reserves to account for losses suffered by a licensee and owed to bettors.

(5) 'Cheating' means improving the chances of winning or altering the outcome through deception, interference, or manipulation of a sporting event or of any equipment, including software, pertaining to or used in relation to the equipment used for or in connection with the sporting event on which wagers are placed or invited. Such term shall include match fixing and attempts and conspiracy to cheat.

(6) 'Collegiate sporting event' means a sporting or athletic event involving a sports or athletic team of a public or private institution of higher education.

(7) 'Esports event' means an organized video game competition between players who play individually or as teams.

(8) 'Fantasy or simulated contest' means a game or event in which one or more players compete based on winning outcomes that reflect the relative knowledge and skill of the players and are determined predominately by accumulated statistical results of the performance of individuals, including, but not limited to, athletes in sporting events.

(9) 'Fixed-odds betting' means bets made at predetermined odds or on the spread where the return to the bettor is unaffected by any later change in odds or the spread.

(10) 'Futures bet' means a wager made on the occurrence of an event in the future relating to a sporting event.

(11) 'Institutional investor' means:

(A) A retirement fund administered by a public agency for the exclusive benefit of federal, state, or local public employees;

(B) An investment company registered under the Investment Company Act of 1940;

(C) A chartered or licensed life insurance company or property and casualty insurance company;

(D) A banking and other chartered or licensed lending institution;

(E) An investment advisor registered under the Investment Advisers Act of 1940; or

(F) A pension investment board.

(12) 'License' means any of the licenses issued by the corporation under this article.

(13) 'Licensee' means a person that holds a license issued by the corporation under this article.

(14) 'Master sports betting licensee' means the Georgia Lottery Corporation.

(15) 'Material nonpublic information' means information that has not been disseminated publicly concerning an athlete, contestant, prospective contestant, or athletic team, including, without limitation, confidential information related to medical conditions or treatment, physical or mental health or conditioning, physical therapy or recovery, discipline, sanctions, academic status, education records, eligibility, playbooks, signals,

schemes, techniques, game plans, practices, strategies, assessments, systems, drills, or recordings of practices or other athletic activities.

(16) 'Minor' means an individual who is less than 21 years of age.

(17) 'Money line' means the fixed odds in relation to a dollar amount that a team or person participating in a sporting event will win outright regardless of the spread.

(18) 'Official event data' means statistics, results, outcomes, and other data related to a sporting event obtained pursuant to an agreement with the relevant sporting events operator whose corporate headquarters is based in the United States or an entity expressly authorized by such sporting events operator to provide such information to licensees for purposes of determining the outcome of tier 2 sports wagers on such sporting event.

(19) 'Official league data' means statistics, results, outcomes, and other data related to a sporting event obtained pursuant to an agreement with the relevant professional sports governing body whose corporate headquarters is based in the United States or an entity expressly authorized by such professional sports governing body to provide such information to licensees for purposes of determining the outcome of tier 2 sports wagers.

(20) 'Online sports betting' means a wager on a sporting event that is placed via the internet through any electronic device and accepted through an online sports betting platform that is operated by a Type 1 sports betting licensee or such licensee's online sports betting services provider.

(21) 'Online sports betting platform' means the combination of hardware, software, and data networks used to manage, administer, or control online sports betting and any associated wagers accessible by any electronic means.

(22) 'Online sports betting services provider' means a person that contracts with the master sports betting licensee or a Type 1 sports betting licensee under Code Section 50-27-133 to operate online sports betting on behalf of such licensee and that is licensed by the corporation.

(23) 'Over/under bet' means a single wager that predicts whether the combined score of the two persons or teams engaged in a sporting event will be lower or higher than a predetermined number.

(24) 'Parlay bet' means a single wager that incorporates two or more individual bets for purposes of earning a higher payout if each bet incorporated within the wager wins.

(25) 'Principal owner' means a person that owns an interest of 10 percent or more of the entity.

(26) 'Professional sporting event' means an athletic or sporting event involving at least two competitors who have the opportunity to receive compensation for participating in such event.

(27) 'Professional sports governing body' means the organization, league, or association that oversees a sport and prescribes final rules and enforces codes of conduct with respect to such sport and participants therein.

(28) 'Professional sports team' means a major league professional team:

(A) Based in this state;

(B) That plays baseball, football, men's basketball, soccer, or women's basketball; and

(C) Whose regular season games have had the highest attendance for its respective sport during the past five years.

(29) 'Proposition bet' means a wager on a single specific action, statistic, occurrence, or nonoccurrence to be determined during a sporting event and includes any such action, statistic, occurrence, or nonoccurrence that does not directly affect the final outcome of the sporting event to which it relates.

(30) 'Relative' means a spouse, father, mother, son, daughter, grandfather, grandmother, brother, sister, uncle, aunt, cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

(31) 'Sporting event' means any:

(A) Professional sporting event, including motor sports sanctioned by a national or international organization or association;

(B) Collegiate sporting event;

(C) Olympic sporting or athletic event;

(D) Sporting or athletic event sanctioned by a national or international organization or association;

(E) Sporting or athletic event conducted or organized by a sporting events operator;

(F) Esports event; or

(G) Other event authorized by the corporation.

Such term shall not include a nonprofessional or non-Olympic sporting or athletic event if the majority of the participants are under the age of 18.

(32) 'Sporting events operator' means a person that conducts or organizes a sporting event for athletes or other participants that is not held or sanctioned as an official sporting event of a professional sports governing body.

(33) 'Sports betting' means online sports betting.

(34) 'Sports betting equipment' means any of the following that is directly used in connection with the operation of sports betting:

(A) Any mechanical, electronic, or other device, mechanism, or equipment;

(B) Any software, application, components, or other goods; or

(C) Anything to be installed or used on a patron's personal electronic device.

(35)(A) 'Sports betting supplier' means a person that directly provides sports betting equipment necessary for the creation of sports betting markets and the determination of bet outcomes to any licensee involved in the acceptance of bets, including any of the following:

(i) Providers of data feeds and odds services;

(ii) Internet platform providers;

(iii) Risk management providers;

(iv) Integrity monitoring providers; and

(v) Other providers of sports betting supplier services as determined by the corporation.

(B) Such term shall not include a professional sports governing body that:

(i) Provides official league data concerning its own sporting event to a sports betting licensee solely on that basis; or

(ii) Provides raw statistical match data to one or more designated and licensed suppliers of data feeds and odds services solely on that basis.

(36) 'Spread' means the predicted scoring differential between two persons or teams engaged in a sporting event.

(37) 'Supervisory employee' means a principal owner or employee having the authority to act on behalf of a licensee or whose judgment is relied upon to manage and advance the business operations of a licensee.

(38) 'Tier 1 sports wager' means a sports wager that is determined solely by the final score or final outcome of the sporting event and is placed before the sporting event has begun.

(39) 'Tier 2 sports wager' means a wager that is not a tier 1 sports wager.

(40) 'Type 1 eligible entity' means any of the following:

(A) Any professional sports team, or its designee;

(B) A professional sports governing body that holds one or more sanctioned annual golf tournaments on a national tour of professional golf in this state, and has held one or more of the same or different sanctioned annual golf tournaments on a national tour of professional golf in this state for at least 30 years;

(C) The owner of a facility in this state that has held an annual invitational golf tournament for professional and amateur golfers for at least 30 years;

(D) The owner of a facility located in this state that hosts automobile races on a national association for stock car racing national tour or a wholly owned for-profit

subsidiary of the owner of such a facility, if the owner is a nonprofit corporation or nonprofit organization;

(E) The Georgia Lottery Corporation; and

(F) Any entity that directly, or through one of its members or shareholders, has been approved in this state by the National Steeplechase Association for at least six months prior to the effective date of this article.

(41) 'Type 1 sports betting licensee' means the master sports betting licensee, an online sports betting services provider that contracts with the master sports betting licensee, or a Type 1 eligible entity licensed or authorized by the corporation to directly or indirectly offer online sports betting.

(42) 'Wager' or 'bet' means a sum of money that is risked by a bettor on the unknown outcome of one or more sporting events. Such term shall be limited to fixed-odds betting, futures bets, a tier 1 or tier 2 sports wager, a money line bet, an over/under bet, a parlay bet, a proposition bet, or a bet on the spread. Such term shall not include a pari-mutuel bet or wager or an entry fee paid to participate in a fantasy or simulated contest.

50-27-123.

(a) The corporation shall have all powers and duties necessary to carry out the provisions of this article and to exercise the control of the lottery game of sports betting in this state as authorized by this article. Such powers and duties shall include, but shall not be limited to, the following:

(1) To have jurisdiction, supervision, and regulatory authority over sports betting, including, but not limited to, regulation, licensure, and offering of sports betting on mobile applications available state wide via the internet and through a limited number of licenses to be awarded to Type 1 sports betting licensees;

(2) To have jurisdiction and supervision of all persons conducting, participating in, or attending any facility with sports betting;

(3) To appoint and employ such persons as the corporation deems essential to perform its duties under this article and to ensure that such sports betting is conducted with order and the highest integrity. Such employees shall possess such authority and perform such duties as the corporation shall prescribe or delegate to them. Such employees shall be compensated as provided by the corporation;

(4) To enter upon, investigate, and have free access to all places of business of any licensee under this article and to compel the production of any books, ledgers, documents, records, memoranda, or other information of any licensee to ensure such licensee's compliance with the rules and regulations promulgated by the corporation pursuant to this article. Such rules and regulations shall be exempt from the requirements of Chapter 13 of this title, the 'Georgia Administrative Procedure Act';

(5) To promulgate any rules and regulations as the corporation deems necessary and proper to administer the provisions of this article; provided, however, that the initial rules and regulations governing sports betting shall be promulgated and adopted by the corporation within 90 days of the effective date of this article after an opportunity has been provided for public comment. The promulgation and adoption of such initial rules and regulations shall not be subject to Chapter 13 of this title, the 'Georgia Administrative Procedure Act';

(6) To issue subpoenas for the attendance of witnesses before the corporation, administer oaths, and compel production of records or other documents and testimony of witnesses whenever, in the judgment of the corporation, it is necessary to do so for the effectual discharge of the duties of the corporation under this article;

(7) To compel any person licensed by the corporation to file with the corporation such data, documents, and information as shall appear to the corporation to be necessary for the performance of the duties of the corporation under this article, including, but not limited to, financial statements and information relative to stockholders and all others with a pecuniary interest in such person;

(8) To prescribe the manner in which books and records of persons licensed or permitted by the corporation under this article shall be kept;

(9) To enter into arrangements with any foreign or domestic government or governmental agency for the purposes of exchanging information or performing any other act to better ensure the proper conduct of betting under this article;

(10) To order such audits, in addition to those otherwise required by this article, as the corporation deems necessary and desirable;

(11) Upon the receipt of a complaint of an alleged criminal violation of this article, to immediately report such complaint to the appropriate law enforcement agency with jurisdiction to investigate criminal activity;

(12) To provide for the reporting of the applicable amount of state and federal income tax of persons claiming a prize or payoff for a winning wager under this article;

(13) To establish and administer a program for providing assistance to problem gamblers, including, but not limited to, requiring the electronic posting of signs, notifications, or other relevant responsible gambling information in a clear and conspicuous manner on online sports betting platforms, including a national toll-free number that directs callers to an organization that provides assistance to problem gamblers;

(14) To eject or exclude from the sports betting facility or any part thereof any individual, whether licensed or not, whose conduct or reputation is such that his or her presence may, in the opinion of the corporation or the designated employees of the corporation, reflect adversely on the honesty and integrity of the sports betting or interfere with the orderly conduct of the lottery game of sports betting;

(15) To keep a true and full record of all proceedings of the corporation under this article and preserve at the corporation's general office all books, documents, and papers of the corporation; and

(16) To adopt rules and regulations specific to the manner in which a licensee may advertise its business operations as authorized by this article.

(b) The corporation shall not have the power to prescribe a licensee's maximum or minimum payout or hold percentage.

(c) The corporation shall not have the power to issue or award and shall not issue or award any licenses provided for in this article prior to September 1, 2025.

50-27-124.

The corporation shall prescribe by rules and regulations:

(1) The reserves that must be kept by licensees to comply with subparagraph (c)(6)(A) of Code Section 50-27-130 to pay off bettors;

(2) Any insurance requirements for a licensee;

(3) Minimum requirements by which each licensee shall exercise effective control over its internal fiscal affairs, including, without limitation, requirements for:

(A) Safeguarding assets and revenues, including evidence of indebtedness;

(B) Maintaining reliable records relating to accounts, transactions, profits and losses, operations, and events; and

(C) Global risk management;

(4) Requirements for internal and independent audits of licensees;

(5) The manner in which periodic financial reports shall be submitted to the corporation from each licensee, including the financial information to be included in the reports;

(6) The type of information deemed to be confidential financial or proprietary information that is not subject to any reporting requirements under this article;

(7) Policies, procedures, and processes designed to mitigate the risk of cheating and money laundering; and

(8) Any post-employment restrictions necessary to maintain the integrity of sports betting in this state.

Part 2

50-27-130.

(a) Any person offering, operating, or managing sports betting in this state shall be licensed by the corporation.

(b) The corporation shall issue licenses to qualified applicants able to meet the duties of a license holder under this article and that the corporation determines will best satisfy the following criteria:

(1) Expertise in the business of online sports betting;

(2) Integrity, sustainability, and safety of the online sports betting platform;

(3) Past relevant experience of the applicant;

(4) Advertising and promotional plans to maximize revenue;

(5) Demonstrated commitment to and plans for the promotion of responsible gaming; and

(6) Capacity to rapidly and efficiently bring bettors onto the applicant's platform.

(c) An applicant for a license or for the renewal of a license shall submit an application on a form in such manner and in accordance with such requirements as may be prescribed by the rules and regulations of the corporation. Such rules and regulations shall require, at a minimum, that the application include the following:

(1) If the applicant is an entity, identification of the applicant's principal owners, board of directors, officers, and supervisory employees;

(2) Information, documentation, and assurances as may be required by the corporation to establish by clear and convincing evidence the applicant's good character, honesty, and integrity, including, but not limited to, information pertaining to family, habits, character, reputation, criminal and arrest records, business activities, financial affairs, and business, professional, and personal associates, covering at least the ten-year period immediately preceding the filing of the application;

379 (3) Notice and a description of civil judgments obtained against the applicant pertaining
380 to antitrust or security regulation laws of the federal government, this state, or any other
381 state, jurisdiction, province, or country;

382 (4) To the extent available, letters of reference or the equivalent from law enforcement
383 agencies having jurisdiction of the applicant's place of residence and principal place of
384 business. Each such letter of reference shall indicate that the law enforcement agency
385 does not have any pertinent information concerning the applicant or, if such law
386 enforcement agency does have information pertaining to the applicant, shall provide such
387 information, to the extent permitted by law;

388 (5) If the applicant has conducted sports betting operations in another jurisdiction, a
389 letter of reference from the regulatory body that governs sports betting that specifies the
390 standing of the applicant with such regulatory body; provided, however, that, if no such
391 letter is received within 60 days of the request therefor, the applicant may submit a
392 statement under oath that the applicant is or was, during the period such activities were
393 conducted, in good standing with the regulatory body;

394 (6) Information, documentation, and assurances concerning financial background and
395 resources as may be required to establish by clear and convincing evidence the financial
396 stability, integrity, and responsibility of the applicant, including, but not limited to, bank
397 references, business and personal income and disbursement schedules, tax returns and
398 other reports filed with governmental agencies, and business and personal accounting and
399 check records and ledgers. Each applicant shall, in writing, authorize the examination of
400 all bank accounts and records as may be deemed necessary by the corporation. The
401 corporation may consider any relevant evidence of financial stability. The applicant shall
402 be presumed to be financially stable if the applicant establishes by clear and convincing
403 evidence the ability to:

404 (A) Assure the financial integrity of sports betting operations by the maintenance of
405 a reserve of not less than \$500,000.00 or the amount required to cover the outstanding

liabilities for wagers accepted by the licensee, whichever is greater. Outstanding liabilities for wagers shall mean the sum of the amount paid by patrons for wagers that have not yet been determined and the amount owed but unpaid by licensees to patrons for wagers whose results have been determined. The reserve may take the form of a bond, an irrevocable letter of credit, payment processor reserves and receivables, cash or cash equivalents segregated from operational funds, guaranty letter, or a combination thereof. Such reserve shall be adequate to pay winning wagers to bettors when due. An applicant is presumed to have met this standard if the applicant maintains, on a daily basis, a minimum reserve in an amount which is at least equal to the average daily minimum reserve, calculated on a monthly basis, for the corresponding month in the previous year;

(B) Meet ongoing operating expenses which are essential to the maintenance of continuous and stable sports betting operations; and

(C) Pay, as and when due, all state and federal taxes;

(7) Information, documentation, and assurances as may be required to establish by clear and convincing evidence that the applicant has sufficient business ability and sports betting experience to establish the likelihood of the creation and maintenance of successful, efficient sports betting operations in this state;

(8) Information, as required by the rules and regulations of the corporation, regarding the financial standing of the applicant, including, without limitation, each person or entity that has provided loans or financing to the applicant;

(9) A nonrefundable application fee and annual licensing fee as follows:

(A) Applicants for a Type 1 sports betting license shall pay a nonrefundable application fee in the amount of \$100,000.00 and an annual licensing fee in the amount of \$1.5 million; provided, however, that, for those licenses referred to in paragraph (3) of subsection (b) of Code Section 50-27-133, such annual licensing fee shall instead be \$750,000.00 and the application fee and annual licensing fee shall be paid by the online

sports betting services provider and not by the corporation, which shall not be required to pay any such fees;

(B) Applicants for an online sports betting services provider license shall pay a nonrefundable application fee in the amount of \$10,000.00 and an annual licensing fee of \$100,000.00; provided, however, that an online sports betting services provider that applies for and obtains one of the licenses referred to in paragraph (3) of subsection (b) of Code Section 50-27-133 shall only be required to pay the nonrefundable application fee and annual licensing fee applicable to the applicant's Type 1 sports betting license; and

(C) Applicants for a sports betting supplier license shall pay a nonrefundable application fee in the amount of \$2,000.00 and an annual licensing fee of \$20,000.00; and

(10) Any additional information, documents, or assurances required by rules and regulations of the corporation.

(d) The corporation shall review and approve or deny an application for a license not more than 90 days after receipt of an application.

50-27-131.

(a) A licensee may renew its license by submitting an application on a form in such manner and in accordance with such requirements as may be prescribed by rules and regulations of the corporation. A licensee shall submit the nonrefundable application fee prescribed under paragraph (9) of subsection (c) of Code Section 50-27-130 with its application for license renewal.

(b) For each application for licensure or renewal of a license approved under this Code section, the amount of the application fee shall be credited toward the licensee's annual licensing fee and the licensee shall remit the balance of the annual fee to the corporation upon approval of a license.

459 (c) Each licensee shall have a continuing duty to promptly inform the corporation of any
460 change in status relating to any information that may disqualify the licensee from holding
461 a license under Code Section 50-27-132.

462 (d) A professional sports governing body may enter into commercial agreements with
463 licensees or other entities that provide for such professional sports governing body to share
464 in the amounts wagered or revenue derived from wagers on sporting events of such
465 professional sports governing body. A professional sports governing body shall not be
466 required to obtain any approval or other form of authorization from the corporation to enter
467 into such commercial agreements or to lawfully accept such amounts or revenues. The
468 corporation shall not prescribe any terms or conditions that are required to be included into
469 such commercial agreements.

470 (e) A person that holds a license or permit to engage in sports betting issued by another
471 jurisdiction may submit a request to the corporation for a temporary license for such person
472 to immediately commence engagement in this state in sports betting. Such request shall
473 include the annual licensing fee required under paragraph (9) of subsection (c) of Code
474 Section 50-27-130.

475 (f) Upon receiving a request for a temporary license, the chief executive officer may
476 review the request at his or her discretion. If the chief executive officer reviews the request
477 and determines that the person requesting the temporary license holds a license or permit
478 issued by another jurisdiction to engage in sports betting and has paid the required
479 licensing fee, the chief executive officer may authorize such person to engage in sports
480 betting pursuant to this article under a temporary license for up to one year or until a final
481 determination on such person's application is made, whichever is later.

482 (g) All licenses issued under this article shall be valid for a term of five years, unless
483 suspended or revoked as provided under this article.

484 (h) The corporation may adopt rules and regulations prescribing the manner in which a
485 license may be transferred and a fee for a license transfer.

(i) A licensee may maintain the bond, letter of credit, or cash reserve at any bank lawfully operating in this state and the licensee shall be the beneficiary of any interest accrued thereon.

50-27-132.

(a) The following persons shall not be eligible to apply for or obtain a license under this article:

(1) A member of the board of directors or employee of the corporation or an employee of a corporation vendor; provided, however, that a corporation vendor as an entity may be eligible to apply for or obtain a license;

(2) An employee of a professional sports team on which the applicant offers sports betting;

(3) A coach of or player for a collegiate, professional, or Olympic sports team or sport or an entity that has an affiliation or interest in such a sports team or sport;

(4) An individual who is a member or employee of any professional sports governing body or sporting events operator;

(5) An individual or entity with an owner, officer, or director who has been convicted of a crime of moral turpitude or similar degree as specified in rules and regulations promulgated by the corporation pursuant to this article;

(6) A person having the ability to directly affect the outcome of a sporting event upon which the applicant offers sports betting;

(7) A trustee or regent of a governing board of a public or private institution of higher education;

(8) An individual prohibited by the rules or regulations of a professional sports governing body or sporting events operator of a collegiate sports, team, league, or association from participating in sports betting;

(9) A student or an employee of a public or private institution of higher education who has access to material nonpublic information concerning a student athlete or a sports team; and

(10) Any other category of persons, established by the rules and regulations of the corporation, that, if licensed, would negatively affect the integrity of sports betting in this state.

(b) An individual listed in paragraphs (2) through (10) of subsection (a) of this Code section may hold an ownership interest in an applicant or licensee without disqualifying the applicant or licensee from obtaining or holding a license; provided, however, that such an ownership interest of 25 percent or more shall require approval from the corporation. In determining whether such an ownership interest shall be the basis of disqualification, the corporation shall consider whether such interest would negatively affect the integrity of sports betting in this state and any other factors the corporation shall deem relevant.

50-27-133.

(a) Except as provided in subsection (h) of this Code section, a Type 1 sports betting license authorizes a Type 1 eligible entity, or its designated online sports betting services provider, to offer online sports betting. If a Type 1 eligible entity designates an online sports betting services provider, the online sports betting services provider is considered the applicant for a Type 1 sports betting license and is considered the Type 1 sports betting licensee for all aspects of the regulatory control of the corporation and the operations under the Type 1 sports betting license. The corporation shall establish a procedure for a Type 1 eligible entity to designate an online sports betting provider.

(b) The corporation shall issue not more than 18 Type 1 sports betting licenses to Type 1 eligible entities or their designated online sports betting services providers in accordance with the following:

(1) Five Type 1 sports betting licenses shall be reserved for the Type 1 eligible entities defined in subparagraph (A) of paragraph (40) of Code Section 50-27-122 or their designated online sports betting services providers; provided, however, that more than one license may be issued to an owner of multiple professional sports teams;

(2) One Type 1 sports betting license shall be reserved for each of the Type 1 eligible entities defined in subparagraphs (B) through (E) of paragraph (40) of Code Section 50-27-122 or their designated online sports betting services providers and two Type 1 sports betting licenses shall be reserved for the Type 1 eligible entities defined in subparagraph (F) of paragraph (40) of Code Section 50-27-122 or their designated online sports betting services providers; and

(3) The corporation shall award contracts to manage the remaining Type 1 sports betting licenses to separate online sports betting services providers via a public procurement process;

provided, however, that a master sports betting license shall authorize the corporation through a designated online sports betting services provider to offer online sports betting.

(c) A Type 1 eligible entity may contract with no more than one online sports betting services provider to operate online sports betting on behalf of the Type 1 eligible entity.

(d) A Type 1 eligible entity shall provide written notice to the corporation of its intention, or its designated sports betting services provider's intention, to apply for a Type 1 sports betting license within 60 days of the effective date of this article. The failure of a Type 1 eligible entity to provide such written notice shall result in the permanent disqualification and prohibition of such Type 1 eligible entity or its designated sports betting services provider from obtaining a Type 1 sports betting license.

(e) A Type 1 sports betting licensee shall not offer online sports betting until the corporation has issued a license to at least one online sports betting services provider that has been awarded a sports betting license via the public procurement process as determined by the corporation.

(f) All applicants for the 18 Type 1 sports betting licenses under subsection (b) of this Code section that have submitted an application within 30 days of the date in which the corporation began to accept applications for Type 1 sports betting licenses shall be given an equal opportunity to first commence offering, conducting, or operating online sports betting in this state on the same day, and in any event not later than January 31, 2026.

(g) A Type 1 eligible entity described in subparagraphs (A) through (D) of paragraph (40) of Code Section 50-27-122 that becomes a Type 1 sports betting licensee or designates an online sports betting services provider shall establish and maintain procedures with respect to sporting events which the Type 1 eligible entity participates in or administers to ensure avoidance of conflicts of interest in the operation of sports betting in this state.

(h) Only a Type 1 sports betting licensee identified in subparagraph (F) of paragraph (40) of Code Section 50-27-122, or its designated online sports betting services provider, may offer online sports betting that also includes the sporting event of equestrian races on out of state tracks or other facilities and only at one facility that is owned and operated by the Type 1 sports betting licensee or its affiliate. Nothing in this article authorizes online sports betting on horse or other animal races occurring in this state. For purposes of this subsection, 'affiliate' means a person or entity that directly, or indirectly through one or more intermediaries, controls or is controlled by or is under common control with another person or entity.

50-27-134.

(a) An online sports betting services provider shall offer online sports betting only in accordance with the provisions of this article and the rules and regulations adopted by the corporation under this article.

(b) An online sports betting services provider shall obtain a license under this article before offering online sports betting pursuant to a contract with a Type 1 sports betting licensee or master sports betting licensee. An online sports betting services provider

589 license shall entitle the holder to contract with no more than one Type 1 sports betting
590 licensee.

591 (c) If the holder of a Type 1 sports betting license is a Type 1 eligible entity and is a
592 member of a league, association, or organization that prevents the holder from being
593 subject to the regulatory control of the corporation or from otherwise operating under the
594 license, such a Type 1 eligible entity may contractually appoint an online sports betting
595 services provider for all aspects of corporation oversight and operations under the Type 1
596 sports betting license.

597 (d) Institutional investors shall be exempt from any and all qualification and disclosure
598 requirements under this article or required under the rules and regulations promulgated by
599 the corporation pursuant to this article. Such exemption shall extend to the owners,
600 directors, and officers of such institutional investors.

601 Part 3

602 50-27-150.

603 (a) Notwithstanding any other law to the contrary, there shall be imposed an annual
604 privilege tax of 25 percent of the adjusted gross income derived from online sports betting
605 in accordance with this Code section.

606 (b) The privilege tax described in subsection (a) of this Code section shall be paid by the
607 online sports betting services provider; provided, however, that, if a Type 1 sports betting
608 licensee does not contract with an online sports betting services provider, such privilege
609 tax shall be paid by such Type 1 sports betting licensee as provided for in subsection (c)
610 of this Code section. This subsection shall not apply to the master licensee.

611 (c) The privilege tax imposed under this Code section shall be paid monthly by the online
612 sports betting services provider based on its monthly adjusted gross income for the
613 immediately preceding calendar month. The privilege tax shall be paid to the corporation

in accordance with rules and regulations promulgated by the corporation. If the online sports betting services provider's adjusted gross income for a month is a negative number, such online sports betting services provider may carry over such negative amount to subsequent months.

(d) All moneys from privilege taxes and fees collected under this Code section shall be distributed and used as provided under Article I, Section II, Paragraph VIII of the Constitution of Georgia.

(e) With the exemption of licensing fees imposed by paragraph (9) of subsection (c) of Code Section 50-27-130, the privilege tax imposed under this Code section is in lieu of all other state and local sales and income taxes and fees imposed on the operation of sports betting or on the proceeds from the operation of sports betting in this state.

50-27-151.

(a) Each licensee shall report to the corporation, no later than January 15 of each year:

(1) The total amount of wagers received from bettors for the immediately preceding calendar year;

(2) The adjusted gross income of the licensee for the immediately preceding calendar year; and

(3) Any additional information required by the rules and regulations of the corporation deemed in the public interest or necessary to maintain the integrity of sports betting in this state.

(b) A licensee shall promptly report to the corporation any information relating to:

(1) The name of any newly elected officer or director of the board of the licensed entity; and

(2) The acquisition by any person of 10 percent or more of any class of corporate stock.

(c) With respect to information reported under subsection (b) of this Code section, a licensee shall include with such report a statement of any conflict of interest that may exist as a result of such election or acquisition.

(d) Upon receiving a report under this Code section or subsection (b) of Code Section 50-27-191, the corporation may conduct a hearing in accordance with Code Section 50-27-193 to determine whether the licensee remains in compliance with this article.

Part 4

50-27-160.

(a) No person shall knowingly:

(1) Allow a minor to place a wager;

(2) Offer, accept, or extend credit to a bettor in the form of a marker; provided, however, that promotions and promotional credits shall be permitted to be offered and extended to bettors;

(3) Target minors in advertising or promotions for sports betting;

(4) Offer or accept a wager on any event, outcome, or occurrence other than a sporting event, including, without limitation, a high school sporting event offered, sponsored, or played in connection with a public or private institution that offers education at the secondary level; or

(5) Accept a wager from an individual who is prohibited from placing a wager or bet under Code Section 50-27-162, if such person has notice or actual knowledge that such individual is prohibited from placing such a wager or bet.

(b) A person that knowingly violates this Code section:

(1) For a first offense, shall be indefinitely prohibited from placing a wager, be required to forfeit the proceeds of any illegal wager, and be guilty of a misdemeanor; and

662 (2) For a second or subsequent offense, shall be required to forfeit the proceeds of any
663 illegal wager and be guilty of a misdemeanor of a high and aggravated nature.

664 50-27-161.

665 Except for those individuals ineligible to place bets under Code Section 50-27-162, an
666 individual who is 21 years of age or older and who is physically located in this state may
667 place a wager in the manner authorized under this article and the rules and regulations of
668 the corporation.

669 50-27-162.

670 (a) The following individuals and categories of individuals shall not, directly or indirectly,
671 place a wager on sporting events or online sports betting platforms in this state:

672 (1) A member, officer, or employee of the corporation shall not place a wager on any
673 sporting event or platform;

674 (2) A corporation vendor employee shall not place a wager on a sporting event using
675 their employer's platform;

676 (3) A licensee or principal owner, partner, member of the board of directors, officer, or
677 supervisory employee of a licensee shall not place a wager on the licensee's platform;

678 (4) A person that provides goods or services to a licensee or any principal owner, partner,
679 member of the board of directors, officer, or supervisory employee of a person that
680 provides such goods or services shall not place a wager on the licensee's platform;

681 (5) A contractor, subcontractor, or consultant or any officer or employee of a contractor,
682 subcontractor, or consultant of a licensee shall not place a wager on the licensee's
683 platform, if such individual is directly involved in the licensee's operation of sports
684 betting or the processing of sports betting claims or payments through the licensee's
685 platform;

686 (6) An individual subject to a contract with the corporation shall not place a wager on
687 any platform, if the contract contains a provision prohibiting the individual from
688 participating in sports betting;

689 (7) An individual with access to material nonpublic information that is known
690 exclusively by an individual who is prohibited from placing a wager in this state under
691 this Code section shall not use any such information to place a wager on any sporting
692 event or platform;

693 (8) An amateur or Olympic athlete shall not place a wager on any sporting event in
694 which the athlete participates;

695 (9) A professional athlete shall not place a wager on any sporting event overseen by such
696 athlete's professional sports governing body or sporting events operator;

697 (10) An owner or employee of a team, player, umpire, or sports union personnel, or
698 employee, referee, coach, or official of a professional sports governing body or sporting
699 events operator shall not place a wager on any sporting event, if the wager is based on a
700 sporting event overseen by the individual's professional sports governing body or sporting
701 events operator;

702 (11) An individual having the ability to directly affect the outcome of a sporting event
703 shall not place a wager on such sporting event;

704 (12) A trustee or regent of a governing board of a public or private institution of higher
705 education shall not place a wager on a collegiate sporting event;

706 (13) An individual prohibited by the rules or regulations of a professional sports
707 governing body or sporting events operator of a collegiate sports, team, league, or
708 association from participating in sports betting shall not place a wager on any sporting
709 event to which such prohibition applies; and

710 (14) A student or an employee of a public or private institution of higher education who
711 has access to material nonpublic information concerning a student athlete or a sports team

shall be prohibited from placing a wager on a collegiate sporting event if such information is relevant to the outcome of such event.

(b) The corporation may prescribe by rules and regulations additional individuals and categories of individuals who are prohibited from placing a wager on specified sporting events or online sports betting platforms in this state.

(c) The corporation shall prescribe by rules and regulations any measures necessary to ensure individuals who are prohibited from placing a wager on specified sporting events or online sports betting platforms in this state shall not be permitted to collude with individuals not specifically enumerated in subsection (a) of this Code section to directly affect the outcome of a sporting event.

(d) Any individual who places a wager in violation of this Code section:

(1) For a first offense, shall be:

(A) Indefinitely prohibited from placing a wager;

(B) Required to forfeit the proceeds of any illegal wager;

(C) Guilty of a misdemeanor; and

(D) Fined not less than \$500.00 nor more than \$1,000.00;

(2) For a second offense, shall be:

(A) Required to forfeit the proceeds of any illegal wager;

(B) Guilty of a misdemeanor; and

(C) Fined not less than \$5,000.00 or imprisoned for not less than one month nor more than five months, or both; and

(3) For a third or subsequent offense, shall be:

(A) Required to forfeit the proceeds of any illegal wager;

(B) Guilty of a misdemeanor of a high and aggravated nature; and

(C) Fined not less than \$7,500.00 or imprisoned for not less than three months, or both.

737 50-27-163.

738 (a) The corporation shall by rules and regulations prohibit betting on injuries, penalties,
739 the outcome of player discipline rulings or replay reviews, and any other type or form of
740 betting under this article that is contrary to public policy or unfair to bettors.

741 (b)(1) A professional sports governing body or sporting events operator may submit to
742 the corporation in writing, by providing notice in such form and manner as the
743 corporation may require, a request to restrict, limit, or prohibit a certain type, form, or
744 category of sports betting with respect to its sporting events, if the professional sports
745 governing body or sporting events operator believes that such type, form, or category of
746 sports betting with respect to its sporting events may undermine the integrity or perceived
747 integrity of such professional sports governing body or sporting events operator or its
748 sporting events. The corporation shall request comments from sports betting licensees
749 and sports betting services provider licensees on all such requests it receives.

750 (2) After giving due consideration to all comments received, the corporation shall, upon
751 demonstration of good cause from the requestor that such type, form, or category of
752 sports betting is likely to undermine the integrity or perceived integrity of such
753 professional sports governing body or sporting events operator or its sporting events,
754 grant the request. The corporation shall respond to a request concerning a particular
755 sporting event before the start of the event, or if it is not feasible to respond before such
756 time, no later than seven days after the request is made. If the corporation determines that
757 the requestor is more likely than not to prevail in successfully demonstrating good cause
758 for its request, the corporation may provisionally grant the request of the professional
759 sports governing body or sporting events operator until the corporation makes a final
760 determination as to whether the requestor has demonstrated good cause. Absent such a
761 provisional grant by the corporation, sports betting licensees may continue to offer sports
762 betting on sporting events that are the subject of such a request during the pendency of
763 the corporation's consideration of the applicable request.

Part 5

50-27-170.

(a) Prior to placing a wager with a licensee via online sports betting, a bettor shall register and establish a player account with the licensee remotely and attest that the bettor meets the requirements to place a wager with a licensee in this state. Prior to verification of a bettor's identity in accordance with this Code section, a licensee shall not allow the bettor to engage in sports betting, make a deposit, or process a withdrawal via online sports betting. A licensee shall implement commercially and technologically reasonable procedures to prevent access to sports betting by minors on its online sports betting platforms. A licensee may use information obtained from third parties to verify that an individual is authorized to open an account, place wagers, and make deposits and withdrawals.

(b) Each online sports betting services provider licensee shall adopt a registration policy to ensure that all bettors utilizing online sports betting are authorized to place a wager with a licensee within this state. Such policy shall include, without limitation, commercially reasonable mechanisms to:

(1) Verify the name and age of the registrant;

(2) Verify that the registrant is not knowingly prohibited from placing a wager under Code Section 50-27-162; and

(3) Obtain the following information from the registrant:

(A) Legal name;

(B) Date of birth;

(C) Physical address other than a post office box;

(D) Phone number;

(E) A unique username; and

(F) An active email account.

(c) Each online sports betting services provider licensee may in its discretion require a bettor to provide the licensee with a signed and notarized document attesting that the bettor is qualified to engage in sports betting under this article as part of the registration policy of the licensee.

(d) A bettor shall not register more than one account with a licensee, and each licensee shall use commercially and technologically reasonable means to ensure that each bettor is limited to one account.

(e) Each licensee, in addition to complying with state and federal law pertaining to the protection of the private, personal information of registered bettors, shall use all other commercially and technologically reasonable means to protect such information consistent with industry standards.

(f) When a bettor's account is created, a bettor may fund the account through:

(1) Electronic bank transfer of funds, including such transfers through third parties;

(2) Debit cards;

(3) Online and mobile payment systems that support online money transfers; and

(4) Any other method approved by the rules and regulations of the corporation.

(g)(1) Licensees shall not allow bets to be placed until first verifying the identity of the bettor pursuant to this Code section and by the rules promulgated by the corporation.

Further, and pursuant to the rules promulgated by the corporation, licensees shall establish safeguards, including, but not limited to, access notifications and similar security safeguards, to protect each bettor's account.

(2) If a licensee determines that the information provided by a bettor to make a deposit or process a withdrawal is inaccurate or incapable of verification or violates the policies and procedures of the licensee, the licensee shall, within ten days, require the submission of additional information that can be used to verify the identity of such bettor.

(3) If such information is not provided or does not result in verification of the bettor's identity, the licensee shall:

- 817 (A) Immediately suspend the bettor's account and shall not allow the bettor to place
818 wagers;
- 819 (B) Retain any winnings attributable to the bettor;
- 820 (C) Refund the balance of deposits made to the account to the source of such deposit
821 or by issuance of a check; and
- 822 (D) Suspend the account.
- 823 (h) A licensee shall utilize geofencing technology to ensure that online sports betting is
824 available only to bettors who are physically located in this state. Servers, including the use
825 of backup servers, may be located outside of this state, consistent with federal law. To the
826 extent required by federal law, a licensee shall maintain in this state the servers it uses to
827 accept wagers on a sporting event placed by bettors located in this state.
- 828 (i) Each licensee shall clearly and conspicuously display on its public website a statement
829 indicating that it is illegal for a person under 21 years of age to engage in sports betting in
830 this state.
- 831 (j) The corporation shall promulgate rules and regulations for purposes of regulating sports
832 betting via online sports betting.
- 833 50-27-171.
- 834 (a) Licensees shall allow bettors to limit their betting activity with the licensee by, at a
835 minimum, giving bettors the opportunity to place limits on the amounts deposited, the
836 amounts wagered, and the amount of time spent wagering. Licensees shall take reasonable
837 steps to prevent bettors from overriding their self-imposed responsible gambling limits.
838 At the request of a bettor, a licensee may share the requested limitations with the
839 corporation for the sole purpose of disseminating the request to other licensees.
- 840 (b) The corporation shall promulgate rules and regulations that require a licensee to
841 implement responsible sports betting programs that include comprehensive training on

responding to circumstances in which individuals present signs of problem gambling or a betting or gambling disorder.

(c) The corporation shall work with national and local organizations to provide services for individuals with problem gambling or a betting or gambling disorder and to establish prevention initiatives to reduce the number of individuals with problem gambling or a betting or gambling disorder, including, but not limited to, utilizing currently established programs for problem gambling or betting or gambling disorders.

(d) All sports betting advertisements shall prominently display messaging designed to prevent problem gambling and provide information about how to access resources related to problem gambling, including the National Council on Problem Gambling's helpline or other similar toll-free helpline.

(e) The corporation shall annually generate a report outlining activities with respect to problem gambling and betting or gambling disorders, including, but not limited to, descriptions of programs, grants, and other resources made available; the number of individuals seeking assistance; the number of individuals who reported completing programs and therapies; and the rate of recidivism, if known to the corporation. The corporation shall file the annual report with the Governor, the President of the Senate, and the Speaker of the House of Representatives and shall publish such report on its public website no later than January 30 of each year.

50-27-172.

(a) Each licensee shall adopt and adhere to a written, comprehensive policy outlining its rules governing the acceptance of wagers and payouts. Such policy and rules must be approved by the corporation prior to the acceptance of a wager by a licensee. Such policy and rules shall be readily available to a bettor on the licensee's public website.

(b) The corporation shall promulgate rules and regulations regarding:

- (1) The manner in which a licensee accepts wagers from and issues payouts to bettors, including payouts in excess of \$10,000.00; and
- (2) Requirements for reporting suspicious wagers.

Part 6

50-27-180.

(a) Licensees shall not be required to use official league data or official event data for determining the results of:

(1) Tier 1 sports wagers on events of any organization, whether headquartered in the United States or elsewhere; or

(2) Tier 2 sports wagers on events of organizations that are not headquartered in the United States.

(b)(1) A professional sports governing body or sporting events operator headquartered in the United States may notify the corporation that it desires licensees to use official league data or official event data for determining the results of tier 2 sports wagers on its sporting events. A notification under this subsection shall be made in the form and manner as the corporation shall require. The corporation shall notify each licensee within five days after receipt of such notification from a professional sports governing body or sporting events operator. If a professional sports governing body or sporting events operator does not notify the corporation of its desire to supply official league data or official event data, licensees are not required to use official league data or official event data for determining the results of any tier 2 wagers on sporting events of that professional sports governing body or sporting events operator.

(2) Within 60 days after the corporation notifies each licensee as provided under paragraph (1) of this subsection, or within a longer period as may be agreed between such professional sports governing body or sporting events operator and the applicable

licensee, each such licensee shall be required to use only official league data or official event data, as applicable, to determine the results of tier 2 sports wagers on sporting events sanctioned by such professional sports governing body or sporting events operator, except when:

(A) The professional sports governing body or sporting events operator, or a designee thereof, is unable to provide a feed of official league data or official event data to determine the results of a particular type of tier 2 sports wager, in which case licensees may use any data source for determining the results of the applicable tier 2 sports wager until the data feed becomes available on commercially reasonable terms and conditions;

or

(B) A licensee is able to demonstrate to the corporation that the professional sports governing body or sporting events operator, or a designee thereof, will not provide a feed of official league data or official event data to the licensee on commercially reasonable terms and conditions.

(3) The following is a nonexclusive list of factors the corporation may consider in evaluating whether official league data or official event data is being offered on commercially reasonable terms and conditions for purposes of subparagraphs (A) and (B) of paragraph (2) of this subsection:

(A) The availability of tier 2 official league data of a professional sports governing body or tier 2 official event data of a sporting events operator to a licensee from more than one authorized source;

(B) Market information, including, without limitation, price and other terms and conditions, regarding the purchase of comparable data by licensees for the purpose of settling sports wagers, for use in this state or other jurisdictions;

(C) The nature and quantity of the official league data or official event data, including, without limitation, its speed, accuracy, reliability, and overall quality as compared to comparable nonofficial data;

(D) The quality and complexity of the process used to collect and distribute the official league data or official event data as compared to comparable nonofficial data;

(E) The extent to which professional sports governing bodies or sporting events operators, or designees thereof, have made available to licensees the data used to settle the results of tier 2 sports wagers and any terms and conditions relating to the use of such data; and

(F) The extent to which licensees have purchased the same or similar official league data or official event data on the same or similar terms, particularly in jurisdictions where such purchase was not required by law or was required by law but only if offered on commercially reasonable terms.

(4) Notwithstanding any provision to the contrary in this Code section, including, without limitation, paragraph (2) of this subsection, while the corporation is evaluating whether a professional sports governing body or a sporting events operator, or the designee thereof, will provide a feed of official league data or official event data on commercially reasonable terms and conditions pursuant to paragraph (3) of this subsection, licensees are not required to use official league data or official event data for determining the results of tier 2 sports wagers.

(5) The corporation shall make a determination under paragraph (3) of this subsection within 60 days after the licensee notifies the corporation that it desires to demonstrate that the professional sports governing body or sporting events operator, or a designee thereof, will not provide a feed of official league data or official event data to such licensee on commercially reasonable terms and conditions.

Part 7

50-27-190.

Members of the corporation or designated employees thereof may, during normal business hours, enter the premises of any facility of a licensee, or a third party utilized by the licensee to operate and conduct business in accordance with this article, for the purpose of inspecting books and records kept as required by this article to ensure that the licensee is in compliance with this article or to make any other inspection of the premises necessary to protect the public interests of this state and its consumers.

50-27-191.

(a) The corporation, licensees, corporation vendors, and vendors shall use commercially reasonable efforts to cooperate with investigations conducted by any professional sports governing body, any sporting events operator, and law enforcement agencies, including, but not limited to, using commercially reasonable efforts to provide or facilitate the provision of betting information.

(b) Licensees shall promptly report to the corporation any information relating to:

(1) Abnormal betting activity or patterns that may indicate a concern with the integrity of a sporting event; and

(2) Conduct that corrupts the betting outcome of a sporting event for purposes of financial gain, including match fixing.

(c) Licensees shall, as soon as is practicable, report any information relating to conduct described in subsection (b) of this Code section to the professional sports governing body or sporting events operator.

(d) Licensees shall use commercially reasonable efforts to maintain, in real time and at the account level, anonymized information regarding a bettor; the amount and type of bet; the time the bet was placed; the location of the bet, including the internet protocol address if

966 applicable; the outcome of the bet; and records of abnormal betting activity for three years
967 after the sporting event occurs. The corporation may request such information in the form
968 and manner required by the rules and regulations of the corporation. As used in this
969 subsection, the term 'real time' means on a commercially reasonable periodic interval.

970 (e) All records, documents, and information received by the corporation pursuant to this
971 Code section shall be considered investigative records of a law enforcement agency, shall
972 not be subject to Article 4 of Chapter 18 of this title, and shall not be released under any
973 condition without the permission of the person providing such records, documents, or
974 information.

975 (f) Nothing in this Code section shall require a sports betting licensee to provide any
976 information that is prohibited by federal, state, or local laws or rules and regulations,
977 including, without limitation, laws and rules and regulations relating to privacy and
978 personally identifiable information.

979 (g) If a professional sports governing body or sporting events operator has notified the
980 corporation that access to the information described in subsection (d) of this Code section
981 for wagers placed on its sporting events is necessary to monitor the integrity of its sporting
982 events and represents to the corporation that it specifically uses such data for the purpose
983 of monitoring the integrity of sporting events of such professional sports governing body
984 or sporting events operator, then licensees shall share, in a commercially reasonable
985 frequency, form, and manner, with the professional sports governing body or sporting
986 events operator, or a designee thereof, the same information the licensee is required to
987 maintain under subsection (d) of this Code section with respect to sports wagers on such
988 a body's or operator's sporting events. A professional sports governing body or sporting
989 events operator, or a designee thereof, shall use information received under this subsection
990 for integrity-monitoring purposes only and shall not use such information for commercial
991 or any other purposes. Nothing in this subsection shall require a licensee to provide any
992 information that is prohibited by federal, state, or local laws, rules, or regulations,

993 including, but not limited to, laws, rules, or regulations relating to privacy and personally
994 identifiable information.

995 50-27-192.

996 The corporation shall assist in any investigations by law enforcement to determine whether:

997 (1) A licensee is accepting wagers from minors or other persons ineligible to place
998 wagers under Code Section 50-27-162; and

999 (2) An individual is unlawfully accepting wagers from another individual without a
1000 license or at a location in violation of this article.

1001 50-27-193.

1002 (a) The corporation may investigate and conduct a hearing with respect to a licensee upon
1003 information and belief that the licensee has violated the provisions of this article or upon
1004 the receipt of a credible complaint from any person that a licensee has violated the
1005 provisions of this article. The corporation shall conduct investigations and hearings in
1006 accordance with rules and regulations adopted by the corporation.

1007 (b) If the corporation determines that a licensee has violated any provision of this article
1008 or any rules and regulations of the corporation, the corporation may suspend, revoke, or
1009 refuse to renew a license; impose an administrative fine not to exceed \$25,000.00 per
1010 violation; or both.

1011 (c) The corporation shall promulgate rules and regulations establishing a schedule of
1012 administrative fines that may be assessed in accordance with subsection (b) of this Code
1013 section for each violation of this article; provided, however, if the corporation finds that:

1014 (1) A licensee is accepting wagers from minors or other persons ineligible to place
1015 wagers in this state, the corporation shall impose a fine against the licensee as follows:

1016 (A) For a first offense, \$1,000.00;

1017 (B) For a second offense, \$2,000.00; and

1018 (C) For a third or subsequent offense, \$5,000.00; or
1019 (2) An individual is unlawfully accepting wagers from another individual without a
1020 license, the corporation shall impose a fine against the individual as follows:
1021 (A) For a first offense, \$10,000.00;
1022 (B) For a second offense, \$15,000.00; and
1023 (C) For a third or subsequent offense, \$25,000.00.
1024 (d) The corporation may refer conduct that it reasonably believes is a violation of Article 2
1025 of Chapter 12 of Title 16 to the appropriate law enforcement agency.

1026 50-27-194.
1027 (a) Any person that violates any provision of this article shall be liable for a civil penalty
1028 of not more than \$5,000.00 per violation, not to exceed \$50,000.00 for violations arising
1029 out of the same transaction or occurrence, which shall accrue to the corporation and may
1030 be recovered in a civil action brought by or on behalf of the corporation.
1031 (b) The corporation may seek and obtain an injunction in a court of competent jurisdiction
1032 for purposes of enforcing this article.
1033 (c) Costs shall not be taxed against the corporation or this state for actions brought under
1034 this article.

1035 50-27-195.
1036 (a) Fines assessed under this article shall be accounted for separately for use by the
1037 corporation in a manner consistent with the rules and regulations of the corporation.
1038 (b) The corporation may issue subpoenas to compel the attendance of witnesses and the
1039 production of relevant books, accounts, records, and documents for purposes of carrying
1040 out its duties under this article.

50-27-196.

(a) A licensee or other individual aggrieved by a final decision or action of the corporation may appeal such decision or action to the Superior Court of Fulton County.

(b) The Superior Court of Fulton County shall hear appeals from decisions or actions of the corporation and, based upon the record of the proceedings before the corporation, may reverse the decision or action of the corporation only if the appellant proves the decision or action to be:

(1) Clearly erroneous;

(2) Arbitrary and capricious;

(3) Procured by fraud;

(4) A result of substantial misconduct by the corporation; or

(5) Contrary to the United States Constitution, the Constitution of Georgia, or this article.

(c) The Superior Court of Fulton County may remand an appeal to the corporation to conduct further hearings.

50-27-197.

(a) It shall be unlawful for any person, directly or indirectly, to knowingly receive, supply, broadcast, display, or otherwise transmit material nonpublic information for the purpose of betting on a sporting event or influencing another individual's or entity's wager on a sporting event.

(b) This Code section shall not apply to the dissemination of public information as news, entertainment, or advertising.

(c) Any person in violation of this Code section shall be indefinitely prohibited from placing a wager, be required to forfeit the proceeds of any illegal wager, and be guilty of a misdemeanor."

PART III
SECTION 3-1.

Part 1 of Article 2 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to gambling, is amended by revising paragraphs (1) and (2) of Code Section 16-12-20, relating to definitions, as follows:

"(1) 'Bet' means an agreement that, dependent upon chance even though accompanied by some skill, one stands to win or lose something of value. A bet does not include:

(A) Contracts of indemnity or guaranty or life, health, property, or accident insurance;

or

(B) An offer of a prize, award, or compensation to the actual contestants in any bona fide contest for the determination of skill, speed, strength, or endurance or to the owners of animals, vehicles, watercraft, or aircraft entered in such contest; or

(C) Money paid in compliance with Chapter 27 of Title 50.

(2) 'Gambling device' means:

(A) Any contrivance which for a consideration affords the player an opportunity to obtain money or other thing of value, the award of which is determined by chance even though accompanied by some skill, whether or not the prize is automatically paid by contrivance;

(B) Any slot machine or any simulation or variation thereof;

(C) Any matchup or lineup game machine or device, operated for any consideration, in which two or more numerals, symbols, letters, or icons align in a winning combination on one or more lines vertically, horizontally, diagonally, or otherwise, without assistance by the player. Use of skill stops shall not be considered assistance by the player; or

(D) Any video game machine or device, operated for any consideration, for the play of poker, blackjack, any other card game, or keno or any simulation or variation of any

of the foregoing, including, but not limited to, any game in which numerals, numbers, or any pictures, representations, or symbols are used as an equivalent or substitute for cards in the conduct of such game.

Any item described in ~~subparagraph (B), (C), or (D)~~ of this paragraph that is not authorized by Chapter 27 of Title 50, or exempted by this part, shall be a prohibited gambling device subject to and prohibited by this part, notwithstanding any inference to the contrary in any other law of this state."

SECTION 3-2.

Said part is further amended by revising Code Section 16-12-27, relating to advertisement or solicitation for participation in lotteries, as follows:

"16-12-27.

(a) It shall be unlawful for any person, partnership, firm, corporation, or other entity to sell, distribute, televise, broadcast, or disseminate any advertisement, television or radio commercial, or any book, magazine, periodical, newspaper, or other written or printed matter containing an advertisement or solicitation for participation in any lottery declared to be unlawful by the laws of this state unless such advertisement, commercial, or solicitation contains or includes the words 'void in Georgia' printed or spoken so as to be clearly legible or audible to persons viewing or hearing such advertisement, commercial, or solicitation.

(b) Any person, partnership, firm, corporation, or other entity violating subsection (a) of this Code section shall be guilty of a misdemeanor.

(c) This Code section shall not apply to any advertisement or solicitation for participation in a lottery game of online sports betting by any person licensed under Article 4 of Chapter 27 of Title 50 that concerns such licensee's lawful activities."

SECTION 3-3.

Said part is further amended by revising Code Section 16-12-28, relating to communicating gambling information, as follows:

"16-12-28.

(a) A person who knowingly communicates information as to bets, betting odds, or changes in betting odds or who knowingly installs or maintains equipment for the transmission or receipt of such information with the intent to further gambling commits the offense of communicating gambling information.

(b) A person who commits the offense of communicating gambling information, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years or by a fine not to exceed \$5,000.00, or both.

(c) This Code section shall not apply to the activities authorized under Article 4 of Chapter 27 of Title 50."

PART IV**SECTION 4-1.**

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended by revising paragraph (55) of Code Section 48-8-3, relating to exemptions from state sales and use tax, as follows:

"(55) The sale of lottery tickets authorized by Chapter 27 of Title 50 or wagers authorized by Article 4 of Chapter 27 of Title 50;"

PART V**SECTION 5-1.**

1137 This Act shall become effective upon its approval by the Governor or upon its becoming law
1138 without such approval.

SECTION 5-2.

1140 All laws and parts of laws in conflict with this Act are repealed.