

Senate Bill 403

By: Senators Jones of the 25th, Mullis of the 53rd, Beach of the 21st, Harbison of the 15th and Lucas of the 26th

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 the lottery game of sports wagering in this state;  
3 to provide for and revise certain definitions; to provide for oversight of such lottery game by  
4 the Georgia Lottery Corporation and its board of directors; to provide for additional powers  
5 and duties of the corporation and its board of directors; to provide for a short title; to provide  
6 for legislative findings; to provide for the creation of the Georgia Mobile Sports Wagering  
7 Integrity Commission; to provide for the membership, powers, duties, and responsibilities  
8 of the commission; to provide for procedures, limitations, requirements, qualifications, and  
9 licensing; to regulate wagers and provide requirements for bettors; to provide for the  
10 collection and disposition of taxes; to provide for violations and penalties; to provide for  
11 related matters; to provide for an effective date; to repeal conflicting laws; and for other  
12 purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 style="text-align:center">**PART I**  
15 style="text-align:center">**SECTION 1-1.**

16 Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to lottery for  
17 education, is amended by revising Code Section 50-27-3, relating to definitions related to  
18 lottery for education, as follows:

19 "50-27-3.

20 As used in this chapter, the term:

21 (1) 'Administrative expenses' means operating expenses, excluding amounts set aside for  
22 prizes, regardless of whether such prizes are claimed and excluding amounts held as a  
23 fidelity fund pursuant to Code Section 50-27-19.

24 (2) 'Assignee' means any person or third party other than the winner to whom any portion  
25 of a prize or any right of any person to a prize awarded payable by the corporation in  
26 installment payments may be transferred or assigned pursuant to an appropriate judicial  
27 order as provided in Code Section 50-27-24.1.

28 (3) 'Assignment' means the transfer of any portion of a prize or any right of any person  
29 to a prize awarded payable by the corporation in installment payments to any person or  
30 third party pursuant to an appropriate judicial order as provided in Code  
31 Section 50-27-24.1.

32 (4) 'Assignor' means any person receiving installment payments seeking to assign or  
33 transfer any portion of a prize or any right of any person to a prize awarded to an assignee  
34 or any person or third party pursuant to an appropriate judicial order as provided in Code  
35 Section 50-27-24.1.

36 (5) 'Board' means the board of directors of the Georgia Lottery Corporation.

37 (6) 'Capital outlay projects' means the acquisition, construction, installation,  
38 modification, renovation, repair, extension, renewal, replacement, or rehabilitation of  
39 land, interests in land, buildings, structures, facilities, or other improvements and the  
40 acquisition, installation, modification, renovation, repair, extension, renewal,  
41 replacement, rehabilitation, or furnishing of fixtures, machinery, equipment, computers,  
42 software, laboratories, furniture, textbooks, and reference material or other property of  
43 any nature whatsoever used on, in, or in connection with educational facilities.

44 (7) 'Casino gambling' means a location or business for the purpose of conducting illegal  
45 gambling activities, but excluding the sale and purchase of lottery tickets or shares as  
46 authorized by this chapter.

47 (8) 'Chief executive officer' means the chief executive officer of the Georgia Lottery  
48 Corporation.

49 (9) 'Corporation' means the Georgia Lottery Corporation.

50 (10) 'Educational facilities' means land, structures, and buildings owned or operated by  
51 and through the board of regents, the State Board of Education, the Technical College  
52 System of Georgia, or by any city, county, or independent school system within this state;  
53 provided, however, that a public road or highway leading to an educational facility shall  
54 not be considered an educational facility.

55 (11) 'Educational purposes and programs' means capital outlay projects for educational  
56 facilities; tuition grants, scholarships, or loans to citizens of this state to enable such  
57 citizens to attend colleges and universities located within this state, regardless of whether  
58 such colleges and universities are owned or operated by the board of regents or to attend  
59 institutions operated under the authority of the Technical College System of Georgia;  
60 costs of providing to teachers at accredited public institutions who teach levels K-12,

61 personnel at public postsecondary technical institutes under the authority of the Technical  
62 College System of Georgia, and professors and instructors within the University System  
63 of Georgia the necessary training in the use and application of computers and advanced  
64 electronic instructional technology to implement interactive learning environments in the  
65 classroom and to access the state-wide distance learning network; costs associated with  
66 repairing and maintaining advanced electronic instructional technology; voluntary  
67 pre-kindergarten; and an education shortfall reserve.

68 (12) 'Interested party' means any individual or entity that has notified the corporation of  
69 his or her interest in the prize or is a party to a civil matter adverse to the assignor,  
70 including actions for alimony and child support.

71 (13) 'Lottery,' 'lotteries,' 'lottery game,' or 'lottery games' means any game of chance  
72 approved by the board and operated pursuant to this chapter, including, but not limited  
73 to, instant tickets, ~~on-line~~ online games, and games using mechanical or electronic  
74 devices or online sports wagering platforms as such term is defined in Code Section  
75 50-27-122 but excluding pari-mutuel betting and casino gambling as defined in this Code  
76 section.

77 (14) 'Major procurement contract' means any gaming product or service costing in excess  
78 of \$75,000.00, including, but not limited to, major advertising contracts, annuity  
79 contracts, prize payment agreements, consulting services, equipment, tickets, and other  
80 products and services unique to the Georgia lottery, but not including materials, supplies,  
81 equipment, and services common to the ordinary operations of a corporation.

82 (15) 'Member' or 'members' means a director or directors of the board of directors of the  
83 Georgia Lottery Corporation.

84 (16) 'Member of a minority' means an individual who is a member of a race which  
85 comprises less than 50 percent of the total population of the state.

86 (17) 'Minority business' means any business which is owned by:

87 (A) An individual who is a member of a minority who reports as his or her personal  
88 income for Georgia income tax purposes the income of such business;

89 (B) A partnership in which a majority of the ownership interest is owned by one or  
90 more members of a minority who report as their personal income for Georgia income  
91 tax purposes more than 50 percent of the income of the partnership; or

92 (C) A corporation organized under the laws of this state in which a majority of the  
93 common stock is owned by one or more members of a minority who report as their  
94 personal income for Georgia income tax purposes more than 50 percent of the  
95 distributed earnings of the corporation.

96 (18) 'Net proceeds' means all revenue derived from the sale of lottery tickets or shares  
97 and all other moneys derived from the lottery less operating expenses.

98 (19) 'Operating expenses' means all costs of doing business, including, but not limited  
 99 to, prizes, commissions, and other compensation paid to retailers, advertising and  
 100 marketing costs, personnel costs, capital costs, depreciation of property and equipment,  
 101 funds for compulsive gambling education and treatment, amounts held in or paid from  
 102 a fidelity fund pursuant to Code Section 50-27-19, and other operating costs.

103 (20) 'Pari-mutuel betting' means a method or system of wagering on actual races  
 104 involving horses or dogs at tracks which involves the distribution of winnings by pools.  
 105 Such term shall not mean lottery games which may be predicated on a horse racing or dog  
 106 racing scheme that does not involve actual track events. Such term shall not mean the  
 107 lottery game of sports wagering as defined in Code Section 50-27-122 or traditional  
 108 lottery games which may involve the distribution of winnings by pools.

109 (21) 'Person' means any individual, corporation, partnership, unincorporated association,  
 110 or other legal entity.

111 (22) 'Retailer' means a person who sells lottery tickets or shares on behalf of the  
 112 corporation pursuant to a contract.

113 (23) 'Share' means any intangible evidence of participation in a lottery game.

114 (24) 'Ticket' means any tangible evidence issued by the lottery to provide participation  
 115 in a lottery game.

116 (25) 'Vendor' means a person who provides or proposes to provide goods or services to  
 117 the corporation pursuant to a major procurement contract, but does not include an  
 118 employee of the corporation, a retailer, or a state agency or instrumentality thereof. Such  
 119 term does not include any corporation whose shares are publicly traded and which is the  
 120 parent company of the contracting party in a major procurement contract."

121 **SECTION 1-2.**

122 Said chapter is further amended by revising Code Section 50-27-9, relating to general powers  
 123 of the Georgia Lottery Corporation, as follows:

124 "50-27-9.

125 (a) The corporation shall have any and all powers necessary or convenient to its usefulness  
 126 in carrying out and effectuating the purposes and provisions of this chapter which are not  
 127 in conflict with the Constitution of this state and which are generally exercised by  
 128 corporations engaged in entrepreneurial pursuits, including, but without limiting the  
 129 generality of the foregoing, the following powers:

130 (1) To sue and be sued in contract and in tort and to complain and defend in all courts;

131 (2) To adopt and alter a seal;

132 (3) To adopt, amend, and repeal bylaws, regulations, and policies and procedures for the  
 133 regulation of its affairs and the conduct of its business; to elect and prescribe the duties

134 of officers and employees of the corporation; and to perform such other matters as the  
135 corporation may determine. In the adoption of bylaws, regulations, policies, and  
136 procedures or in the exercise of any regulatory power, the corporation shall be exempt  
137 from the requirements of Chapter 13 of this title, the 'Georgia Administrative Procedure  
138 Act';

139 (4) To procure or to provide insurance;

140 (5) To hold copyrights, trademarks, and service marks and enforce its rights with respect  
141 thereto;

142 (6) To initiate, supervise, and administer the operation of the lottery in accordance with  
143 the provisions of this chapter and regulations, policies, and procedures adopted pursuant  
144 thereto;

145 (7) To enter into written agreements with one or more other states or sovereigns for the  
146 operation, participation in marketing, and promotion of a joint lottery or joint lottery  
147 games;

148 (8) To conduct such market research as is necessary or appropriate, which may include  
149 an analysis of the demographic characteristics of the players of each lottery game and an  
150 analysis of advertising, promotion, public relations, incentives, and other aspects of  
151 communication;

152 (9) To acquire or lease real property and make improvements thereon and acquire by  
153 lease or by purchase personal property, including, but not limited to, computers;  
154 mechanical, electronic, and ~~on-line~~ online equipment and terminals; and intangible  
155 property, including, but not limited to, computer programs, systems, and software;

156 (10) To enter into contracts to incur debt in its own name and enter into financing  
157 agreements with the state, agencies or instrumentalities of the state, or with any  
158 commercial bank or credit provider; provided, however, that any such debt must be  
159 approved by the Georgia State Financing and Investment Commission;

160 (11) To be authorized to administer oaths, take depositions, issue subpoenas, and compel  
161 the attendance of witnesses and the production of books, papers, documents, and other  
162 evidence relative to any investigation or proceeding conducted by the corporation;

163 (12) To appoint and select officers, agents, and employees, including professional and  
164 administrative staff and personnel and hearing officers to conduct hearings required by  
165 this chapter, and to fix their compensation, pay their expenses, and provide a benefit  
166 program, including, but not limited to, a retirement plan and a group insurance plan;

167 (13) To select and contract with vendors and retailers;

168 (14) To enter into contracts or agreements with state or local law enforcement agencies,  
169 including the Department of Revenue, for the performance of law enforcement,

170 background investigations, security checks, and auditing and enforcement of license  
 171 requirements required by ~~Article 3 of~~ under this chapter;

172 (15) To enter into contracts of any and all types on such terms and conditions as the  
 173 corporation may determine;

174 (16) To establish and maintain banking relationships, including, but not limited to,  
 175 establishment of checking and savings accounts and lines of credit;

176 (17) To advertise and promote ~~the lottery and~~ lottery games;

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

180 (19) To offer the lottery game of sports wagering and to regulate sports wagering in this  
 181 state through the Georgia Mobile Sports Wagering Integrity Commission created  
 182 pursuant to Code Section 50-27-130;

183 (20) To provide oversight for the Georgia Sports Wagering Integrity Commission created  
 184 pursuant to Code Section 50-27-130 by exercising the powers set forth in Article 4 of this  
 185 chapter; and

186 ~~(19)~~(21) To adopt and amend such regulations, policies, and procedures as necessary to  
 187 carry out and implement its powers and duties, organize and operate the corporation,  
 188 regulate the conduct of lottery games in general, and any other matters necessary or  
 189 desirable for the efficient and effective operation of the lottery or the convenience of the  
 190 public. The promulgation of any such regulations, policies, and procedures shall be  
 191 exempt from the requirements of Chapter 13 of this title, the 'Georgia Administrative  
 192 Procedure Act.'

193 (b) The powers enumerated in subsection (a) of this Code section are cumulative of and  
 194 in addition to those powers enumerated elsewhere in this chapter, and no such powers limit  
 195 or restrict any other powers of the corporation."

196 **PART II**

197 **SECTION 2-1.**

198 Said chapter is further amended by adding a new article to read as follows:

199 "ARTICLE 4

200 Part 1

201 50-27-120.

202 This article shall be known and may be cited as the 'Georgia Lottery Mobile Sports  
 203 Wagering Integrity Act.'

204 50-27-121.

205 It is found and declared by the General Assembly that:

206 (1) Sports wagering is a lottery game and as such shall be operated and managed by the  
 207 Georgia Lottery Corporation through the Georgia Mobile Sports Wagering Integrity  
 208 Commission in a manner which provides continuing entertainment to the public,  
 209 maximizes revenues, and ensures that the lottery is operated with integrity and dignity  
 210 and free of political influence;

211 (2) The Georgia Lottery Corporation and the Georgia Mobile Sports Wagering Integrity  
 212 Commission shall be accountable to the General Assembly and to the public for the  
 213 operation and management of sports wagering in this state through a system of audits and  
 214 reports;

215 (3) Net proceeds of lottery games conducted pursuant to this article shall be used to  
 216 support improvements and enhancements for educational purposes and programs that  
 217 support school technology grants and pre-kindergarten funding and that such net proceeds  
 218 shall be used to supplement, not supplant, existing resources for such educational  
 219 purposes and programs;

220 (4) The ability to offer the lottery game of sports wagering in this state under a license  
 221 issued in accordance with this article constitutes a taxable privilege and not a right; and

222 (5) The lottery game of sports wagering can be conducted in a manner to safeguard the  
 223 fiscal soundness of the state, enhance public welfare, and support the need to educate  
 224 Georgia's children through school technology grants and pre-kindergarten funding  
 225 authorized by Article I, Section II, Paragraph VIII of the Constitution.

226 50-27-122.

227 Unless another meaning is required by the context, as used in this article, the term:

228 (1) 'Adjusted gross income' means the total of all money paid to a licensee as bets minus  
 229 the total amount paid out to winning bettors over a specified period of time, which  
 230 includes the cash equivalent of any merchandise or thing of value awarded as a prize.

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

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

- 233 (A) Twenty-one years of age or older;  
234 (B) Physically present in this state when placing a wager with a licensee; and  
235 (C) Not prohibited from placing a wager or bet under Code Section 50-27-151.  
236 (4) 'Bond' means a bond held in escrow for the purpose of maintaining adequate reserves  
237 to account for losses suffered by a licensee and owed to bettors.  
238 (5) 'Cheating' means improving the chances of winning or altering the outcome by  
239 deception, interference, or manipulation of a sporting event or of any equipment,  
240 including software pertaining to or used in relation to the equipment, used for or in  
241 connection with the sporting event on which wagers are placed or invited, including  
242 attempts and conspiracy to cheat.  
243 (6) 'Collegiate' means belonging to or involving a public or private institution of higher  
244 education.  
245 (7) 'Collegiate sporting event' means a sporting or athletics event involving a sports or  
246 athletics team of a public or private institution of higher education.  
247 (8) 'Commission' means the Georgia Mobile Sports Wagering Integrity Commission  
248 created pursuant to Code Section 50-27-130.  
249 (8.1) 'Commission vendor' means a contractor, subcontractor, or independent contractor  
250 hired by or contracted with the commission or a licensee for the purpose of facilitating  
251 the business of the commission or licensee under this chapter.  
252 (9) 'E-sport' means any multiplayer video game played competitively for spectators,  
253 either in-person or via remote connection, in which success principally depends upon the  
254 superior knowledge, training, experience, and adroitness of the players.  
255 (10) 'Fixed-odds betting' means bets made at predetermined odds or on the spread where  
256 the return to the bettor is unaffected by any later change in odds or the spread.  
257 (11) 'Future bet' means a wager made on the occurrence of an event in the future relating  
258 to a sporting event.  
259 (12) 'Interactive sports wagering' means placing a wager on a sporting event via the  
260 internet, a mobile device, or any other telecommunications platform.  
261 (13) 'License' means a license to accept wagers from bettors on sporting events issued  
262 under Code Section 50-27-140.  
263 (14) 'Licensee' means a person that holds a license issued under Code Section 50-27-140.  
264 (15) 'Live betting' means a type of wager that is placed after the sporting event being  
265 wagered on has commenced and whose odds on events occurring are adjusted in real  
266 time.  
267 (16) 'Material nonpublic information' means information that has not been disseminated  
268 publicly concerning an athlete, contestant, prospective contestant, or athletic team,  
269 including, without limitation, confidential information related to medical conditions or



270 treatment, physical or mental health or conditioning, physical therapy or recovery,  
271 discipline, sanctions, academic status, education records, eligibility, playbooks, signals,  
272 schemes, techniques, game plans, practices, strategies, assessments, systems, drills, or  
273 recordings of practices or other athletic activities.

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

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

277 (19) 'Official league data' means statistics, results, outcomes, and other data related to  
278 a sporting event obtained pursuant to an agreement with the relevant governing body of  
279 a sport or sports league, organization, or association whose corporate headquarters are  
280 based in the United States or an entity expressly authorized by such governing body to  
281 provide such information to licensees for purposes of live betting.

282 (20) 'Online sports wagering platform' means the combination of hardware, software, and  
283 data networks used to manage, administer, or control sports wagering and any associated  
284 wagers accessible by any electronic means, including mobile applications and internet  
285 websites accessed via a mobile device or computer.

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

288 (22) 'Professional sports team' means a major or minor league professional baseball,  
289 football, basketball, soccer, or hockey franchise or a professional motor sport.

290 (23) 'Proposition bet' means a wager made regarding the occurrence or nonoccurrence  
291 during a sporting event of an event that does not directly affect the final outcome of the  
292 sporting event.

293 (24) 'Sporting event' means any professional sporting or athletic event, including motor  
294 sports and e-sports, any collegiate sporting event, or any Olympic sporting or athletic  
295 event sanctioned by a national or international organization or association. Such term  
296 shall not include horse racing.

297 (25) 'Sports betting' or 'sports wagering' means placing one or more wagers for a sporting  
298 event.

299 (26) 'Sports governing body' means the organization, league, or association that oversees  
300 a sport, prescribes final rules, and enforces codes of conduct with respect to such sport  
301 and participants therein.

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

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

307 (29) 'Wager' or 'bet' means a sum of money that is risked by a bettor on the unknown  
 308 outcome of one or more sporting events, including, but not limited to, the form of  
 309 fixed-odds betting, a future bet, live betting, a money line bet, pari-mutuel betting, a  
 310 parlay bet, pools, a proposition bet, or a spread bet or any other form as authorized by  
 311 rules or regulations of the commission. For purposes of this paragraph, pari-mutuel  
 312 betting means a type of bet in which all wagers on a particular occurrence are pooled and  
 313 winnings are paid in accordance with the size of the pool and the number of winners.

314 50-27-123.

315 In addition to the powers and duties otherwise specified in this article, the corporation,  
 316 board, and chief executive officer have the following powers and duties as to the lottery  
 317 game of sports wagering:

318 (1) To receive annual reports from the commission on the operation and fiscal status of  
 319 sports wagering in this state;

320 (2) To ensure the commission is performing audits as required under this article;

321 (3) To ensure the commission is distributing the proceeds of sports wagering as required  
 322 under this article;

323 (4) To advise the General Assembly on the operation and fiscal status of sports wagering  
 324 in this state, including, but not limited to, the functioning of the commission;

325 (5) To receive complaints concerning the commission; and

326 (6) Any other powers and duties as may be specified in this article.

327 Part 2

328 50-27-130.

329 (a) There is hereby created the Georgia Mobile Sports Wagering Integrity Commission.

330 (b) The commission shall be composed of seven members appointed as follows:

331 (1) Three members shall be appointed by the Governor;

332 (2) Two members shall be appointed by the Lieutenant Governor; and

333 (3) Two members shall be appointed by the Speaker of the House of Representatives.

334 (c) Prior to the appointment of an individual to the commission, the appointing authority  
 335 shall have satisfactory results from a fingerprint records check report conducted by the  
 336 Georgia Crime Information Center and the Federal Bureau of Investigation verifying that  
 337 such individual being considered for appointment meets the requirements of subsection (e)  
 338 of this Code section. For an individual to be considered for appointment to the  
 339 commission, he or she shall give express consent and authorization for the appointment  
 340 authority, or his or her designee, to perform a criminal background check and shall provide

341 the appointment authority, or his or her designee, with all information necessary to run a  
 342 criminal background check, including, but not limited to, classifiable sets of fingerprints.  
 343 The individual being considered for appointment shall be responsible for all fees associated  
 344 with the performance of such background check.

345 (d) In making appointments to the commission, the appointing authorities shall strive to  
 346 ensure that the commission membership is diverse in educational background, ethnicity,  
 347 race, gender, and geographic residency and has experience in:

348 (1) The sports wagering and gaming industry;

349 (2) Accounting; and

350 (3) Law enforcement.

351 (e)(1) Each member of the commission shall:

352 (A) Be a citizen of the United States;

353 (B) Be a resident of this state; and

354 (C) Possess and demonstrate honesty, integrity, and good character.

355 (2) An individual shall not be eligible for appointment to the commission if he or she:

356 (A) Holds any elective office in state government;

357 (B) Is an officer or official of any political party;

358 (C) Has a direct pecuniary interest in the sports wagering and gaming industry;

359 (D) Has been convicted of a felony;

360 (E) Has been convicted of a misdemeanor involving gambling, theft, computer related  
 361 offenses, forgery, perjury, dishonesty, or unlawfully selling or providing a product or  
 362 substance to a minor;

363 (F) Has been convicted of any violation under this article; or

364 (G) Has been convicted of any offense in a federal court, military court, or court of  
 365 another state, territory, or jurisdiction that under the laws of this state would disqualify  
 366 such individual pursuant to subparagraphs (D) through (F) of this paragraph.

367 (f) The term of each member of the commission shall begin on July 1. For purposes of  
 368 staggering the terms of the commission, one member of each appointing authority shall be  
 369 appointed to a term of four years, one member of each appointing authority shall be  
 370 appointed to a term of three years, and one member appointed by the Governor shall be  
 371 appointed to a term of two years.

372 (g) After the initial terms, the term of an appointed or reappointed member shall be four  
 373 years; provided, however, that the term of a reappointed member or a new appointee  
 374 replacing an existing member shall begin on the day of the expiration of the prior term.

375 (h) Notwithstanding subsection (e) of this Code section, at the end of the term of a member  
 376 of the commission, such member shall continue to serve until a replacement is appointed  
 377 by the appropriate appointing authority.

- 378 (i) A vacancy on the commission must be filled for the balance of the unexpired term in  
379 the same manner as the original appointment.
- 380 (j) A member of the commission may be removed from the commission by the appointing  
381 authority if, in the opinion of the appointing authority, the member has committed  
382 misfeasance or malfeasance in office or neglect of duty.
- 383 (k) Four members of the commission constitute a quorum for the purposes of voting and  
384 conducting the business of the commission.
- 385 (l) The commission shall elect a chairperson from among its membership. The chairperson  
386 shall serve in that capacity for one year and is eligible for reelection. The chairperson shall  
387 preside at all meetings and shall have all the powers and privileges of other members.
- 388 (m) Each member of the commission shall receive the same daily expense allowance as  
389 members of the General Assembly as provided in subsection (b) of Code Section 45-7-21  
390 for each day or part thereof spent in the performance of his or her duties on the commission  
391 and in addition shall be reimbursed for his or her reasonable expenses incurred therein.
- 392 (n) The commission and its members and employees in their official capacities shall be  
393 represented in all legal matters by the Attorney General.

394 50-27-131.

395 The commission shall have all powers and duties necessary to carry out the provisions of  
396 this article and to exercise the control of sports betting in this state as authorized by this  
397 article. Such powers and duties shall include, but shall not be limited to, the following:

- 398 (1) To have jurisdiction and supervision of the lottery game of sports betting;
- 399 (2) To have jurisdiction and supervision of all persons conducting, participating in, or  
400 attending any facility with sports betting;
- 401 (3) To employ such persons as necessary to ensure that such sports betting is conducted  
402 with order and the highest degree of integrity. The commission and such employees of  
403 the commission shall be authorized to eject or exclude from the sports betting facility or  
404 any part thereof any individual, whether licensed or not, whose conduct or reputation is  
405 such that his or her presence may, in the opinion of the commission or the designated  
406 employees of the commission, reflect adversely on the honesty and integrity of the sports  
407 betting or interfere with the orderly conduct of the sports betting;
- 408 (4) To enter upon, investigate, and have free access to all places of business of any  
409 licensee under this article and to compel the production of any books, ledgers, documents,  
410 records, memoranda, or other information of any licensee to ensure that this article and  
411 the rules and regulations promulgated therein are complied with strictly;

- 412 (5) To promulgate any rules and regulations as the commission deems necessary and  
413 proper pursuant to Chapter 13 of this title, the 'Georgia Administrative Procedure Act,'  
414 to administer the provisions of this article;
- 415 (6) To issue subpoenas for the attendance of witnesses before the commission,  
416 administer oaths, and compel production of records or other documents and testimony of  
417 witnesses whenever, in the judgment of the commission, it is necessary to do so for the  
418 effectual discharge of the duties of the commission;
- 419 (7) To compel any person licensed by the commission to file with the commission such  
420 data, documents, and information as shall appear to the commission to be necessary for  
421 the performance of the duties of the commission, including, but not limited to, financial  
422 statements and information relative to stockholders and all others with a pecuniary  
423 interest in such person;
- 424 (8) To prescribe the manner in which books and records of persons licensed or permitted  
425 by the commission shall be kept;
- 426 (9) To enter into arrangements with any foreign or domestic government or  
427 governmental agency for the purposes of exchanging information or performing any other  
428 act to better ensure the proper conduct of wagering under this article;
- 429 (10) To order such audits, in addition to those otherwise required by this article, as the  
430 commission deems necessary and desirable;
- 431 (11) Upon the receipt of a complaint of an alleged criminal violation of this article, to  
432 immediately report the complaint to the corporation and Attorney General for appropriate  
433 action;
- 434 (12) To provide for the withholding of the applicable amount of state and federal income  
435 tax of persons claiming a prize or payoff for a winning wager and to establish the  
436 thresholds for such withholdings;
- 437 (13) To establish and administer a program for providing assistance to compulsive  
438 gamblers, including, but not limited to, requiring that signs which bear a toll-free number  
439 for Gamblers Anonymous or any other organization which provides assistance to  
440 compulsive gamblers be posted in a conspicuous place in facilities at which wagering is  
441 conducted;
- 442 (14) To appoint and employ such other employees as the commission deems essential  
443 to perform its duties under this article who shall possess such authority and perform such  
444 duties as the commission shall prescribe or delegate to them. Such employees may  
445 include stewards, chemists, physicians, inspectors, accountants, attorneys, security  
446 officers, and such other employees deemed by the commission to be necessary for the  
447 supervision and proper conduct of the highest standard of sports betting. Such employees  
448 shall be compensated as provided by the commission;

- 449 (15) To keep a true and full record of all proceedings of the commission and preserve at  
 450 the commission's general office all books, documents, and papers of the commission;  
 451 (16) To adopt rules and regulations specific to the manner in which a licensee may  
 452 advertise its business operations as authorized by this article;  
 453 (17) To be represented along with its members and employees in their official capacities  
 454 in all legal matters by the Attorney General;  
 455 (18) To establish and maintain a general business office within this state for the  
 456 transaction of the commission's business at a place and location selected by the  
 457 commission and approved by the board; and  
 458 (19) To meet at such times and places within the state as the commission shall determine;  
 459 provided, however, that the commission shall meet not less than quarterly. The  
 460 commission shall be authorized to meet by teleconference as provided in Code  
 461 Section 50-1-5.

462 Part 3

463 50-27-140.

- 464 (a) Any person engaging in the lottery game of sports wagering in this state shall be  
 465 licensed by the commission.
- 466 (b) An applicant for a license shall submit an application on a form in such manner and in  
 467 accordance with such requirements as may be prescribed by rules or regulations of the  
 468 commission.
- 469 (c) An application for a license shall include the following:
- 470 (1) If the applicant is an entity, identification of the applicant's principal owners who  
 471 own 5 percent or more of such entity and such entity's board of directors and officers;  
 472 (2) Satisfactory results from a fingerprint records check report conducted by the Georgia  
 473 Crime Information Center and the Federal Bureau of Investigation, as determined by the  
 474 commission. Application for a license under this Code section shall constitute express  
 475 consent and authorization for the commission or its representative to perform a criminal  
 476 background check. Each applicant who submits an application to the commission for  
 477 licensure shall provide the commission with any and all information necessary to run a  
 478 criminal background check, including, but not limited to, classifiable sets of fingerprints.  
 479 Such applicant shall be responsible for all fees associated with the performance of such  
 480 background check. If the applicant is an entity, all individuals who own 5 percent or  
 481 more of the entity shall provide classifiable sets of fingerprints;  
 482 (3) Information, documentation, and assurances as may be required to establish by clear  
 483 and convincing evidence the applicant's good character, honesty, and integrity. Such

484 information may include, without limitation, information pertaining to family, habits,  
485 character, reputation, criminal and arrest records, business activities, financial affairs, and  
486 business, professional, and personal associates, covering at least the ten-year period  
487 immediately preceding the filing of the application;

488 (4) Notice and a description of civil judgments obtained against the applicant pertaining  
489 to antitrust or security regulation laws of the federal government, this state, or any other  
490 state, jurisdiction, province, or country;

491 (5) Letters of reference from law enforcement agencies having jurisdiction of the  
492 applicant's place of residence and principal place of business. Each such letter of  
493 reference shall indicate that the law enforcement agency does not have any pertinent  
494 information concerning the applicant or, if such law enforcement agency does have  
495 information pertaining to the applicant, shall provide such information;

496 (6) If the applicant has conducted sports wagering operations in a jurisdiction which  
497 permits such activity, a letter of reference from the regulatory body that governs sports  
498 wagering that specifies the standing of the applicant with the regulatory body; provided,  
499 however, that if no such letter is received within 60 days of the request therefor, the  
500 applicant may submit a statement under oath that the applicant is or was, during the  
501 period such activities were conducted, in good standing with the regulatory body;

502 (7) Information, documentation, and assurances concerning financial background and  
503 resources as may be required to establish by clear and convincing evidence the financial  
504 stability, integrity, and responsibility of the applicant, including, but not limited to, bank  
505 references, business and personal income and disbursement schedules, tax returns and  
506 other reports filed with governmental agencies, and business and personal accounting and  
507 check records and ledgers. Each applicant shall, in writing, authorize the examination of  
508 all bank accounts and records as may be deemed necessary by the commission. The  
509 commission may consider any relevant evidence of financial stability. The applicant is  
510 presumed to be financially stable if the applicant establishes by clear and convincing  
511 evidence the ability to:

512 (A) Assure the financial integrity of sports wagering operations by the maintenance of  
513 a bankroll or equivalent provisions adequate to pay winning wagers to bettors when  
514 due. An applicant is presumed to have met this standard if the applicant maintains, on  
515 a daily basis, a bankroll and equivalent provisions, in an amount which is at least equal  
516 to the average daily minimum bankroll or equivalent provisions, calculated on a  
517 monthly basis, for the corresponding month in the previous year;

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

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

521 (8) Information, documentation, and assurances as may be required to establish by clear  
 522 and convincing evidence that the applicant has sufficient business ability and sports  
 523 wagering experience to establish the likelihood of the creation and maintenance of  
 524 successful, efficient sports wagering operations;

525 (9) Information, as required by rule or regulation of the commission, regarding the  
 526 financial standing of the applicant, including, without limitation, each person or entity  
 527 that has provided loans or financing to the applicant;

528 (10) A nonrefundable application fee in the amount of \$50,000.00 and an annual  
 529 licensing fee in the amount of \$900,000.00; and

530 (11) Any additional information required by the commission by rule or regulation.

531 (d) Upon review of the application, the commission shall approve or deny an application  
 532 for a license not more than 90 days after receipt of an application.

533 (e) A licensee may renew its license by submitting an application on a form in such  
 534 manner and in accordance with such requirements as may be prescribed by rule or  
 535 regulation of the commission. A licensee shall submit the nonrefundable annual licensing  
 536 and application fees prescribed under paragraph (10) of subsection (c) of this Code section  
 537 with its application for the renewal of its license.

538 (f) For each application for licensure or renewal of a license that is approved under this  
 539 Code section, the amount of the application fee must be credited toward the licensee's  
 540 annual licensing fee and the licensee shall remit the balance of the annual fee to the  
 541 commission upon approval of a license. The fees collected from licensees under this Code  
 542 section shall be used by the commission to pay the actual operating and administrative  
 543 expenses incurred pursuant to this article.

544 (g) Except as provided in subsection (f) of this Code section, annual licensing and  
 545 application fees collected by the commission shall be distributed to the general fund of the  
 546 state treasury for distribution in the same manner as provided in Code Section 50-27-170.

547 (h) Each licensee shall have a continuing duty to immediately inform the commission of  
 548 any change in status relating to any information that may disqualify the licensee from  
 549 holding the license.

550 50-27-141.

551 The following persons shall not be eligible to apply for or obtain a license:

552 (1) A member or employee of the commission or corporation or a vendor or commission  
 553 vendor;

554 (2) An employee of a professional sports team or an entity that has an ownership or  
 555 interest in a professional sports team;



- 556 (3) A coach of or player for a collegiate, professional, or Olympic sports team or sport  
 557 or an entity that has an affiliation or interest in such a sports team or sport;  
 558 (4) An individual who is a member or employee of any governing body of a sports team,  
 559 league, or association or an entity that has an affiliation with any governing body of a  
 560 sports team, league, or association;  
 561 (5) An individual or entity with an owner, officer, or director who has been convicted of  
 562 a crime as specified in rules and regulations promulgated by the commission;  
 563 (6) A person having the ability to directly affect the outcome of a sporting event; and  
 564 (7) Any other category of persons, established by rules or regulations of the commission,  
 565 that, if licensed, would affect the integrity of sports wagering in this state.

566 50-27-142.

567 (a) A licensee shall not:

- 568 (1) Allow a minor to place a wager;  
 569 (2) Offer, accept, or extend credit to a bettor;  
 570 (3) Directly advertise or promote sports wagering to minors;  
 571 (4) Offer or accept a wager on any event, outcome, or occurrence other than a sporting  
 572 event, including, without limitation, a high school sporting event offered, sponsored, or  
 573 played in connection with a public or private institution that offers education at the  
 574 secondary level; or  
 575 (5) Accept a wager from an individual who is on the registry created and maintained by  
 576 the commission under Code Section 50-27-151.

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

- 578 (1) For a first offense, shall be guilty of a misdemeanor; and  
 579 (2) For a second or subsequent offense, shall be guilty of a misdemeanor of a high and  
 580 aggravated nature.

581 50-27-143.

582 The commission may adopt rules and regulations prescribing the manner in which a license  
 583 may be transferred and a fee for the transfer of the license.

584 50-27-144.

585 (a) The commission shall prescribe by rule or regulation:

- 586 (1) The amount of a bond in escrow and the amount of cash that shall be kept on hand  
 587 to ensure that adequate reserves exist by licensees to pay off bettors;  
 588 (2) Any insurance requirements for a licensee;

- 589 (3) Minimum requirements by which each licensee shall exercise effective control over  
 590 its internal fiscal affairs, including, without limitation, requirements for:  
 591 (A) Safeguarding assets and revenues, including evidence of indebtedness;  
 592 (B) Maintenance of reliable records relating to accounts, transactions, profits and  
 593 losses, operations, and events; and  
 594 (C) Global risk management;  
 595 (4) Requirements for internal and independent audits of licensees;  
 596 (5) The manner in which periodic financial reports shall be submitted to the commission  
 597 from each licensee, including the financial information to be included in the reports;  
 598 (6) The type of information deemed to be confidential financial or proprietary  
 599 information that is not subject to any reporting requirements under this article;  
 600 (7) Policies, procedures, and processes designed to mitigate the risk of cheating and  
 601 money laundering; and  
 602 (8) Any post-employment restrictions necessary to maintain the integrity of sports  
 603 wagering in this state.  
 604 (b) The licensee may maintain the bond at any bank lawfully operating in this state, and  
 605 the licensee shall be the beneficiary of any interest accrued thereon.

606 Part 4

607 50-27-150.

- 608 (a) Except for those individuals ineligible to place bets under Code Section 50-27-151, an  
 609 individual who is 21 years of age or older and who is physically located in this state may  
 610 place a wager in the manner authorized under this article and the rules and regulations of  
 611 the commission.  
 612 (b) A licensee shall ensure that all wagers accepted in this state are from qualified bettors  
 613 and in accordance with this article and the rules and regulations of the commission.

614 50-27-151.

- 615 (a) The following individuals or categories of individuals shall not, directly or indirectly,  
 616 wager or bet on a sporting event in this state:  
 617 (1) Any member, officer, or employee of the commission;  
 618 (2) Any vendor or commission vendor;  
 619 (3) Any licensee or principal owner, partner, member of the board of directors, officer,  
 620 or supervisory employee of a licensee;  
 621 (4) Any vendor of a licensee or any principal owner, partner, member of the board of  
 622 directors, officer, or supervisory employee of a vendor;

- 623 (5) Any contractor, subcontractor, or consultant or any officer or employee of a  
624 contractor, subcontractor, or consultant of a licensee, if such individual is directly  
625 involved in the licensee's operation of sports wagering or the processing of sports  
626 wagering claims or payments through the licensee's online sports wagering platform;
- 627 (6) Any individual subject to a contract with the commission if the contract contains a  
628 provision prohibiting the individual from participating in sports wagering;
- 629 (7) Any individual with access to information that is known exclusively by an individual  
630 who is prohibited from placing a wager in this state under this article;
- 631 (8) Any amateur or Olympic athlete if the wager is based on the sport or athletic event  
632 in which the athlete participates and that is overseen by the athlete's sports governing  
633 body;
- 634 (9) Any professional athlete if the wager is based on any sport or athletic event overseen  
635 by the athlete's sports governing body;
- 636 (10) Any owner or employee of a team, player, umpire or sports union personnel, or  
637 employee, referee, coach, or official of a sports governing body, if the wager is based on  
638 a sporting event overseen by the individual's sports governing body;
- 639 (11) Any trustee or regent of a governing board of a public or private institution of  
640 higher education;
- 641 (12) Any individual prohibited by the rules of a governing body of a collegiate sports  
642 team, league, or association from participating in sports wagering;
- 643 (13) With respect to a student or an employee of a public or private institution of higher  
644 education, any individual who has access to material nonpublic information concerning  
645 a student athlete or team if the information is relevant to the outcome of a sporting event,  
646 provided that the individual is only prohibited from using the information to place a  
647 wager on a collegiate sporting event; and
- 648 (14) Any individual having the ability to directly affect the outcome of a sporting event.
- 649 (b) The commission may prescribe by rule or regulation additional categories of  
650 individuals who are prohibited from placing a wager in this state.
- 651 (c) The commission shall maintain a confidential registry of persons and categories of  
652 individuals who are ineligible to place a wager in this state and shall provide the registry  
653 to each licensee in this state. The commission shall provide each updated registry to the  
654 licensees as soon as practicable. Each licensee shall maintain the registry provided by the  
655 commission confidentially. Such registry shall not be considered a record open to the  
656 public pursuant to Article 4 of Chapter 18 of this title and shall be exempt from such  
657 provisions.
- 658 (d) Any person that violates subsection (a) of this Code section:
- 659 (1) For a first offense, shall be guilty of a misdemeanor;

660 (2) For a second offense, shall be guilty of a misdemeanor and shall be fined not less  
 661 than \$500.00 nor more than \$1,000.00 or shall be imprisoned for not less than one month  
 662 nor more than five months, or both; and

663 (3) For a third or subsequent offense, shall be guilty of a misdemeanor of a high and  
 664 aggravated nature.

665 50-27-152.

666 Notwithstanding any other provision of law, each wager placed with a licensee in  
 667 accordance with this article shall be:

668 (1) Deemed to be an enforceable contract; and

669 (2) Exempt from Article 2 of Chapter 12 of this title.

670 50-27-153.

671 (a)(1) The commission shall by rule or regulation prohibit wagering on:

672 (A) Injuries, penalties, and other types or forms of wagering under this article that are  
 673 contrary to public policy or unfair to bettors; and

674 (B) Individual actions, events, statistics, occurrences, or nonoccurrences to be  
 675 determined during a collegiate sporting event, including, without limitation, in-game  
 676 proposition bets on the performance or nonperformance of a team or individual  
 677 participant during a collegiate sporting event.

678 (2) A licensee shall only offer parlay bets and proposition bets of the type or category  
 679 as prescribed by rule or regulation of the commission. The commission shall prescribe  
 680 by rule or regulation the types and categories of parlay and proposition bets that may be  
 681 offered in this state, if any.

682 (b)(1) A licensee; professional sports team, league, or association; or institution of higher  
 683 education may submit to the commission in writing a request to prohibit a type or form  
 684 of wagering or to prohibit a category of individuals from wagering, if the licensee, team,  
 685 league, association, or institution believes that such wagering by type, form, or category  
 686 is contrary to public policy, is unfair to bettors, or affects the integrity of a particular sport  
 687 or the sports wagering and gaming industry.

688 (2) The commission shall, upon a demonstration of good cause from the requestor, grant  
 689 a request provided for in paragraph (1) of this subsection. The commission shall respond  
 690 to any such request concerning a particular event before the start of the event or, if it is  
 691 not feasible to respond before the start of the event, as soon as practicable.

692 50-27-154.

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

702 (b) A licensee shall adopt a registration policy to ensure that all bettors utilizing interactive  
703 sports wagering are authorized to place a wager with a licensee within this state. Such  
704 policy must include, without limitation, a mechanism which shall:

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

706 (2) Verify that the registrant is not prohibited from placing a wager under Code  
707 Section 50-27-151; and

708 (3) Obtain the following information:

709 (A) A physical address other than a post office box;

710 (B) A phone number;

711 (C) A unique user name; and

712 (D) An active email account.

713 (c) A licensee may require a bettor to provide the licensee with a signed and notarized  
714 document attesting that the bettor is qualified to engage in sports wagering under this  
715 article as part of the registration policy of the licensee.

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

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

723 (f) Once a bettor account is created, a bettor may only fund the account through:

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

725 (2) Debit cards;

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

727 (4) Any other method approved by rule or regulation of the commission that is initiated  
728 with cash.

729 (g)(1) Each financial transaction with respect to an account between a bettor and licensee  
730 must be confirmed by email, telephone, text message, or other means agreed upon by the  
731 account holder. A licensee shall use all commercially and technologically reasonable  
732 means to independently verify the identity of the bettor making a deposit or withdrawal.

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

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

739 (A) Immediately suspend the bettor's account and not allow the bettor to place wagers;

740 (B) Retain any winnings attributable to the bettor;

741 (C) Refund the balance of deposits made to the account to the source of such deposit  
742 or by issuance of a check; and

743 (D) Deactivate the account.

744 (h) A licensee shall utilize geo-location or geo-fencing technology to ensure that  
745 interactive sports wagering is only available to bettors who are physically located in this  
746 state. A licensee shall maintain in this state its servers used to transmit information for  
747 purposes of accepting or paying out bets or wagers on a sporting event placed by bettors  
748 located in this state.

749 (i) A licensee shall clearly and conspicuously display on its website a statement indicating  
750 that it is illegal for a person under 21 years of age to engage in sports wagering in this state.

751 (j) The commission shall promulgate rules and regulations for purposes of regulating  
752 sports wagering via interactive sports wagering.

753 50-27-155.

754 (a) Licensees shall allow bettors to restrict themselves from placing wagers with the  
755 licensee, including limits on the time spent betting and amounts wagered, and take  
756 reasonable steps to prevent those bettors from placing such wagers. At the request of a  
757 bettor, a licensee may share the request with the commission for the sole purpose of  
758 disseminating the request to other licensees.

759 (b) The commission shall promulgate rules and regulations that require a licensee to  
760 implement responsible sports wagering programs that include comprehensive training on  
761 responding to circumstances in which individuals present signs of a gambling disorder.

762 (c) The Department of Behavioral Health and Developmental Disabilities shall use the  
763 funds distributed to such department under paragraph (2) of subsection (e) of Code  
764 Section 50-27-170 to oversee one or more grant programs with organizations to provide

765 treatment services for individuals with problem gambling or a gambling disorder and to  
 766 establish prevention initiatives to reduce the number of individuals with problem gambling  
 767 or a gambling disorder. Such department may also use the funds distributed to the  
 768 department to cover its actual administrative costs and the costs of professional services  
 769 associated with overseeing each grant program.

770 (d) The Department of Behavioral Health and Developmental Disabilities shall annually  
 771 generate a report outlining the activities of such department with respect to funding  
 772 received under this Code section for problem gambling and gambling disorders, including,  
 773 but not limited to, descriptions of programs, therapies, grants, and other resources made  
 774 available; the success and outcomes of utilizing such programs, therapies, grants, and  
 775 resources; the number of individuals treated; the number of individuals who complete  
 776 programs and therapies; and the rate of recidivism, if known. Such department shall file  
 777 the annual report with the Governor, the Lieutenant Governor, and the Speaker of the  
 778 House of Representatives and shall publish the report on its website no later than January 1  
 779 of each year. The annual report must include an itemization of such department's  
 780 expenditures relating to administrative costs and professional services associated with its  
 781 activities pursuant to this subsection.

782 50-27-156.

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

787 (b) The commission shall promulgate rules and regulations regarding:

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

791 50-27-157.

792 (a) The commission, licensees, and vendors shall cooperate with investigations conducted  
 793 by sports governing bodies and law enforcement agencies, including, but not limited to,  
 794 providing or facilitating the provision of account-level betting information and data files  
 795 relating to individuals placing wagers.

796 (b) Licensees shall immediately report to the commission any information relating to:

- 797 (1) Criminal or disciplinary proceedings commenced against the licensee in connection  
 798 with its operations;

799 (2) Abnormal betting activity or patterns that may indicate a concern with the integrity  
800 of a sporting event;

801 (3) Any potential breach of a sports governing body's internal rules and codes of conduct  
802 pertaining to sports wagering;

803 (4) Conduct that corrupts the betting outcome of a sporting event for purposes of  
804 financial gain, including match fixing; and

805 (5) Suspicious or illegal wagering activities, including cheating, use of funds derived  
806 from illegal activity, wagers to conceal or launder funds derived from illegal activity, use  
807 of agents to place wagers, and use of false identification.

808 (c) Licensees shall also immediately report information relating to conduct described in  
809 paragraphs (2) through (4) of subsection (b) of this Code section to the relevant sports  
810 governing body.

811 (d) Licensees shall share with the commission, in real time and at the account level,  
812 information regarding a bettor; the amount and type of bet; the time the bet was placed; the  
813 location of the bet, including the internet protocol address if applicable; the outcome of the  
814 bet; and records of abnormal betting activity. Information shared under this subsection  
815 shall be submitted in the form and manner as required by rule or regulation of the  
816 commission.

817 (e) If a sports governing body has notified the commission that real time information  
818 sharing for wagers placed on its sporting events is necessary and desirable, licensees shall  
819 share the same information with the sports governing body or its designee with respect to  
820 wagers on its sporting events. Such information shall be provided in anonymized form and  
821 shall be used by a sports governing body solely for integrity purposes.

822 (f) All records, documents, and information received by the commission pursuant to this  
823 Code section shall be considered investigative records of a law enforcement agency, shall  
824 not be subject to Article 4 of Chapter 18 of this title, and shall not be released under any  
825 condition without the permission of the person providing such records, documents, or  
826 information.

827 (g) In addition to its specific rule-making authority under this article, the commission may  
828 promulgate rules and regulations it deems necessary to maintain the integrity of sports  
829 wagering in this state and to protect the public interest.

830 50-27-158.

831 A licensee shall exclusively use official league data for purposes of live betting.



832 Part 5

833 50-27-170.

834 (a) Notwithstanding any other law to the contrary, a licensee shall only pay a privilege tax  
835 on its adjusted gross income in accordance with this Code section.

836 (b) There shall be imposed upon the adjusted gross income of a licensee a tax of  
837 10 percent.

838 (c) The tax imposed under this Code section shall be paid monthly by a licensee based on  
839 its monthly adjusted gross income for the immediately preceding calendar month. The tax  
840 shall be paid to the commission in accordance with rules and regulations promulgated by  
841 the commission.

842 (d) For the purpose of enforcing this article and ascertaining the amount of tax due under  
843 this Code section, the commission may competitively procure the services of a vendor to  
844 provide a central accounting and reporting system, to ascertain all bets wagered minus the  
845 total amount paid out to winning bettors daily, and to obtain such other information as the  
846 commission may require. All licensees shall utilize such central accounting and reporting  
847 system.

848 (e)(1) Ninety-five percent of the tax collected under this Code section shall be distributed  
849 by the commission to the general fund of the state treasury for deposit into the Lottery for  
850 Education Account; provided, however, that such funds shall only be used for school  
851 technology grants and pre-kindergarten programs.

852 (2) Notwithstanding any other provisions of law, 5 percent of the tax collected under this  
853 Code section shall be distributed by the commission to the general fund of the state  
854 treasury and allocated to the Department of Behavioral Health and Developmental  
855 Disabilities to be used in the manner prescribed by Code Section 50-27-155.

856 Part 6

857 50-27-180.

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

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

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

863 (3) Any additional information required by rule or regulation of the commission deemed  
864 in the public interest or necessary to maintain the integrity of sports wagering in this state.

865 (b) A licensee shall immediately report to the commission any information relating to:

- 866 (1) The name of any newly elected officer or director of the board of the licensed entity;  
 867 and
- 868 (2) The acquisition by any person of 5 percent or more of any class of corporate stock.  
 869 (c) With respect to information reported under subsection (b) of this Code section, a  
 870 licensee shall include with the report a statement of any conflict of interest that may exist  
 871 as a result of such election or acquisition.
- 872 (d) Upon receiving a report under this Code section or subsection (b) of Code  
 873 Section 50-27-157, the commission may conduct a hearing in accordance with Code  
 874 Section 50-27-183 to determine whether the licensee remains in compliance with this  
 875 article.
- 876 50-27-181.  
 877 Members of the commission or designated employees thereof may, during normal business  
 878 hours, enter the premises of any facility of a licensee or third party utilized by the licensee  
 879 to operate and conduct business in accordance with this article for the purpose of inspecting  
 880 books and records kept as required by this article, to ensure that the licensee is in  
 881 compliance with this article, or to make any other inspection of the premises necessary to  
 882 protect the interests of this state and its consumers.
- 883 50-27-182.
- 884 (a) The commission shall conduct investigations to determine whether:
- 885 (1) A licensee is accepting wagers from minors or other persons ineligible to place  
 886 wagers in this state; and
- 887 (2) An individual is unlawfully accepting wagers from another individual without a  
 888 license or at a location in violation of this article.
- 889 (b) After a hearing under Code Section 50-27-183, if the commission finds that:
- 890 (1) A licensee is accepting wagers from minors or other persons ineligible to place  
 891 wagers in this state, the commission shall impose a fine against the licensee in the  
 892 following amount:
- 893 (A) For a first offense, \$1,000.00;  
 894 (B) For a second offense, \$2,000.00; and  
 895 (C) For a third or subsequent offense, \$5,000.00; or
- 896 (2) An individual is unlawfully accepting wagers from another individual without a  
 897 license, the commission shall impose a fine against the individual in the following  
 898 amount:
- 899 (A) For a first offense, \$10,000.00;  
 900 (B) For a second offense, \$15,000.00; and

901 (C) For a third or subsequent offense, \$25,000.00.

902 (c) Nothing in this Code section shall prohibit the commission from suspending, revoking,  
 903 or refusing to renew the license of a licensee in accordance with Code Section 50-27-183.

904 50-27-183.

905 (a) The commission may investigate and conduct a hearing with respect to a licensee upon  
 906 information and belief that the licensee has violated this article or upon the receipt of a  
 907 credible complaint from any person that a licensee has violated this article. The  
 908 commission shall conduct investigations and hearings in accordance with rules and  
 909 regulations adopted by the commission.

910 (b) If the commission determines that a licensee has violated any provision of this article  
 911 or any rule or regulation of the commission, the commission may:

912 (1) Suspend, revoke, or refuse to renew a license; and

913 (2) For any violation by a licensee, impose an administrative fine not to exceed  
 914 \$25,000.00 per violation.

915 (c) Except as provided in Code Section 50-27-182, the commission shall promulgate rules  
 916 and regulations establishing a schedule of administrative fines that may be assessed in  
 917 accordance with subsection (b) of this Code section for each violation of this article.

918 (d) Fines assessed under this Code section must be accounted for separately for use by the  
 919 commission in a manner consistent with rules and regulations of the commission.

920 (e) The commission may issue subpoenas to compel the attendance of witnesses and the  
 921 production of relevant books, accounts, records, and documents for purposes of carrying  
 922 out its duties under this article.

923 50-27-184.

924 (a) A licensee or other individual aggrieved by a final action of the commission may  
 925 appeal that decision to the Superior Court of Fulton County.

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

929 (1) Clearly erroneous;

930 (2) Arbitrary and capricious;

931 (3) Procured by fraud;

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

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

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

936 50-27-185.

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

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

943 (c) Any person that violates this Code section shall be guilty of a misdemeanor.

944 50-27-186.

945 (a) A licensee or other individual who violates this article shall be liable for a civil penalty  
 946 of not more than \$5,000.00 per violation, not to exceed \$50,000.00 for violations arising  
 947 out of the same transaction or occurrence, which must accrue to the commission and may  
 948 be recovered in a civil action brought by the Attorney General in the name of the  
 949 commission.

950 (b) The Attorney General may seek and obtain an injunction in a court of competent  
 951 jurisdiction for purposes of enforcing this article.

952 (c) Costs shall not be taxed against the Attorney General or this state for actions brought  
 953 under this Code section."

954

### **PART III**

955

#### **SECTION 3-1.**

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

958

#### **SECTION 3-2.**

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