

Senate Bill 57

By: Senators Hickman of the 4th, Dixon of the 45th, Harbison of the 15th, Beach of the 21st, Sims of the 12th and others

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 change
4 certain provisions relating to the shortfall reserves maintained within the Lottery for
5 Education Account; to provide for the Georgia Lottery Corporation to engage in certain
6 activities related to sports betting; to provide for a short title; to provide for legislative
7 findings; to provide for definitions; to create a public corporation to regulate sports betting;
8 to provide for such corporation to be governed by the Georgia Sports Betting Commission;
9 to provide for the qualifications, appointment, removal, and powers of the commission and
10 its members; to provide for the appointment of a chief executive officer; to provide for the
11 procedures, limitations, requirements, and qualifications of the licensing of any person
12 offering, operating, or managing sport betting in this state; to provide for criminal
13 background checks; to regulate wagers and provide requirements for bettors; to provide for
14 bettors to restrict themselves from placing certain wagers; to provide certain resources for
15 individuals with problem gambling or a betting or gambling disorder; to provide for the
16 collection and disposition of fees; to prohibit certain conduct by commissioners, employees
17 of the commission, licensees, and other persons; to provide for certain penalties; to provide
18 for construction; to amend Title 48 of the Official Code of Georgia Annotated, relating to
19 revenue and taxation, so as to exempt wagers placed as part of sports betting; to provide for

20 related matters; to provide for an effective date and applicability; to repeal conflicting laws;
21 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 50-27-9, relating to general powers of the Georgia Lottery Corporation, by
27 revising paragraphs (18) and (19) of subsection (a) and adding a new paragraph to read as
28 follows:

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

32 (19) To perform any actions and carry out any responsibilities provided for in Article 4
33 of this chapter and Chapter 28 of this title; and

34 ~~(19)~~(20) To adopt and amend such regulations, policies, and procedures as necessary to
35 carry out and implement its powers and duties, organize and operate the corporation,
36 regulate the conduct of lottery games in general, and any other matters necessary or
37 desirable for the efficient and effective operation of the lottery or the convenience of the
38 public. The promulgation of any such regulations, policies, and procedures shall be
39 exempt from the requirements of Chapter 13 of this title, the 'Georgia Administrative
40 Procedure Act.'"

41

SECTION 1-2.

42 Said title is further amended in Code Section 50-27-13, relating to disposition of lottery
 43 proceeds, budget report by Governor, appropriations by General Assembly, and shortfall
 44 reserve subaccount, by revising paragraph (3) of subsection (b) as follows:

45 "(3)(A) Beginning in state Fiscal Year 2025, a ~~A~~ shortfall reserve shall be maintained
 46 within the Lottery for Education Account in an amount equal to at least 50 percent of
 47 ~~net proceeds deposited into such account for the preceding fiscal year~~ of the average
 48 amount of net proceeds deposited into such account for the preceding three fiscal years,
 49 hereinafter referred to as the minimum reserve. Beginning in state Fiscal Year 2025
 50 and for each fiscal year thereafter, if on the last day of the preceding fiscal year the total
 51 reserve fund balance exceeds the minimum reserve, an amount equal to 10 percent of
 52 the excess reserve funds, meaning the amount that the total reserve fund balance
 53 exceeds the minimum reserve, shall be appropriated for educational purposes and
 54 programs.

55 (B) If the net proceeds paid into the Lottery for Education Account in any year are not
 56 sufficient to meet the amount appropriated for education purposes, the shortfall reserve
 57 may be drawn upon to meet the deficiency and any amount so drawn may count for
 58 purposes of appropriations in subparagraph (A) of this paragraph.

59 (C) If ~~In the event~~ the shortfall reserve is drawn upon and falls below 50 percent of the
 60 average amount of net proceeds deposited into such account for the three preceding
 61 fiscal year years, the shortfall reserve shall be replenished to the level required by
 62 subparagraph (A) of this paragraph in the next fiscal year and the lottery-funded lottery
 63 funded programs shall be reviewed and adjusted accordingly."

64

SECTION 1-3.

65 Said title is further amended by adding a new article to Chapter 27, relating to lottery for
 66 education, to read as follows:

67

"ARTICLE 468 50-27-120.69 As used in this article, the term:70 (1) 'Online sports betting' shall have the same meaning as provided in Code Section71 50-28-3.72 (2) 'Online sports betting services provider' shall have the same meaning as provided in73 Code Section 50-28-3.74 (3) 'Type 1 sports betting licensee' shall have the same meaning as provided in Code75 Section 50-28-3.76 50-27-121.77 The corporation as a Type 1 sports betting licensee as provided in Code Section 50-28-4378 may, through a public procurement process to be established by the corporation, select up79 to nine online sports betting services providers with which to enter into contracts to provide80 online sports betting in this state as governed under Chapter 28 of this title. The board81 shall develop and adopt procedures for such public procurement process. The corporation82 may administer such public procurement process in accordance with the board's procedures83 on its own or it may choose to utilize the services of the Department of Administrative84 Services or other state agency or subdivision thereof to administer such process."

85

PART II

86

SECTION 2-1.

87 Said title is further amended by revising Chapter 28, which was reserved, as follows:

88

"CHAPTER 28

89

ARTICLE 1

90

Part 191 50-28-1.92 This chapter shall be known and may be cited as the 'Georgia Sports Betting Integrity Act.'93 50-28-2.94 It is found and declared by the General Assembly that:

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

99 (2) The commission shall be accountable to the General Assembly and to the public for
100 the management and oversight of sports betting in this state through a system of audits
101 and reports;

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

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

106 (5) Sports betting shall be conducted in a manner so as to safeguard the fiscal soundness
107 of the state, enhance public welfare, and support the funding authorized by Article I,
108 Section II, Paragraph VIII of the Constitution.

109 50-28-3.110 As used in this chapter, the term:

- 111 (1) 'Adjusted gross income' means the total of all moneys paid to a licensee as bets minus
112 federal excise taxes and minus the total amount paid out to winning bettors over a
113 specified period of time.
- 114 (2) 'Applicant' means any person that applies for a license under this chapter.
- 115 (3) 'Bettor' means an individual who is:
- 116 (A) Physically present in this state when placing a wager with a licensee;
117 (B) Twenty-one years of age or older; and
118 (C) Not prohibited from placing a wager or bet under Code Section 50-28-82.
- 119 (4) 'Bond' means a bond held in escrow for the purpose of maintaining adequate reserves
120 to account for losses suffered by a licensee and owed to bettors.
- 121 (5) 'Cheating' means improving the chances of winning or altering the outcome through
122 deception, interference, or manipulation of a sporting event or of any equipment,
123 including software, pertaining to or used in relation to the equipment used for or in
124 connection with the sporting event on which wagers are placed or invited. Such term
125 shall include attempts and conspiracy to cheat.
- 126 (6) 'Collegiate sporting event' means a sporting or athletic event involving a sports or
127 athletic team of a public or private institution of higher education.
- 128 (6.1) 'Commission' means the board of directors of the Georgia Gaming Corporation.
- 129 (7) 'Commission vendor' means a contractor, subcontractor, or independent contractor
130 hired by or contracted with the commission or a licensee for the purpose of facilitating
131 the business of the commission or licensee under this chapter.
- 132 (8) 'Department' means the Department of Revenue.
- 133 (9) 'Esports event' means an organized video game competition between players who
134 play individually or as teams that is regulated by a sports governing body.
- 135 (10) 'Executive director' means the chief executive officer of the commission.

136 (10.1) 'Fantasy or simulated contest' means a game or event in which one or more players
137 compete and wager based on winning outcomes based on choices including, but not
138 limited to, athletes in sporting events.

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

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

143 (12.1) 'Institutional investor' means:

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

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

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

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

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

151 (F) A pension investment board.

152 (13) 'License' means a license issued by the commission under this chapter.

153 (14) 'Licensee' means a person that holds a license issued by the commission under this
154 chapter.

155 (15) 'Live betting' means a type of wager that is placed while the sporting event is in
156 progress and for which the odds on sporting events occurring are adjusted in real time.

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

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

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

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

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

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

177 (21) 'Online sports betting' means a wager on a sporting event is placed via the internet
178 through any electronic device other than a Type 2 sports betting machine and accepted
179 through an online sports betting platform that is operated by a Type 1 sports betting
180 licensee or such licensee's online sports betting provider.

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

184 (23) 'Online sports betting services provider' means a person that contracts with a Type 1
185 sports betting licensee under Code Section 50-28-43 to operate online sports betting on
186 behalf of the Type 1 sports betting licensee and that is licensed by the commission as an
187 online sports betting services provider under that Code section.

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

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

193 (26) 'Person' means an individual or entity.

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

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

197 (A) Based in this state;

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

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

201 (29) 'Proposition bet' means a wager that does not depend on the final result of a sporting
202 event but on some occurrence within it.

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

207 (31) 'Retail sports betting' means sports betting that is operated by a Type 2 sports
208 betting licensee in which a wager on a sporting event is placed by the bettor, either in
209 person or using self-service or clerk operated terminals, while on the premises of a
210 Type 2 sports betting retail licensee.

211 (32) 'Sporting event' means any:

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

214 (B) Collegiate sporting event;

- 215 (C) Olympic sporting or athletic event;
216 (D) Sporting or athletic event sanctioned by a national or international organization or
217 association;
218 (E) Sporting or athletic event conducted or organized by a sporting events operator;
219 (F) Esports event;
220 (G) Live, in-person equestrian track racing events when conducted by a Type 2 eligible
221 retail entity that meets the qualifications of subparagraph (f)(3)(A) of Code Section
222 50-28-44;
223 (H) Other event authorized by the commission.
- 224 Such term shall not include a nonprofessional or non-Olympic sporting or athletic event
225 if the majority of the participants are under the age of 18.
- 226 (33) 'Sporting events operator' means a person that conducts or organizes a sporting
227 event for athletes or other participants that is not held or sanctioned as an official sporting
228 event of a sports governing body.
- 229 (34) 'Sports betting' means placing one or more wagers for a sporting event.
- 230 (35) 'Sports betting equipment' means any of the following that directly relate to or
231 affect, or are used in, the operation of sports betting:
- 232 (A) Any mechanical, electronic, or other device, mechanism, or equipment, including
233 a self-service or clerk operated sports betting terminal;
234 (B) Any software, application, components, or other goods; or
235 (C) Anything to be installed or used on a patron's personal electronic device.
- 236 (36) 'Sports betting license' means any of the licenses issued under this chapter.
- 237 (37) 'Sports betting licensee' means a person who holds a valid sports betting license
238 issued by the commission.
- 239 (38)(A) 'Sports betting supplier' means a person that provides sports betting equipment
240 necessary for the creation of sports betting markets and the determination of bet

241 outcomes, directly or indirectly, to any sports events operator or applicant involved in
242 the acceptance of bets, including any of the following:

243 (i) Providers of data feeds and odds services;

244 (ii) Providers of Type 2 sports betting machines;

245 (iii) Internet platform providers;

246 (iv) Risk management providers;

247 (v) Integrity monitoring providers; and

248 (vi) Other providers of sports betting supplier services as determined by the
249 commission.

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

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

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

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

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

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

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

264 (43) 'Tier 2 sports wager' means a wager that is placed on a sporting event while the
265 sporting event is in progress that does not depend on the final result of the sporting event
266 but on some occurrence within it.

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

- 268 (A) Any professional sports team, or its designee;
269 (B) A sports governing body that holds one or more sanctioned annual golf
270 tournaments at the highest level of professional golf in this state as determined by the
271 commission and one or more other sanctioned annual golf tournaments in the state;
272 (C) The owner of a facility in this state that has held an annual invitational golf
273 tournament for professional and amateur golfers for at least 30 years;
274 (D) The owner of a facility located in this state that hosts auto races on a national
275 association for stock car auto racing national tour or a wholly owned for-profit
276 subsidiary of the owner of such a facility, if the owner is a nonprofit corporation or
277 nonprofit organization;
278 (E) The owner of a facility located in this state that has hosted races on an international
279 motor sports car tour in addition to other motor sports events for at least 30 years, or its
280 designee; and
281 (F) The Georgia Lottery Corporation.
- 282 (45) 'Type 1 sports betting licensee' means a Type 1 eligible entity licensed or authorized
283 by the commission to directly or indirectly offer online sports betting.
- 284 (46) 'Type 2 eligible retail entity' means:
285 (A) The holder of a retail consumption dealer license or a retail dealer license issued
286 under Title 3 and who actively operates a type and place of business located in this state
287 that requires such retail consumption dealer license or retail dealer license; or
288 (B) The holder of a Class B machine location license issued by the Georgia Lottery
289 Corporation under Chapter 27 of this title and who actively operates a type and place
290 of business located in this state that requires such Class B machine location license.
- 291 (47) 'Type 2 sports betting distributor licensee' means a person licensed or authorized by
292 the commission to offer retail sports betting on behalf of the commission.
- 293 (48) 'Type 2 sports betting machine' means a self-service or clerk operated electronic
294 machine approved by the commission that permits eligible persons to engage in sports

295 betting, including, but not limited to, Class B machines licensed by the Georgia Lottery
296 Corporation under Chapter 27 of this title adapted to also function as a self-service
297 terminal; provided, however, that hardware or software installed or used on a person's
298 personal electronic device shall not be considered a Type 2 sports betting machine.

299 (49) 'Type 2 sports betting platform licensee' means a sports betting platform operator
300 licensed or authorized by the commission to offer retail sports betting on behalf of the
301 commission at a Type 2 sports betting retail licensee's place of business through Type 2
302 sports betting machines owned by a Type 2 sports betting distributor licensee.

303 (50) 'Type 2 sports betting retail licensee' means a Type 2 eligible retail entity licensed
304 or authorized by the commission to offer retail sports betting on behalf of the
305 commission.

306 (51) 'Wager' or 'bet' means a sum of money that is risked by a bettor on the unknown
307 outcome of one or more sporting events. Such term shall be limited to fixed-odds betting,
308 futures bets, live betting, a money line bet, an over/under bet, a parlay bet, a proposition
309 bet, or a bet on the spread. Such term shall not include a pari-mutuel bet or wager or a
310 bet on a fantasy or simulated contest.

311 50-28-4.

312 (a) There is created a body corporate and politic to be known as the Georgia Gaming
313 Corporation which shall be deemed to be an instrumentality of the state, and not a state
314 agency, and a public corporation. Venue for the corporation shall be in Fulton County.

315 (b) The Georgia Gaming Corporation shall be governed by a commission to be known as
316 the Georgia Sports Betting Commission appointed as provided in Code Section 50-28-5.

317 (c) The commission shall appoint a chief executive officer of the Georgia Gaming
318 Corporation. The chief executive officer shall serve as the executive director of the
319 commission pursuant to Code Section 50-28-8 and shall direct the day-to-day operations
320 and management of the commission.

321 50-28-5.

322 (a) The commission shall comprise seven members as follows:

323 (1) Three members appointed by the Governor;

324 (2) Two members appointed by the Lieutenant Governor; and

325 (3) Two members appointed by the Speaker of the House of Representatives.

326 (b) The terms of office of the members of the commission shall be four years, except that:

327 (1)(A) The initial term of office of the three gubernatorial appointees shall be one, two
328 and three years, respectively, and when making such appointments, the Governor shall
329 make such appointments on or before January 3, 2025, and shall specify the length of
330 such initial term for each of the three appointments;

331 (B) The initial term of office of the two members appointed by the Lieutenant
332 Governor shall be two and four years, respectively, and when making such
333 appointments the Lieutenant Governor shall make such appointments on or before
334 January 3, 2025, and shall specify the length of such initial term for each of the two
335 appointments; and

336 (C) The initial term of office of the two members appointed by the Speaker of the
337 House of Representatives shall be one and three years, respectively, and when making
338 such appointments the Speaker of the House of Representatives shall make such
339 appointments on or before January 3, 2025, and shall specify the length of such initial
340 term for each of the two appointments;

341 (2) All successors shall be appointed in the same manner as the original appointments;

342 (3) Vacancies in office shall be filled in the same manner as the original appointments.

343 An appointment to fill a vacancy shall be for the remainder of the unexpired term; and

344 (4) No member may serve more than two full consecutive terms; provided, however, that
345 an initial term of office provided for under paragraph (1) of this subsection that is less
346 than three years shall not constitute a full term for purposes of this paragraph; and
347 provided, further, that a member appointed to fill a vacancy as provided for under

348 paragraph (3) of this subsection may serve two full terms following the expiration of the
349 term related to the vacancy.

350 (b) The appointing authorities should consider the following criteria when making
351 appointments to the commission:

352 (1) At least one member that has at least ten years of experience in law enforcement and
353 criminal investigations;

354 (2) At least one member that is a certified public accountant licensed in this state with
355 at least ten years of experience in accounting and auditing; and

356 (3) At least one member shall be an attorney admitted and authorized to practice law in
357 this state for at least ten years preceding such appointment.

358 (c) To be considered for appointment to the commission, the person shall have obtained
359 a certificate of fitness for sports betting affiliation pursuant to Code Section 50-28-30.

360 (d) A person shall be ineligible for appointment to the commission, if he or she:

361 (1) For a period of one year immediately preceding the date of appointment:

362 (A) Held a license issued under this chapter, Chapter 27 of this title, or a gaming
363 license issued by any other jurisdiction;

364 (B) Was an officer, official, or employee of a licensee;

365 (C) Held 5 percent or more, whether directly or indirectly, of a beneficial ownership
366 of a licensee;

367 (D) Was a registered lobbyist for the executive or legislative branch, except while a
368 commissioner or employee of the commission when officially representing the
369 commission; or

370 (E) Was an employee or member of the Georgia Lottery Corporation;

371 (2) Has had a license issued under this chapter, Chapter 27 of this title, or a gaming
372 license issued by any other jurisdiction denied, suspended, or revoked;

373 (3) Acquired any direct or indirect interest in an applicant or a licensee;

- 374 (4) Had any direct or indirect business association, partnership, or financial relationship
375 with an applicant or licensee; or
376 (5) Is a relative of any person who is an applicant or licensee.

377 50-28-6.

378 A member of the commission shall be removed from office by the appointing authority:

- 379 (1) For misconduct in office, willful neglect of duty, conduct evidencing unfitness for
380 office, or incompetence; or
381 (2) Upon conviction of a felony offense, an offense under this chapter, Chapter 27 of this
382 title, or an equivalent offense under federal law or the law of another jurisdiction.

383 50-28-7.

384 (a) The commission shall convene at the call of its chairperson, as selected by and from
385 the members of the commission, or at the request of a majority of the members of the
386 commission.

387 (b) Meetings of the commission may be held via teleconference or other electronic means
388 or in any city or county of the state.

389 (c) Four members of the commission shall constitute a quorum, and the affirmative vote
390 of the majority of a quorum shall be required for any action or recommendation by the
391 commission. The affirmative vote of at least three members is required to adopt a proposed
392 rule or regulation, including an amendment to or repeal of an existing rule or regulation.

393 50-28-8.

394 (a) The commission shall appoint a person who is not a member of the commission to
395 serve as the executive director of the commission. Such person shall also serve as the chief
396 executive officer. No person shall be appointed as executive director unless he or she has

397 been issued a certificate of fitness for sport betting affiliation pursuant to Code Section
398 50-28-30.

399 (b) The executive director shall supervise, direct, coordinate, and administer all activities
400 necessary to fulfill the commission's responsibilities. The commission shall appoint the
401 executive director by April 1, 2025.

402 (c) The executive director shall serve at the pleasure of the commission.

403 50-28-9.

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

407 (1) To have jurisdiction, supervision, and regulatory authority over sports betting,
408 including, but not limited to:

409 (A) The regulation, licensure, and offering of sports betting on mobile applications
410 available state wide via the internet and through a limited number of licenses to
411 awarded to Type 1 sports betting licensees; and

412 (B) The regulation, licensure, and offering of sports betting on machines installed in
413 specified eligible locations open to the public, placed in such locations through a
414 limited number of distribution licenses awarded to Type 2 sports betting distributor
415 licensees, Type 2 sports betting platform licensees, and Type 2 sports betting retail
416 licensees.

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

419 (3) To appoint and employ such persons as the commission deems essential to perform
420 its duties under this chapter and to ensure that such sports betting is conducted with order
421 and the highest integrity. Such employees shall possess such authority and perform such
422 duties as the commission shall prescribe or delegate to them. Such employees may

423 include stewards, chemists, physicians, inspectors, accountants, attorneys, security
424 officers, and such other employees deemed by the commission to be necessary for the
425 supervision and proper conduct of the highest standard of sports betting. Such employees
426 shall be compensated as provided by the commission;

427 (4) To enter upon, investigate, and have free access to all places of business of any
428 licensee under this chapter and to compel the production of any books, ledgers,
429 documents, records, memoranda, or other information of any licensee to ensure such
430 licensee's compliance with the rules and regulations promulgated by the commission
431 pursuant to this chapter;

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

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

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

448 (8) To prescribe the manner in which books and records of persons licensed or permitted
449 by the commission shall be kept;

- 450 (9) To enter into arrangements with any foreign or domestic government or
451 governmental agency for the purposes of exchanging information or performing any other
452 act to better ensure the proper conduct of betting under this chapter;
- 453 (10) To order such audits, in addition to those otherwise required by this chapter, as the
454 commission deems necessary and desirable;
- 455 (11) Upon the receipt of a complaint of an alleged criminal violation of this chapter, to
456 immediately report such complaint to the appropriate law enforcement agency with
457 jurisdiction to investigate criminal activity;
- 458 (12) To provide for the reporting of the applicable amount of state and federal income
459 tax of persons claiming a prize or payoff for a winning wager;
- 460 (13) To establish and administer a program for providing assistance to compulsive
461 gamblers, including, but not limited to, requiring the posting of signs or notifications on
462 the online sports betting platform that bear a toll-free number for an organization that
463 provides assistance to compulsive gamblers be posted on online sports betting platforms;
- 464 (14) To eject or exclude from the sports betting facility or any part thereof any
465 individual, whether licensed or not, whose conduct or reputation is such that his or her
466 presence may, in the opinion of the commission or the designated employees of the
467 commission, reflect adversely on the honesty and integrity of the sports betting or
468 interfere with the orderly conduct of the sports betting;
- 469 (15) To keep a true and full record of all proceedings of the commission under this
470 chapter and preserve at the commission's general office all books, documents, and papers
471 of the commission; and
- 472 (16) To adopt rules and regulations specific to the manner in which a licensee may
473 advertise its business operations as authorized by this chapter.
- 474 (b) The commission shall not have the power to prescribe a licensee's maximum or
475 minimum payout or hold percentage.

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

478 50-28-10.

479 (a) A person shall be ineligible for employment with the commission, if he or she:

480 (1) For a period of one year immediately preceding the date of appointment:

481 (A) Held a license issued under this chapter, Chapter 27 of this title, or a gaming
482 license issued by any other jurisdiction;

483 (B) Was an officer, official, or employee of a licensee;

484 (C) Held 5 percent or more, whether directly or indirectly, of a beneficial ownership
485 of a licensee;

486 (D) Was a registered lobbyist for the executive or legislative branch, except while a
487 commissioner or employee of the commission when officially representing the
488 commission; or

489 (E) Was an employee or member of the Georgia Lottery Corporation;

490 (2) Has had a license issued under this chapter, Chapter 27 of this title, or a gaming
491 license issued by any other jurisdiction denied, suspended, or revoked;

492 (3) Acquired any direct or indirect interest in an applicant or a licensee;

493 (4) Had any direct or indirect business association, partnership, or financial relationship
494 with an applicant or licensee;

495 (5) Is a relative of any person who is an applicant or licensee; or

496 (6) Was dismissed from prior employment for gross misconduct or incompetence.

497 (b) A person who is ineligible for employment with the commission under paragraph (5)
498 of subsection (a) of this Code section may submit a waiver request to the commission for
499 consideration of employment eligibility. The commission shall consider waiver requests
500 on a case-by-case basis and shall issue the final approval or denial of each request. If the

501 commission approves the request, the person shall not be ineligible for employment with
502 the commission based upon paragraph (5) of subsection (a) of this Code section.

503 50-28-11.

504 (a) If an employee of the commission is charged with a felony while employed by the
505 commission, the commission shall suspend the employee, with or without pay, and
506 terminate such individual's employment with the commission upon conviction.

507 (b) If an employee of the commission is charged with a misdemeanor while employed by
508 the commission, the commission shall suspend the employee, with or without pay, and may
509 terminate such individual's employment with the commission upon conviction if the
510 commission determines that the offense bears a close relationship to the employment duties
511 and responsibilities of the position held with the commission by such individual.

512 Part 2

513 50-28-20.

514 (a) A commissioner or an employee of the commission shall notify the commission within
515 three calendar days after arrest for any offense.

516 (b) A commissioner or an employee of the commission shall immediately provide to the
517 commission detailed written notice of the circumstances if the member or employee is
518 indicted, charged with, convicted of, pleads guilty or nolo contendere to, or forfeits bail for:

519 (1) A misdemeanor involving gambling, dishonesty, theft, or fraud;

520 (2) A violation of any law in any state or a federal law or a law of any other jurisdiction,
521 involving gambling, dishonesty, theft, or fraud which would constitute a misdemeanor
522 under the laws of this state; or

523 (3) A felony under the laws of this or any other state, the United States, or any other
524 jurisdiction.

525 50-28-21.

526 (a) A commissioner or employee of the commission shall not accept gifts or similar items
527 from any business entity that, directly or indirectly, owns or controls any person regulated
528 by the commission or from any business entity that, directly or indirectly, is an affiliate or
529 subsidiary of any person regulated by the commission.

530 (b) A commissioner or an employee of the commission may attend conferences, including
531 partaking of associated meals and events that are generally available to all conference
532 participants, without payment of any fees in addition to the conference fee. While
533 attending a conference, a commissioner or an employee may attend meetings, meals, or
534 events that are not sponsored, in whole or in part, by any representative of any person
535 regulated by the commission and that are limited to commissioners or employees only,
536 committee members, or speakers, if the commissioner or employee is a member of a
537 committee of the association of regulatory agencies which organized the conference or is
538 a speaker at the conference. It is not a violation of this subsection for a commissioner or
539 an employee to attend a conference for which conference participants who are employed
540 by a person regulated by the commission have paid a higher conference registration fee
541 than the commissioner or employee, or to attend a meal or event that is generally available
542 to all conference participants without payment of any fees in addition to the conference fee
543 and that is sponsored, in whole or in part, by a person regulated by the commission.

544 (c) A commissioner or an employee of the commission shall not accept anything from a
545 party in a proceeding currently pending before the commission.

546 (d) A commissioner shall not:

547 (1) Serve as the representative of any political party or on any executive committee or
548 other governing body of a political party;

549 (2) Serve as an executive officer or employee of any political party, committee,
550 organization, or association;

551 (3) Receive remuneration for activities on behalf of any candidate for public office;

- 552 (4) Engage on behalf of any candidate for public office in the solicitation of votes or
553 other activities on behalf of such candidacy; or
- 554 (5) Become a candidate for election to any public office without first resigning from
555 office.
- 556 (e) A commissioner, during his or her term of office, may not make any public comment
557 regarding the merits of any proceeding currently pending before the commission.
- 558 (f) A commissioner or an employee of the commission shall not act in an unprofessional
559 manner at any time during the performance of his or her official duties.
- 560 (g) A commissioner or an employee of the commission shall avoid impropriety in all
561 activities and must act at all times in a manner that promotes public confidence in the
562 integrity and impartiality of the commission.
- 563 (h) A commissioner or an employee of the commission shall not, directly or indirectly,
564 through staff or other means, solicit anything of value from any person regulated by the
565 commission, or from any business entity that, whether directly or indirectly, is an affiliate
566 or a subsidiary of any person regulated by the commission, or from any party appearing in
567 a proceeding considered by the commission in the preceding one year.
- 568 (i) A commissioner shall not personally represent another person or entity for
569 compensation before the executive or legislative branch or any county or municipal
570 government or governmental agency except to represent the commission in an official
571 capacity.
- 572 (j) The Georgia Government Transparency and Campaign Finance Commission shall
573 accept and investigate any alleged violations of this Code section. For any investigation
574 of alleged violations the Georgia Government Transparency and Campaign Finance
575 Commission shall provide the Governor, the Lieutenant Governor, and the Speaker of the
576 House of Representatives with a report of its findings and recommendations. The
577 Governor is authorized to enforce recommendations of the Georgia Government
578 Transparency and Campaign Finance Commission. A commissioner or an employee of the

579 commission may request an advisory opinion from the Georgia Government Transparency
580 and Campaign Finance Commission regarding the standards of conduct or prohibitions set
581 forth in this Code section.

582 (k) If, during the course of an investigation by the Georgia Government Transparency and
583 Campaign Finance Commission into an alleged violation of this subsection, allegations are
584 made as to the identity of the person giving or providing the prohibited thing, such
585 identified person shall be given notice and an opportunity to participate in the investigation
586 and relevant proceedings to present a defense. If the Georgia Government Transparency
587 and Campaign Finance Commission determines such identified person gave or provided
588 a prohibited thing, such identified person shall not appear before the commission or
589 otherwise represent anyone before the commission for a period of two years.

590 (l) A commissioner, an employee of the commission, or a relative living in the same
591 household as a commissioner or an employee may not place a wager in any facility licensed
592 by the commission.

593 50-28-22.

594 (a) A commissioner, the executive director, and an employee of the commission shall not
595 personally represent another person or entity for compensation before the executive or
596 legislative branch for a period of one year following the commissioner's or executive
597 director's end of service or a period of one year following employment unless employed
598 by another agency of state government.

599 (b) A commissioner shall not, for the one year immediately following the date of
600 resignation or termination from the commission:

601 (1) Hold a license issued under this chapter; be an officer, official, or employee of such
602 licensee; or hold 5 percent of more, whether directly or indirectly, of the beneficial
603 ownership, of such licensee; or

- 604 (2) Accept employment by, or compensation from, a business entity that, directly or
605 indirectly, owns or hold a license issued under this chapter;
606 (3) Be an officer, official, or employee of such licensee; or
607 (4) Hold 5 percent or more, whether directly or indirectly, of the beneficial ownership
608 interests of:
- 609 (A) Any person regulated by the commission;
610 (B) A business entity which, directly or indirectly, is an affiliate or subsidiary of a
611 person regulated by the commission; or
612 (C) A business entity or trade association that has appeared before the commission
613 within the one year preceding the commissioner's resignation or termination of service
614 on the commission.
- 615 (c) A person employed by the commission may not, for the one year immediately
616 following the date of termination or resignation from employment with the commission,
617 hold a license issued under this chapter, be an officer, official or employee of a licensee,
618 or hold 5 percent or more, whether directly or indirectly, of the beneficial ownership
619 interest in any person regulated by the commission.
- 620 (d) Any person violating subsection (b) or (c) of this Code section shall be subject to the
621 penalties for violations of standards of conduct for public officers, employees of agencies,
622 and local government attorneys and a civil penalty of an amount equal to the compensation
623 that such person receives for the prohibited conduct.

624

ARTICLE 2

625

Part 1626 50-28-30.

- 627 (a) Each person required under this chapter to have a certificate of fitness for sports betting
628 affiliation shall submit to the Department of Revenue an application for such certification.

629 Prior to issuing a certificate of fitness for sports betting affiliation, the department shall be
630 furnished with satisfactory evidence that the applicant has satisfactory results from a
631 fingerprint record check report conducted by the Georgia Crime Information Center and
632 the Federal Bureau of Investigation, as determined by the department. Application for a
633 such certification under this Code section shall constitute express consent and authorization
634 for the department or its representative to perform a criminal background check. Each
635 applicant who submits an application to the department for licensure agrees to provide the
636 department with any and all information necessary to run a criminal background check,
637 including, but not limited to, classifiable sets of fingerprints. The applicant shall be
638 responsible for all fees associated with the performance of such background check.
639 (b) The department shall not issue a certificate of fitness for sports betting affiliation to
640 any person who has been convicted of, found guilty of, or has pled nolo contendere to,
641 regardless of adjudication and in any jurisdiction, any misdemeanor that is directly related
642 to gambling, dishonesty, theft, or fraud or any felony.

643 50-28-31.

644 Any person who knowingly provides false information in submitting any application for
645 licensure or employment under this chapter commits the offense of false swearing within
646 the meaning of Code Section 16-10-71.

647 50-28-32.

648 (a) A commissioner shall not initiate or consider ex parte communication concerning the
649 merits, threat, or offer of reward in any proceeding that is pending before the commission.
650 No individual shall discuss ex parte with a commissioner the merits, threat, or offer of
651 reward regarding any issue in a proceeding that is pending before the commission. This
652 subsection shall not apply to employees of the commission.

653 (c) If a commissioner knowingly receives an ex parte communication relative to a
654 proceeding to which the commissioner is assigned, the commissioner shall place on the
655 record of the proceeding copies of all written communications received, all written
656 responses to the communications, and a memorandum stating the substance of all oral
657 communications received and all oral responses made, and shall give written notice to all
658 parties to the communication that such matters have been placed on the record. Any party
659 that desires to respond to an ex parte communication may do so and the response shall be
660 received by the commission within ten days after receiving notice that the ex parte
661 communication has been placed on the record. The commissioner may, if deemed by such
662 commissioner to be necessary to eliminate the effect of an ex parte communication,
663 withdraw from the proceeding, in which case the chairperson shall substitute another
664 commissioner for the proceeding.

665 (d) Any individual who makes an ex parte communication shall submit to the commission
666 a written statement describing the nature of such communication, to include the name of
667 the person making the communication, the name of the commissioner or commissioners
668 receiving the communication, copies of all written communications made, all written
669 responses to such communications, and a memorandum stating the substance of all oral
670 communications received and all oral responses made. The commission shall place on the
671 record of a proceeding all such communications.

672 (e) Any commissioner who knowingly fails to place on the record any such
673 communications in violation of this Code section within 15 days after the date of such
674 communication is subject to removal and may be assessed a civil penalty not to exceed
675 \$5,000.00.

676 (f)(1) It shall be the duty of the Georgia Government Transparency and Campaign
677 Finance Commission to receive and investigate sworn complaints of violations of this
678 Code section.

679 (2) The Georgia Government Transparency and Campaign Finance Commission shall
680 accept and investigate any alleged violations of this Code section. For any investigation
681 of alleged violations, the Georgia Government Transparency and Campaign Finance
682 Commission shall provide the Governor, the Lieutenant Governor, and the Speaker of the
683 House of Representatives with a report of its findings and recommendations. The
684 Governor is authorized to enforce recommendations of the Georgia Government
685 Transparency and Campaign Finance Commission, and to remove from office any
686 commissioner who is found by the Georgia Government Transparency and Campaign
687 Finance Commission to have willfully and knowingly violated this Code section. The
688 Governor shall remove from office any commissioner who is found by the Georgia
689 Government Transparency and Campaign Finance Commission to have willfully and
690 knowingly violated this Code section after a previous finding by the Georgia Government
691 Transparency and Campaign Finance Commission that the commissioner willfully and
692 knowingly violated this Code section in a separate matter.

693 (3) If a commissioner fails or refuses to pay to the Georgia Government Transparency
694 and Campaign Finance Commission any civil penalty assessed pursuant to this
695 subsection, the Georgia Government Transparency and Campaign Finance Commission
696 may bring an action in any state court to enforce such penalty.

697 (4) If, during the course of an investigation by the Georgia Government Transparency
698 and Campaign Finance Commission into an alleged violation of this Code section,
699 allegations are made as to the identity of the person who participated in the ex parte
700 communication, such identified person shall be given notice and an opportunity to
701 participate in the investigation and relevant proceedings to present a defense. If the
702 Georgia Government Transparency and Campaign Finance Commission determines that
703 such identified person participated in the ex parte communication, the person shall not
704 appear before the commission or otherwise represent anyone before the commission for
705 a period of two years.

706

Part 2707 50-28-40.

708 (a) Any person offering, operating, or managing sports betting, including retail sports
709 betting, in this state shall be licensed by the commission.

710 (b) The commission shall issue licenses to qualified applicants able to meet the duties of
711 a license holder under this chapter and that the commission determines will be best able to
712 maximize revenues for the state.

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

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

719 (2) Evidence of the applicant's certificate of fitness for sports betting affiliation. If the
720 applicant is an entity, such evidence shall be provided for every individual who is a
721 principal owner;

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

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

731 (5) To the extent available, letters of reference or the equivalent from law enforcement
732 agencies having jurisdiction of the applicant's place of residence and principal place of
733 business. Each such letter of reference shall indicate that the law enforcement agency
734 does not have any pertinent information concerning the applicant or, if such law
735 enforcement agency does have information pertaining to the applicant, shall provide such
736 information;

737 (6) If the applicant has conducted sports betting operations in another jurisdiction, a
738 letter of reference from the regulatory body that governs sports betting that specifies the
739 standing of the applicant with such regulatory body; provided, however, that, if no such
740 letter is received within 60 days of the request therefor, the applicant may submit a
741 statement under oath that the applicant is or was, during the period such activities were
742 conducted, in good standing with the regulatory body;

743 (7) Information, documentation, and assurances concerning financial background and
744 resources as may be required to establish by clear and convincing evidence the financial
745 stability, integrity, and responsibility of the applicant, including, but not limited to, bank
746 references, business and personal income and disbursement schedules, tax returns and
747 other reports filed with governmental agencies, and business and personal accounting and
748 check records and ledgers. Each applicant shall, in writing, authorize the examination of
749 all bank accounts and records as may be deemed necessary by the commission. The
750 commission may consider any relevant evidence of financial stability. The applicant
751 shall be presumed to be financially stable if the applicant establishes by clear and
752 convincing evidence the ability to:

753 (A) Assure the financial integrity of sports betting operations by the maintenance of
754 a reserve of not less than \$500,000.00 or the amount required to be able to cover the
755 outstanding liabilities for wagers accepted by the licensee, whichever is greater. Such
756 reserve may take the form of a bond, an irrevocable letter of credit, payment processor
757 reserves and receivables, cash or cash equivalents segregated from operational funds,

758 or a combination thereof. Such reserve shall be adequate to pay winning wagers to
759 bettors when due. An applicant is presumed to have met this standard if the applicant
760 maintains, on a daily basis, a minimum reserve in an amount which is at least equal to
761 the average daily minimum reserve, calculated on a monthly basis, for the
762 corresponding month in the previous year;

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

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

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

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

773 (10) A nonrefundable application fee and licensing fee as follows:

774 (A) Applicants for a Type 1 sports betting license shall pay a nonrefundable
775 application fee in the amount of \$100,000.00 and an annual licensing fee in the amount
776 of \$1 million, provided, however, that for those licenses referred to in paragraph (3) of
777 subsection (b) of Code Section 50-27-43 this fee shall be paid by the online sports
778 betting services provider and not by the Georgia Lottery Corporation;

779 (B) Applicants for a Type 2 sports betting distributor license shall pay a nonrefundable
780 application fee in the amount of \$10,000.00 and an annual licensing fee of \$100,000.00;

781 (C) Applicants for a Type 2 sports betting platform license shall pay a nonrefundable
782 application fee in the amount of \$10,000.00 and an annual licensing fee of \$100,000.00;

783 (D) Applicants for a Type 2 sports betting retail license shall pay a nonrefundable
784 application fee in the amount of \$500.00 and an annual licensing fee of \$500.00;

785 provided, however, that applicants for a Type 2 eligible retail entity license as described
786 in subparagraph (f)(3)(A) of Code Section 50-28-44 shall pay a nonrefundable
787 application fee of \$100,000.00 and an annual licensing fee of \$1 million;

788 (E) Applicants for an online sports betting services provider license and applicants for
789 a sports betting supplier license shall pay a nonrefundable application fee in the amount
790 of \$10,000.00 and an annual licensing fee of \$100,000.00; and

791 (11) Any additional information, documents, or assurances required by rules and
792 regulations of the commission.

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

795 50-28-41.

796 (a) A licensee may renew its license by submitting an application on a form in such
797 manner and in accordance with such requirements as may be prescribed by rules and
798 regulations of the commission. A licensee shall submit the nonrefundable annual licensing
799 and application fees prescribed under subsection (c) of Code Section 50-28-40 with its
800 application for license renewal.

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

805 (c) Each licensee shall have a continuing duty to promptly inform the commission of any
806 change in status relating to any information that may disqualify the licensee from holding
807 a license.

808 (d) A Type 1 sports betting licensee may enter into commercial agreements with licensees
809 or other entities that provide for such Type 1 sports betting licensee to share in the amount
810 bet from sports betting. A Type 1 sports betting licensee shall not be required to obtain any

811 approval or other form of authorization from the commission to enter into such commercial
812 agreements. The commission shall not prescribe any terms or conditions that are required
813 to be included into such commercial agreements.

814 (e) All licenses issued under this chapter shall be valid for a term of 20 years, unless
815 suspended or revoked as provided under this chapter. Licenses may be renewed for
816 additional terms of 20 years, and a license undergoing the renewal process shall not be
817 deemed surrendered unless the commission denies the renewal and all appeals of the
818 commission's decision have been exhausted.

819 (f) The commission may adopt rules and regulations prescribing the manner in which a
820 license may be transferred and a fee for a license transfer.

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

824 50-28-42.

825 (a) For purposes of this Code section, the term 'corporation vendor' shall have the same
826 meaning as provided for the term 'vendor' in Code Section 50-27-3.

827 (b) The following persons shall not be eligible to apply for or obtain any license under this
828 chapter:

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

832 (2) A member or employee of the commission or an employee of a commission vendor;
833 provided, however, that a commission vendor as an entity may be eligible to apply for or
834 obtain a license;

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

- 837 (4) A coach of or player for a collegiate, professional, or Olympic sports team or sport
838 or an entity that has an affiliation or interest in such a sports team or sport;
- 839 (5) An individual who is a member or employee of any sports governing body or
840 sporting events operator;
- 841 (6) An individual or entity with an owner, officer, or director who has been convicted of
842 a crime of moral turpitude or similar degree as specified in rules and regulations
843 promulgated by the commission;
- 844 (7) A person having the ability to directly affect the outcome of a sporting event upon
845 which the applicant offers sports betting;
- 846 (8) A trustee or regent of a governing board of a public or private institution of higher
847 education;
- 848 (9) An individual prohibited by the rules or regulations of a sports governing body or
849 sporting events operator of a collegiate sports, team, league, or association from
850 participating in sports betting;
- 851 (10) A student or an employee of a public or private institution of higher education who
852 has access to material nonpublic information concerning a student athlete or a sports
853 team; and
- 854 (11) Any other category of persons, established by rules and regulations of the
855 commission, that, if licensed, would negatively affect the integrity of sports betting in this
856 state.
- 857 (c) An individual listed in paragraphs (2) through (11) of subsection (b) of this Code
858 section may hold an ownership interest in an applicant or licensee without disqualifying
859 the applicant or licensee from obtaining or holding a license; provided, however, that such
860 an ownership interest of 25 percent or more shall require approval from the commission.
861 In determining whether such an ownership interest shall be the basis of disqualification, the
862 commission shall consider whether such interest would negatively affect the integrity of
863 sports betting in this state and any other factors the commission shall deem relevant.

864 50-28-43.

865 (a) A Type 1 sports betting license authorizes a Type 1 eligible entity, or its designated
866 online sports betting services provider, to offer online sports betting.

867 (b) The commission shall issue a minimum of nine and not more than 18 Type 1 sports
868 betting licenses to Type 1 eligible entities in accordance with the following:

869 (1) Five Type 1 sports betting licenses shall be reserved for the Type 1 eligible entities
870 defined in subparagraph (A) of paragraph (44) of Code Section 50-28-3; provided,
871 however, that more than one license may be issued to an owner of multiple professional
872 sports teams;

873 (2) One Type 1 sports betting license shall be reserved for each of the Type 1 eligible
874 entities defined in subparagraphs (B) through (E) of paragraph (44) of Code Section
875 50-28-3; and

876 (3) The Georgia Lottery Corporation shall award contracts to manage the remaining nine
877 Type 1 sports betting licenses to separate online sports betting services providers via a
878 public procurement process.

879 (c) A Type 1 sports betting licensee may contract with no more than one online sports
880 betting management services provider to operate online sports betting on behalf of the
881 Type 1 sports betting licensee.

882 (d) A Type 1 eligible entity shall provide written notice to the commission of its intention
883 to apply for a Type 1 sports betting license within 60 days of the effective date of this
884 chapter. The failure of a Type 1 eligible entity to provide such written notice shall result
885 in the permanent disqualification and prohibition of such Type 1 eligible entity from
886 obtaining a Type 1 sports betting license.

887 50-28-44.

888 (a) A Type 2 sports betting distributor license authorizes a Type 2 eligible entity to offer
889 retail sports betting on behalf of the commission through a platform provided by one or

890 more Type 2 sports betting platform licensees; provided, however, that retail sports betting
891 shall be limited to fixed-odds betting, money line bets, over/under bets, parlay bets, and
892 bets on the spread.

893 (b) The commission shall license not less than five nor more than ten Type 2 eligible
894 distributor entities as Type 2 sports betting distributor licensees. The Type 2 sports betting
895 distributor licenses shall be issued to the Type 2 eligible distributor entities upon meeting
896 the qualification and suitability criteria applicable to such Type 2 eligible distributor
897 entities established under rules and regulations of the commission.

898 (c) A Type 2 sports betting distributor licensee shall maintain at least one operational place
899 of business in this state.

900 (d) Each Type 2 sports betting distributor licensee shall contract with the commission to
901 operate retail sports betting on behalf of the commission in exchange for 80 percent of the
902 state's proceeds from retail sports betting generated by Type 2 sports betting machines
903 owned or operated by such Type 2 sports betting distributor.

904 (e) A Type 2 sports betting distributor licensee may offer sports betting using self-service
905 or clerk operated terminals approved by the commission.

906 (f)(1) A Type 2 sports betting distributor licensee shall not install or offer more than two
907 sports betting terminals at the Type 2 sports betting retail licensee's place of business.

908 (2) Class B machines licensed by Georgia Lottery Corporation under Chapter 27 of this
909 title adapted to also function as self-service terminals shall not be subject to the sports
910 betting terminal limitation in paragraph (1) of this subsection; provided, however, that
911 any limitation on the number of Class B machines imposed by Article 27 of this title shall
912 still apply.

913 (3)(A) Only a Type 2 eligible retail entity that has been sanctioned by the National
914 Steeplechase Association in this state for at least six months prior to the effective date
915 of this chapter, or 18 months prior to the submission of an application for a Type 2
916 eligible retail entity license, may host the sporting event of live, in-person equestrian

917 track racing events and allow individuals to place wagers on equestrian track races on
918 Type 2 sports betting machines that are not subject to the limitation imposed in
919 paragraph (1) of this subsection.

920 (B) The commission shall issue and renew no more than three Type 2 eligible retail
921 entity licenses authorized by subparagraph (A) of this paragraph.

922 (g) A Type 2 sports betting distributor licensee shall contract with one or more Type 2
923 sports betting platform licensees to offer retail sports betting.

924 (h) There shall be no limit on the number of Type 2 sports betting platform licenses or
925 Type 2 sports betting retail licenses.

926 (i) For Type 2 retail licenses issued to persons other than those described in subparagraph
927 (f)(3)(A) of this Code section, the commission shall adopt rules and regulations that:

928 (1) Limit the combined revenue from sports betting and Class B machines licensed by
929 the Georgia Lottery Corporation under Chapter 27 of this title to one-half of the total
930 revenue for the retail location of any Type 2 sports betting retail licensee; and

931 (2) Prescribe the ratios by which revenue from retail sports betting shall be divided
932 among Type 2 distributor licensees, Type 2 platform licensees, and Type 2 retail
933 licensees.

934 (j) The commission may adopt rules and regulations that limit sports betting within Type 2
935 sports betting retail licensee's premises to Type 2 betting, so far as technically practical,
936 and may also adopt any other rules and regulations that are reasonable and necessary to
937 effectuate the provisions of this chapter.

938 50-28-45.

939 (a) An online sports betting services provider shall offer online sports betting only in
940 accordance with the provisions of this chapter and the rules and regulations adopted by the
941 commission under this chapter.

942 (b) An online sports betting services provider shall obtain a license under this chapter
943 before offering online sports betting pursuant to a contract with a Type 1 sports betting
944 licensee. An online sports betting services provider license shall entitle the holder to
945 contract with no more than one Type 1 sports betting licensee.

946 (c) If the holder of a Type 1 sports betting license is a Type 1 eligible entity and is a
947 member of a league, association, or organization that prevents the holder from being
948 subject to the regulatory control of the commission or from otherwise operating under the
949 license, such a Type 1 eligible entity may contractually appoint an online sports betting
950 services provider for all aspects of commission oversight and operations under the Type 1
951 sports betting license.

952 (d) Institutional investors and Type 1 eligible entities defined in subparagraphs (A)
953 through (E) of paragraph (44) of Code Section 50-28-3 shall be exempt from any and all
954 qualification and disclosure requirements under this chapter or required under the rules and
955 regulation promulgated by the commission pursuant to this chapter. Such exemption shall
956 extend to the owners, supervisory employees, directors and officers of such Type 1 eligible
957 entities.

958 50-28-46.

959 The commission may consider and deny an application for any person who offered or
960 engaged in sports betting in this state before obtaining a license under this chapter for a
961 minimum of two years. The prohibition and penalty provided in this Code section shall be
962 in addition to any other civil or criminal prohibitions and penalties as may be provided in
963 this chapter, Title 16, or other provisions of law.

964

Part 3965 50-28-60.966 (a) The commission shall prescribe by rules and regulations:967 (1) The reserves that must be kept by licensees to comply with subparagraph (c)(7)(A)
968 of Code Section 50-28-40 to pay off bettors;969 (2) Any insurance requirements for a licensee;970 (3) Minimum requirements by which each licensee shall exercise effective control over
971 its internal fiscal affairs, including, without limitation, requirements for:972 (A) Safeguarding assets and revenues, including evidence of indebtedness;973 (B) Maintaining reliable records relating to accounts, transactions, profits and losses,
974 operations, and events; and975 (C) Global risk management;976 (4) Requirements for internal and independent audits of licensees;977 (5) The manner in which periodic financial reports shall be submitted to the commission
978 from each licensee, including the financial information to be included in the reports;979 (6) The type of information deemed to be confidential financial or proprietary
980 information that is not subject to any reporting requirements under this chapter;981 (7) Policies, procedures, and processes designed to mitigate the risk of cheating and
982 money laundering; and983 (8) Any post-employment restrictions necessary to maintain the integrity of sports
984 betting in this state.

985 Part 4986 50-28-70.

987 (a) In addition to any other taxes as may be provided by law and except as provided in
988 paragraph (55) of Code Section 48-8-3, there shall be imposed an annual privilege tax of
989 20 percent of the adjusted gross income derived from online sports betting in accordance
990 with this Code section.

991 (b) The privilege tax described in subsection (a) of this Code section shall be paid by the
992 online sports betting services provider.

993 (c) The privilege tax imposed under this Code section shall be paid monthly by the online
994 sports betting services provider based on its monthly adjusted gross income for the
995 immediately preceding calendar month. The privilege tax shall be paid to the commission
996 in accordance with rules and regulations promulgated by the commission. If the online
997 sports betting services provider's adjusted gross income for a month is a negative number,
998 such online sports betting services provider may carry over such negative amount to
999 subsequent months.

1000 (d) All moneys from privilege taxes and fees collected under this Code section shall be
1001 distributed and used as provided under Article I, Section II, Paragraph VIII of the
1002 Constitution.

1003 50-28-71.

1004 (a) Each licensee shall report to the commission, no later than January 15 of each year:

1005 (1) The total amount of wagers received from bettors for the immediately preceding
1006 calendar year;

1007 (2) The adjusted gross income of the licensee for the immediately preceding calendar
1008 year; and

1009 (3) Any additional information required by rules and regulations of the commission
1010 deemed in the public interest or necessary to maintain the integrity of sports betting in
1011 this state.

1012 (b) A licensee shall promptly report to the commission any information relating to:

1013 (1) The name of any newly elected officer or director of the board of the licensed entity;
1014 and

1015 (2) The acquisition by any person of 10 percent or more of any class of corporate stock.

1016 (c) With respect to information reported under subsection (b) of this Code section, a
1017 licensee shall include with such report a statement of any conflict of interest that may exist
1018 as a result of such election or acquisition.

1019 (d) Upon receiving a report under this Code section or subsection (b) of Code
1020 Section 50-28-111, the commission may conduct a hearing in accordance with Code
1021 Section 50-28-120 to determine whether the licensee remains in compliance with this
1022 chapter.

1023 ARTICLE 3

1024 Part 1

1025 50-28-80.

1026 (a) A licensee shall not knowingly:

1027 (1) Allow a minor to place a wager;

1028 (2) Offer, accept, or extend credit to a bettor; provided, however, that promotions and
1029 promotional credits shall be permitted to be offered and extended to bettors;

1030 (3) Target minors in advertising or promotions for sports betting;

1031 (4) Offer or accept a wager on any event, outcome, or occurrence other than a sporting
1032 event, including, without limitation, a high school sporting event offered, sponsored, or

1033 played in connection with a public or private institution that offers education at the
1034 secondary level; or

1035 (5) Accept a wager from an individual who is on the registry created and maintained by
1036 the commission under Code Section 50-28-82.

1037 (b) A person that knowingly violates this Code section:

1038 (1) For a first offense, shall be guilty of a misdemeanor; and

1039 (2) For a second or subsequent offense, shall be guilty of a misdemeanor of a high and
1040 aggravated nature.

1041 50-28-81.

1042 (a) Except for those individuals ineligible to place bets under Code Section 50-28-82, an
1043 individual who is 21 years of age or older and who is physically located in this state may
1044 place a wager in the manner authorized under this chapter and the rules and regulations of
1045 the commission.

1046 (b) A licensee shall ensure that all wagers accepted in this state are from qualified bettors
1047 and in accordance with this chapter and the rules and regulations of the commission.

1048 50-28-82.

1049 (a) The following individuals and categories of individuals shall not, directly or indirectly,
1050 place a wager on sporting events or online sports betting platforms in this state:

1051 (1) A member, officer, or employee of the commission shall not place a wager on any
1052 sporting event or platform.

1053 (2) A member, officer, or employee of the Georgia Lottery Corporation shall not place
1054 a wager on any sporting event or platform.

1055 (3) A commission vendor shall not place a wager on any sporting event or platform.

1056 (4) A licensee or principal owner, partner, member of the board of directors, officer, or
1057 supervisory employee of a licensee shall not place a wager on the licensee's platform.

1058 (5) A vendor of a licensee or any principal owner, partner, member of the board of
1059 directors, officer, or supervisory employee of a vendor shall not place a wager on the
1060 licensee's platform.

1061 (6) A contractor, subcontractor, or consultant or any officer or employee of a contractor,
1062 subcontractor, or consultant of a licensee shall not place a wager on the licensee's
1063 platform, if such individual is directly involved in the licensee's operation of sports
1064 betting or the processing of sports betting claims or payments through the licensee's
1065 platform.

1066 (7) An individual subject to a contract with the commission shall not place a wager on
1067 any platform, if the contract contains a provision prohibiting the individual from
1068 participating in sports betting.

1069 (8) An individual with access to material nonpublic information that is known
1070 exclusively by an individual who is prohibited from placing a wager in this state under
1071 this Code section shall not use any such information to place a wager on any sporting
1072 event or platform.

1073 (9) An amateur or Olympic athlete shall not place a wager on any sporting event in
1074 which the athlete participates.

1075 (10) A professional athlete shall not place a wager on any sporting event overseen by
1076 such athlete's sports governing body or sporting events operator.

1077 (11) An owner or employee of a team, player, umpire, or sports union personnel, or
1078 employee, referee, coach, or official of a sports governing body or sporting events
1079 operator shall not place a wager on any sporting event, if the wager is based on a sporting
1080 event overseen by the individual's sports governing body or sporting events operator.

1081 (12) An individual having the ability to directly affect the outcome of a sporting event
1082 shall not place a wager on such sporting event.

1083 (13) A trustee or regent of a governing board of a public or private institution of higher
1084 education shall not place a wager on a collegiate sporting event.

1085 (14) An individual prohibited by the rules or regulations of a sports governing body or
1086 sporting events operator of a collegiate sports, team, league, or association from
1087 participating in sports betting shall not place a wager on any sporting event to which such
1088 prohibition applies.

1089 (15) A student or an employee of a public or private institution of higher education who
1090 has access to material nonpublic information concerning a student athlete or a sports team
1091 shall be prohibited from placing a wager on a collegiate sporting event if such
1092 information is relevant to the outcome of such event.

1093 (b) The commission may prescribe by rules and regulations additional individuals and
1094 categories of individuals who are prohibited from placing a wager on specified sporting
1095 events or online sports betting platforms in this state.

1096 (c) The commission shall issue rules and regulations that require periodic reports from
1097 licensees and the information to be contained therein so that the commission can develop
1098 and maintain a confidential registry of a consolidated list of individuals and categories of
1099 individuals who are ineligible to place a wager in this state and shall provide the registry
1100 to each licensee in this state. The commission shall provide each updated registry to the
1101 licensees as soon as practicable. Each licensee shall maintain the registry provided by the
1102 commission confidentially. Such registry shall not be considered a record open to the
1103 public pursuant to Article 4 of Chapter 18 of this title and shall be exempt from such
1104 provisions.

1105 (d) Any individual who places a wager in violation of this Code section:

1106 (1) For a first offense, shall be guilty of a misdemeanor;

1107 (2) For a second offense, shall be guilty of a misdemeanor and shall be fined not less
1108 than \$500.00 nor more than \$1,000.00 or shall be imprisoned for not less than one month
1109 nor more than five months, or both; and

1110 (3) For a third or subsequent offense, shall be guilty of a misdemeanor of a high and
1111 aggravated nature and shall be fined not less than \$750.00 or shall be imprisoned for not
1112 less than three months, or both.

1113 50-28-83.

1114 (a) The commission shall by rules and regulations prohibit betting on injuries, penalties,
1115 or the outcome of player discipline rulings or replay reviews under this chapter that are
1116 contrary to public policy or unfair to bettors.

1117 (b)(1) A sports governing body or sporting events operator may submit to the
1118 commission in writing, by providing notice in such form and manner as the commission
1119 may require, a request to restrict, limit, or prohibit a certain type, form, or category of
1120 sports betting with respect to sporting events of such sports governing body or sporting
1121 events operator, if the sports governing body or sporting events operator believes that
1122 such type, form, or category of sports betting with respect to sporting events of such
1123 sports governing body or sporting events operator may undermine the integrity or
1124 perceived integrity of such sports governing body or sporting events operator or sporting
1125 events of such sports governing body or sporting events operator. The commission shall
1126 request comments from sports betting licensees on all such requests it receives.

1127 (2) After giving due consideration to all comments received, the commission shall, upon
1128 demonstration of good cause from the requestor that such type, form, or category of
1129 sports betting is likely to undermine the integrity or perceived integrity of such sports
1130 governing body or sporting events operator or sporting events of such sports governing
1131 body or sporting events operator, grant the request. The commission shall respond to a
1132 request concerning a particular event before the start of the event, or if it is not feasible
1133 to respond before then, no later than seven days after the request is made. If the
1134 commission determines that the requestor is more likely than not to prevail in
1135 successfully demonstrating good cause for its request, the commission may provisionally

1136 grant the request of the sports governing body or sporting events operator until the
1137 commission makes a final determination as to whether the requestor has demonstrated
1138 good cause. Absent such a provisional grant by the commission, sports betting licensees
1139 may continue to offer sports betting on sporting events that are the subject of such a
1140 request during the pendency of the commission's consideration of the applicable request.

1141 Part 2

1142 50-28-90.

1143 (a) Prior to placing a wager with a licensee via online sports betting, a bettor shall register
1144 and establish a player account with the licensee remotely and attest that the bettor meets
1145 the requirements to place a wager with a licensee in this state. Prior to verification of a
1146 bettor's identity in accordance with this Code section, a licensee shall not allow the bettor
1147 to engage in sports betting, make a deposit, or process a withdrawal via online sports
1148 betting. A licensee shall implement commercially and technologically reasonable
1149 procedures to prevent access to sports betting by minors on its online sports betting
1150 platforms. A licensee may use information obtained from third parties to verify that an
1151 individual is authorized to open an account, place wagers, and make deposits and
1152 withdrawals.

1153 (b) Each online sports betting services provider licensee shall adopt a registration policy
1154 to ensure that all bettors utilizing online sports betting are authorized to place a wager with
1155 a licensee within this state. Such policy shall include, without limitation, commercially
1156 reasonable mechanisms which shall:

1157 (1) Verify the name and age of the registrant;

1158 (2) Verify that the registrant is not knowingly prohibited from placing a wager under
1159 Code Section 50-28-82; and

1160 (3) Obtain the following information from the registrant:

- 1161 (A) Legal name;
1162 (B) Date of birth;
1163 (C) Physical address other than a post office box;
1164 (D) Phone number;
1165 (E) A unique username; and
1166 (F) An active email account.
- 1167 (c) Each online sports betting services provider licensee may in its discretion require a
1168 bettor to provide the licensee with a signed and notarized document attesting that the bettor
1169 is qualified to engage in sports betting under this chapter as part of the registration policy
1170 of the licensee.
- 1171 (d) A bettor shall not register more than one account with a licensee, and each licensee
1172 shall use commercially and technologically reasonable means to ensure that each bettor is
1173 limited to one account.
- 1174 (e) Each online sports betting services provider licensee, in addition to complying with
1175 state and federal law pertaining to the protection of the private, personal information of
1176 registered bettors, shall use all other commercially and technologically reasonable means
1177 to protect such information consistent with industry standards.
- 1178 (f) When a bettor's account is created, a bettor may fund the account through:
- 1179 (1) Electronic bank transfer of funds, including such transfers through third parties;
1180 (2) Cash;
1181 (3) Debit cards;
1182 (4) Online and mobile payment systems that support online money transfers; and
1183 (5) Any other method approved by rules and regulations of the commission.
- 1184 (g)(1) Licensees shall not allow bets to be placed until first verifying the identity of the
1185 bettor pursuant to this Code section and by rules promulgated by the commission.
1186 Further, and pursuant to rules promulgated by the commission, licensees shall establish

1187 safeguards, including, but not limited to, access notifications and similar security
1188 safeguards, to protect each bettor's account.

1189 (2) If a licensee determines that the information provided by a bettor to make a deposit
1190 or process a withdrawal is inaccurate or incapable of verification or violates the policies
1191 and procedures of the licensee, the licensee shall, within ten days, require the submission
1192 of additional information that can be used to verify the identity of such bettor.

1193 (3) If such information is not provided or does not result in verification of the bettor's
1194 identity, the licensee shall:

1195 (A) Immediately suspend the bettor's account and shall not allow the bettor to place
1196 wagers;

1197 (B) Retain any winnings attributable to the bettor;

1198 (C) Refund the balance of deposits made to the account to the source of such deposit
1199 or by issuance of a check; and

1200 (D) Suspend the account.

1201 (h) A licensee shall utilize geofencing technology to ensure that online sports betting is
1202 available only to bettors who are physically located in this state. A licensee shall maintain
1203 in this state the servers it uses to accept wagers on a sporting event placed by bettors
1204 located in this state.

1205 (i) Each online sports betting services provider licensee shall clearly and conspicuously
1206 display on its website a statement indicating that it is illegal for a person under 21 years of
1207 age to engage in sports betting in this state.

1208 (j) The commission shall promulgate rules and regulations for purposes of regulating
1209 sports betting via online sports betting.

1210 50-28-91.

1211 (a) Licensees shall allow bettors to restrict themselves from placing wagers with the
1212 licensee, including limits on the amounts wagered, and take reasonable steps to prevent

1213 those bettors from placing such wagers. At the request of a bettor, a licensee may share the
1214 request with the commission for the sole purpose of disseminating the request to other
1215 licensees.

1216 (b) The commission shall promulgate rules and regulations that require a licensee to
1217 implement responsible sports betting programs that include comprehensive training on
1218 responding to circumstances in which individuals present signs of problem gambling or a
1219 betting or gambling disorder.

1220 (c) The commission shall work with national and local organizations to provide services
1221 for individuals with problem gambling or a betting or gambling disorder and to establish
1222 prevention initiatives to reduce the number of individuals with problem gambling or a
1223 betting or gambling disorder, including, but not limited to, utilizing currently established
1224 programs for problem gambling or betting or gambling disorders.

1225 (d) The commission shall annually generate a report outlining activities with respect to
1226 problem gambling and betting or gambling disorders, including, but not limited to,
1227 descriptions of programs, grants, and other resources made available; the number of
1228 individuals seeking assistance; the number of individuals who reported completing
1229 programs and therapies; and the rate of recidivism, if known to the commission. The
1230 commission shall file the annual report with the Governor, the Lieutenant Governor, and
1231 the Speaker of the House of Representatives and shall publish such report on its website
1232 no later than January 1 of each year.

1233 50-28-92.

1234 (a) Each licensee shall adopt and adhere to a written, comprehensive policy outlining its
1235 rules governing the acceptance of wagers and payouts. Such policy and rules must be
1236 approved by the commission prior to the acceptance of a wager by a licensee. Such policy
1237 and rules must be readily available to a bettor on the licensee's website.

1238 (b) The commission shall promulgate rules and regulations regarding:

- 1239 (1) The manner in which a licensee accepts wagers from and issues payouts to bettors,
1240 including payouts in excess of \$10,000.00; and
1241 (2) Requirements for reporting suspicious wagers.

1242 Part 3

1243 50-28-100.

1244 (a) Except as provided in subsection (b) of this Code section, a licensee may use any data
1245 source for determining the results of any tier 1 sports wager or tier 2 sports wager.

1246 (b)(1) A sports governing body or sporting events operator with headquarters located in
1247 the United States may notify the commission that it desires licensees to use official league
1248 data or official event data, respectively, for determining the results of tier 2 sports wagers.

1249 A notification under this subsection shall be made in the form and manner as the
1250 commission shall require through rules and regulations. The commission shall notify
1251 each licensee within five days after receipt of such notification from a sports governing
1252 body or sporting events operator. If a sports governing body or sporting events operator
1253 does not notify the commission of its desire to supply official league data or official event
1254 data, a licensee may use any data source approved by the commission for determining the
1255 results of any tier 2 wagers on sporting events of that sports governing body or sporting
1256 events operator.

1257 (2) Within 60 days after the commission notifies each licensee of the desire of a sports
1258 governing body or sporting events operator to require official league data or official event
1259 data as provided under paragraph (1) of this subsection, each such licensee shall be
1260 required to use only official league data or official event data, as applicable, to determine
1261 the results of tier 2 sports wagers on sporting events sanctioned by such sports governing
1262 body or sporting events operator, except when:

1263 (A) The sports governing body or sporting events operator, or a designee of such sports
1264 governing body or sporting events operator, is unable to provide a feed of official
1265 league data or official event data to determine the results of a particular type of tier 2
1266 sports wager, in which case licensees may use any data source for determining the
1267 results of the applicable tier 2 sports wager until the data feed becomes available on
1268 commercially reasonable terms; or

1269 (B) A licensee is able to demonstrate to the commission that the sports governing body
1270 or sporting events operator, or a designee of such sports governing body or sporting
1271 events operator, will not provide a feed of official league data or official event data to
1272 the licensee on commercially reasonable terms.

1273 (3) The commission may consider the following factors in evaluating whether official
1274 league data or official event data is being provided by the sports governing body or
1275 sporting events operator on commercially reasonable terms:

1276 (A) The availability of official league data of a sports governing body or the official
1277 event data of a sporting events operator on tier 2 sports wagers to a licensee from more
1278 than one authorized source;

1279 (B) Market information regarding the purchase of comparable data by licensees for the
1280 purpose of settling sports wagers, for use in this state or other jurisdictions;

1281 (C) The nature and quantity of data, including the quality and complexity of the
1282 process used for collecting such data; and

1283 (D) The extent to which sports governing bodies or sporting events operators, or
1284 designees of sports governing bodies or sporting events operators, have made available
1285 to licensees the data used to determine the results of tier 2 sports wagers.

1286 (4) While the commission is determining whether a feed of official league data or official
1287 event data has been provided on commercially reasonable terms pursuant to paragraph (3)
1288 of this subsection, a licensee may use any data source for determining the results of any
1289 tier 2 sports wagers.

1290 (5) The commission shall make a determination under paragraph (3) of this subsection
1291 within 120 days after the licensee notifies the commission that it desires to demonstrate
1292 that the sports governing body or sporting events operator, or a designee of such sports
1293 governing body or sporting events operator, will not provide a feed of official league data
1294 or official event data to such licensee on commercially reasonable terms.

1295 ARTICLE 4

1296 Part 1

1297 50-28-110.

1298 Members of the commission or designated employees thereof may, during normal business
1299 hours, enter the premises of any facility of a licensee, or a third party utilized by the
1300 licensee to operate and conduct business in accordance with this chapter, for the purpose
1301 of inspecting books and records kept as required by this chapter to ensure that the licensee
1302 is in compliance with this chapter or to make any other inspection of the premises
1303 necessary to protect the public interests of this state and its consumers.

1304 50-28-111.

1305 (a) The commission, licensees, commission vendors, and vendors shall use commercially
1306 reasonable efforts to cooperate with investigations conducted by any sports governing
1307 body, any sporting events operator, and law enforcement agencies, including, but not
1308 limited to, using commercially reasonable efforts to provide or facilitate the provision of
1309 anonymized account level betting information and audio or video files relating to
1310 individuals placing wagers. All disclosures under this Code section shall be subject to the
1311 obligation of a sports betting licensee to comply with all federal, state, and local laws and
1312 rules and regulations relating to privacy and personally identifiable information.

1313 (b) Licensees shall promptly report to the commission any information relating to:

- 1314 (1) Criminal or disciplinary proceedings commenced against the licensee in connection
1315 with its operations;
- 1316 (2) Abnormal betting activity or patterns that may indicate a concern with the integrity
1317 of a sporting event;
- 1318 (3) Any potential breach of the internal rules and codes of conduct of a sports governing
1319 body or sporting events operator pertaining to sports betting to the extent that such rules
1320 or codes of conduct are provided to the licensee by the sports governing body or sporting
1321 events operator or are otherwise known to the licensee;
- 1322 (4) Conduct that corrupts the betting outcome of a sporting event for purposes of
1323 financial gain, including match fixing; and
- 1324 (5) Suspicious or illegal betting activities, including cheating, use of funds derived from
1325 illegal activity, wagers to conceal or launder funds derived from illegal activity, use of
1326 agents to place wagers, and use of false identification.
- 1327 (c) Licensees shall as soon as is practicable report any information relating to conduct
1328 described in paragraphs (2) through (4) of subsection (b) of this Code section to the
1329 commission.
- 1330 (d) Licensees shall use commercially reasonable efforts to maintain, in real time and at the
1331 account level, anonymized information regarding a bettor; the amount and type of bet; the
1332 time the bet was placed; the location of the bet, including the internet protocol address if
1333 applicable; the outcome of the bet; and records of abnormal betting activity. The
1334 commission may request such information in the form and manner as required by rules and
1335 regulations of the commission. For purposes of this subsection, the term 'real time' means
1336 on a commercially reasonable periodic interval.
- 1337 (e) All records, documents, and information received by the commission pursuant to this
1338 Code section shall be considered investigative records of a law enforcement agency, shall
1339 not be subject to Article 4 of Chapter 18 of this title, and shall not be released under any

1340 condition without the permission of the person providing such records, documents, or
1341 information.

1342 (f) Nothing in this Code section shall require a sports betting licensee to provide any
1343 information that is prohibited by federal, state, or local laws or rules and regulations,
1344 including, without limitation, laws and rules and regulations relating to privacy and
1345 personally identifiable information.

1346 (g) If a sports governing body or sporting events operator has notified the commission that
1347 real-time information sharing for wagers placed on its sporting events is necessary and
1348 desirable and the commission determines it is necessary so as to further the goals of this
1349 chapter, licensees shall share the same information with the sports governing body or
1350 sporting events operator, or a designee of such sports governing body or sporting events
1351 operator, with respect to wagers on its sporting events. A sports governing body or
1352 sporting events operator, or a designee, shall only use information received under this
1353 subsection for integrity-monitoring purposes and shall not use such information for any
1354 other purpose. Nothing in this subsection shall require a licensee to provide any
1355 information that is prohibited by federal, state, or local laws, rules, or regulations,
1356 including, but not limited to laws, rules, or regulations relating to privacy and personally
1357 identifiable information.

1358 50-28-112.

1359 The commission shall assist in any investigations by law enforcement to determine
1360 whether:

1361 (1) A licensee is accepting wagers from minors or other persons ineligible to place
1362 wagers in this state; and

1363 (2) An individual is unlawfully accepting wagers from another individual without a
1364 license or at a location in violation of this chapter.

1365 Part 21366 50-28-120.

1367 (a) The commission may investigate and conduct a hearing with respect to a licensee upon
1368 information and belief that the licensee has violated this chapter or upon the receipt of a
1369 credible complaint from any person that a licensee has violated this chapter. The
1370 commission shall conduct investigations and hearings in accordance with rules and
1371 regulations adopted by the commission.

1372 (b) If the commission determines that a licensee has violated any provision of this chapter
1373 or any rules and regulations of the commission, the commission may suspend, revoke, or
1374 refuse to renew a license; impose an administrative fine not to exceed \$25,000.00 per
1375 violation; or both.

1376 (c) The commission shall promulgate rules and regulations establishing a schedule of
1377 administrative fines that may be assessed in accordance with subsection (b) of this Code
1378 section for each violation of this chapter; provided, however, if the commission finds that:

1379 (1) A licensee is accepting wagers from minors or other persons ineligible to place
1380 wagers in this state, the commission shall impose a fine against the licensee as follows:

1381 (A) For a first offense, \$1,000.00;

1382 (B) For a second offense, \$2,000.00; and

1383 (C) For a third or subsequent offense, \$5,000.00; or

1384 (2) An individual is unlawfully accepting wagers from another individual without a
1385 license, the commission shall impose a fine against the individual as follows:

1386 (A) For a first offense, \$10,000.00;

1387 (B) For a second offense, \$15,000.00; and

1388 (C) For a third or subsequent offense, \$25,000.00.

1389 (d) The commission may refer conduct that it reasonably believes is a violation of
1390 Article 2 of Chapter 12 of Title 16 to the appropriate law enforcement agency.

1391 50-28-121.

1392 (a) Fines assessed under this chapter shall be accounted for separately for use by the
1393 commission in a manner consistent with rules and regulations of the commission.

1394 (b) The commission may issue subpoenas to compel the attendance of witnesses and the
1395 production of relevant books, accounts, records, and documents for purposes of carrying
1396 out its duties under this chapter.

1397 50-28-122.

1398 (a) A licensee or other individual aggrieved by a final decision or action of the commission
1399 may appeal such decision or action to the Superior Court of Fulton County.

1400 (b) The Superior Court of Fulton County shall hear appeals from decisions or actions of
1401 the commission and, based upon the record of the proceedings before the commission, may
1402 reverse the decision or action of the commission only if the appellant proves the decision
1403 or action to be:

1404 (1) Clearly erroneous;

1405 (2) Arbitrary and capricious;

1406 (3) Procured by fraud;

1407 (4) A result of substantial misconduct by the commission; or

1408 (5) Contrary to the United States Constitution, the Constitution of Georgia, or this
1409 chapter.

1410 (c) The Superior Court of Fulton County may remand an appeal to the commission to
1411 conduct further hearings.

1412 Part 3

1413 50-28-123.

1414 (a) It shall be unlawful for any person, directly or indirectly, to knowingly receive, supply,
1415 broadcast, display, or otherwise transmit material nonpublic information for the purpose
1416 of betting on a sporting event or influencing another individual's or entity's wager on a
1417 sporting event.

1418 (b) This Code section shall not apply to the dissemination of public information as news,
1419 entertainment, or advertising.

1420 (c) Any person in violation of this Code section shall be guilty of a misdemeanor.

1421 50-28-124.

1422 (a) Any person that violates any provisions of this chapter shall be liable for a civil penalty
1423 of not more than \$5,000.00 per violation, not to exceed \$50,000.00 for violations arising
1424 out of the same transaction or occurrence, which shall accrue to the commission and may
1425 be recovered in a civil action brought by or behalf the commission.

1426 (b) The commission may seek and obtain an injunction in a court of competent jurisdiction
1427 for purposes of enforcing this chapter.

1428 (c) Costs shall not be taxed against the commission or this state for actions brought under
1429 this chapter. Reserved."

1430 **PART III**

1431 **SECTION 3-1.**

1432 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
1433 amended by revising paragraph (55) of Code Section 48-8-3, relating to exemptions from
1434 state sales and use tax, as follows:

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1435 "(55) The sale of lottery tickets authorized by Chapter 27 of Title 50 or wagers
1436 authorized by Chapter 28 of Title 50;"

1437

PART IV

1438

SECTION 4-1.

1439 This Act shall become effective on July 1, 2023; provided, however, that no person shall
1440 apply for a license authorized by this Act until four months after the date as of which all
1441 members of the commission and the executive director of the commission have been
1442 appointed.

1443

SECTION 4-2.

1444 All laws and parts of laws in conflict with this Act are repealed.