

\_\_\_\_\_ offers the following  
substitute to SB 142:

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 create a public corporation to regulate sports betting; to provide for such  
8 corporation to be governed by the Georgia Sports Betting Commission; to provide for the  
9 qualifications, appointment, removal, and powers of the commission and its members; to  
10 provide for the appointment of a chief executive officer; to provide for the procedures,  
11 limitations, requirements, and qualifications of the licensing of any person offering,  
12 operating, or managing sports betting in this state; to provide for criminal background checks;  
13 to regulate wagers and provide requirements for bettors; to provide for bettors to restrict  
14 themselves from placing certain wagers; to provide certain resources for individuals with  
15 problem gambling or a betting or gambling disorder; to provide for the collection and  
16 disposition of fees; to prohibit certain conduct by commissioners, employees of the  
17 commission, licensees, and other persons; to provide for certain penalties; to provide for  
18 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 a contingent effective date and automatic repeal; to repeal  
21 conflicting laws; and for other purposes.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

25 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended  
26 in Code Section 50-27-9, 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.'"

**SECTION 1-2.**

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

"(3)(A) Beginning in Fiscal Year 2023, a ~~A~~ shortfall reserve shall be maintained within the Lottery for Education Account in an amount equal to at least 50 percent ~~of net proceeds deposited into such account for the preceding fiscal year~~ of the average amount of net proceeds deposited into such account for the preceding three fiscal years, hereinafter referred to as the minimum reserve. Beginning in Fiscal Year 2024 and for each fiscal year thereafter, if on the last day of the preceding fiscal year the total reserve fund balance exceeds the minimum reserve, an amount equal to 10 percent of the excess reserve funds, meaning the amount that the total reserve fund balance exceeds the minimum reserve, shall be appropriated for educational purposes and programs.

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

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

**SECTION 1-3.**

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

66

"ARTICLE 4

67 50-27-120.

68 As used in this article, the term:

69 (1) 'Online sports betting' shall have the same meaning as provided in Code Section  
70 50-28-3.

71 (2) 'Online sports betting services provider' shall have the same meaning as provided in  
72 Code Section 50-28-3.

73 (3) 'Type 1 sports betting licensee' shall the same meaning as provided in Code Section  
74 50-28-3.

75 50-27-121.

76 The corporation as a Type 1 sports betting licensee as provided in Code Section 50-28-43  
77 may, through a public procurement process to be established by the corporation, select up  
78 to nine online sports betting services providers with which to enter into contracts to provide  
79 online sports betting in this state as governed under Chapter 28 of this title. The board  
80 shall develop and adopt procedures for such public procurement process. The corporation  
81 may administer such public procurement process in accordance with the board's procedures  
82 on its own or it may choose to utilize the services of the Department of Administrative  
83 Services or other state agency or subdivision thereof to administer such process."

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**PART II**

85

**SECTION 2-1.**

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

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"CHAPTER 28

ARTICLE 1

Part 1

50-28-1.

This chapter shall be known and may be cited as the 'Georgia Sports Betting Integrity Act.'

50-28-2.

It is found and declared by the General Assembly that:

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

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

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

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

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

50-28-3.

As used in this chapter, the term:

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

135 (10.1) 'Fantasy or simulated contest' means a game or event in which players compete  
136 against each other and wager based on winning outcomes based on choices including, but  
137 not limited to, athletes in sporting events.

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

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

142 (12.1) 'Institutional investor' means:

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

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

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

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

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

150 (F) A pension investment board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

196 (A) Based in this state;

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

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

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

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

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

210 (32) 'Sporting event' means any:

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

213 (B) Collegiate sporting event;

- 214 (C) Olympic sporting or athletic event;  
215 (D) Sporting or athletic event sanctioned by a national or international organization or  
216 association;  
217 (E) Sporting or athletic event conducted or organized by a sporting events operator;  
218 (F) Esports event; or  
219 (G) Other event authorized by the commission.
- 220 (33) 'Sporting events operator' means a person that conducts or organizes a sporting  
221 event for athletes or other participants that is not held or sanctioned as an official sporting  
222 event of a sports governing body.
- 223 (34) 'Sports betting' means placing one or more wagers for a sporting event.
- 224 (35) 'Sports betting equipment' means any of the following that directly relate to or  
225 affect, or are used in, the operation of sports betting:
- 226 (A) Any mechanical, electronic, or other device, mechanism, or equipment, including  
227 a self-service or clerk operated sports betting terminal;  
228 (B) Any software, application, components, or other goods; or  
229 (C) Anything to be installed or used on a patron's personal electronic device.
- 230 (36) 'Sports betting license' means any of the licenses issued under this chapter.
- 231 (37) 'Sports betting licensee' means a person who holds a valid sports betting license  
232 issued by the commission.
- 233 (38)(A) 'Sports betting supplier' means a person that provides sports betting equipment  
234 necessary for the creation of sports betting markets and the determination of bet  
235 outcomes, directly or indirectly, to any sports events operator or applicant involved in  
236 the acceptance of bets, including any of the following:
- 237 (i) Providers of data feeds and odds services;  
238 (ii) Providers of Type 2 sports betting machines;  
239 (iii) Internet platform providers;  
240 (iv) Risk management providers;

- 241 (v) Integrity monitoring providers; and  
242 (vi) Other providers of sports betting supplier services as determined by the  
243 commission.
- 244 (B) Such term shall not include a sports governing body that:
- 245 (i) Provides official league data concerning its own sporting event to a sports betting  
246 licensee solely on that basis; or
- 247 (ii) Provides raw statistical match data to one or more designated and licensed  
248 suppliers of data and odds services solely on that basis.
- 249 (39) 'Sports governing body' means the organization, league, or association that oversees  
250 a sport and prescribes final rules and enforces codes of conduct with respect to such sport  
251 and participants therein.
- 252 (40) 'Spread' means the predicted scoring differential between two persons or teams  
253 engaged in a sporting event.
- 254 (41) 'Supervisory employee' means a principal owner or employee having the authority  
255 to act on behalf of a licensee or whose judgment is relied upon to manage and advance  
256 the business operations of a licensee.
- 257 (42) 'Tier 1 sports wager' means a wager that is not a tier 2 sports wager.
- 258 (43) 'Tier 2 sports wager' means a wager that is placed on a sporting event while the  
259 sporting event is in progress that does not depend on the final result of the sporting event  
260 but on some occurrence within it.
- 261 (44) 'Type 1 eligible entity' means any of the following:
- 262 (A) Any professional sports team, or its designee;
- 263 (B) A sports governing body that holds one or more sanctioned annual golf  
264 tournaments at the highest level of professional golf in this state as determined by the  
265 commission and one or more other sanctioned annual golf tournaments in the state;
- 266 (C) The owner of a facility in this state that has held an annual invitational golf  
267 tournament for professional and amateur golfers for at least 30 years;

268 (D) The owner of a facility located in this state that hosts auto races on a national  
269 association for stock car auto racing national tour or a wholly owned for-profit  
270 subsidiary of the owner of such a facility, if the owner is a nonprofit corporation or  
271 nonprofit organization;

272 (E) The owner of a facility located in this state that has hosted races on an international  
273 motor sports car tour in addition to other motor sports events for at least 30 years, or its  
274 designee; and

275 (F) The Georgia Lottery Corporation.

276 (45) 'Type 1 sports betting licensee' means a Type 1 eligible entity licensed or authorized  
277 by the commission to directly or indirectly offer online sports betting.

278 (46) 'Type 2 eligible retail entity' means:

279 (A) The holder of a retail consumption dealer license or a retail dealer license issued  
280 under Title 3 and who actively operates a place of business located in this state that  
281 requires such retail consumption dealer license or retail dealer license; or

282 (B) The holder of a Class B machine location license issued by the Georgia Lottery  
283 Corporation under Chapter 27 of this title and who actively operates a place of business  
284 located in this state that requires such Class B machine location license.

285 (47) 'Type 2 sports betting distributor licensee' means a person licensed or authorized by  
286 the commission to offer retail sports betting on behalf of the commission.

287 (48) 'Type 2 sports betting machine' means a self-service or clerk operated electronic  
288 machine approved by the commission, including, but not limited to, Class B machines  
289 licensed by the Georgia Lottery Corporation under Chapter 27 of this title adapted to also  
290 function as a self-service terminal.

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

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

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

303 50-28-4.

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

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

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

313 50-28-5.

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

315 (1) Three members appointed by the Governor;

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

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

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

319 (1)(A) The initial term of office of the three gubernatorial appointees shall be one, two  
320 and three years, respectively, and when making such appointments, the Governor shall  
321 make such appointments on or before January 3, 2023, and shall specify the length of  
322 such initial term for each of the three appointments;

323 (B) The initial term of office of the two members appointed by the Lieutenant  
324 Governor shall be two and four years, respectively, and when making such  
325 appointments the Lieutenant Governor shall make such appointments on or before  
326 January 3, 2023, and shall specify the length of such initial term for each of the two  
327 appointments; and

328 (C) The initial term of office of the two members appointed by the Speaker of the  
329 House of Representatives shall be one and three years, respectively, and when making  
330 such appointments the Speaker of the House of Representatives shall make such  
331 appointments on or before January 3, 2023, and shall specify the length of such initial  
332 term for each of the two appointments;

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

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

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

336 (4) No member may serve more than two full consecutive terms; provided, however, that  
337 an initial term of office provided for under paragraph (1) of this subsection that is less  
338 than three years shall not constitute a full term for purposes of this paragraph; and

339 provided, further, that a member appointed to fill a vacancy as provided for under  
340 paragraph (3) of this subsection may serve two full terms following the expiration of the  
341 term related to the vacancy.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

368 (5) Is a relative of any person who is an applicant or licensee.

369 50-28-6.

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

371 (1) For misconduct in office, willful neglect of duty, conduct evidencing unfitness for  
372 office, or incompetence; or

373 (2) Upon conviction of a felony offense, an offense under this chapter, Chapter 27 of this  
374 title, or an equivalent offense under federal law or the law of another jurisdiction.

375 50-28-7.

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

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

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

385 50-28-8.

386 (a) The commission shall appoint a person who is not a member of the commission to  
387 serve as the executive director of the commission. Such person shall also serve as the chief  
388 executive officer. No person shall be appointed as executive director unless he or she has  
389 been issued a certificate of fitness for sport betting affiliation pursuant to Code Section  
390 50-28-30.

391 (b) The executive director shall supervise, direct, coordinate, and administer all activities  
392 necessary to fulfill the commission's responsibilities. The commission shall appoint the  
393 executive director by April 1, 2023.

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

395 50-28-9.

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

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

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

404 (B) The regulation, licensure, and offering of sports betting on machines installed in  
405 specified eligible locations open to the public, placed in such locations through a  
406 limited number of distribution licenses awarded to Type 2 sports betting distributor  
407 licensees, Type 2 sports betting platform licensees, and Type 2 sports betting retail  
408 licensees.

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

411 (3) To appoint and employ such persons as the commission deems essential to perform  
412 its duties under this chapter and to ensure that such sports betting is conducted with order  
413 and the highest integrity. Such employees shall possess such authority and perform such  
414 duties as the commission shall prescribe or delegate to them. Such employees may  
415 include stewards, chemists, physicians, inspectors, accountants, attorneys, security  
416 officers, and such other employees deemed by the commission to be necessary for the  
417 supervision and proper conduct of the highest standard of sports betting. Such employees  
418 shall be compensated as provided by the commission;

419 (4) To enter upon, investigate, and have free access to all places of business of any  
420 licensee under this chapter and to compel the production of any books, ledgers,  
421 documents, records, memoranda, or other information of any licensee to ensure such

422 licensee's compliance with the rules and regulations promulgated by the commission  
423 pursuant to this chapter;

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

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

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

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

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

445 (10) To order such audits, in addition to those otherwise required by this chapter, as the  
446 commission deems necessary and desirable;

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

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

452 (13) To establish and administer a program for providing assistance to compulsive  
453 gamblers, including, but not limited to, requiring the posting of signs or notifications on  
454 the online sports betting platform that bear a toll-free number for an organization that  
455 provides assistance to compulsive gamblers be posted on online sports betting platforms;

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

461 (15) To keep a true and full record of all proceedings of the commission under this  
462 chapter and preserve at the commission's general office all books, documents, and papers  
463 of the commission; and

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

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

468 (c) The commission shall not have the power to issue or award and shall not issue or award  
469 any licenses provided for in this chapter prior to September 1, 2023.

470 50-28-10.

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

472 (1) For a period of one year immediately preceding the date of appointment;

- 473 (A) Held a license issued under this chapter, Chapter 27 of this title, or a gaming  
474 license issued by any other jurisdiction;  
475 (B) Was an officer, official, or employee of a licensee;  
476 (C) Held 5 percent or more, whether directly or indirectly, of a beneficial ownership  
477 of a licensee;  
478 (D) Was a registered lobbyist for the executive or legislative branch, except while a  
479 commissioner or employee of the commission when officially representing the  
480 commission; or  
481 (E) Was an employee or member of the Georgia Lottery Corporation;  
482 (2) Has had a license issued under this chapter, Chapter 27 of this title, or a gaming  
483 license issued by any other jurisdiction denied, suspended, or revoked;  
484 (3) Acquired any direct or indirect interest in an applicant or a licensee;  
485 (4) Had any direct or indirect business association, partnership, or financial relationship  
486 with an applicant or licensee;  
487 (5) Is a relative of any person who is an applicant or licensee; or  
488 (6) Was dismissed from prior employment for gross misconduct or incompetence.  
489 (b) A person who is ineligible for employment with the commission under paragraph (5)  
490 of subsection (a) of this Code section may submit a waiver request to the commission for  
491 consideration of employment eligibility. The commission shall consider waiver requests  
492 on a case-by-case basis and shall issue the final approval or denial of each request. If the  
493 commission approves the request, the person shall not be ineligible for employment with  
494 the commission based upon paragraph (5) of subsection (a) of this Code section.

495 50-28-11.

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

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

504 Part 2

505 50-28-20.

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

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

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

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

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

517 50-28-21.

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

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

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

538 (d) A commissioner shall not:

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

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

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

544 (4) Engage on behalf of any candidate for public office in the solicitation of votes or  
545 other activities on behalf of such candidacy; or

546 (5) Become a candidate for election to any public office without first resigning from  
547 office.

548 (e) A commissioner, during his or her term of office, may not make any public comment  
549 regarding the merits of any proceeding currently pending before the commission.

550 (f) A commissioner or an employee of the commission shall not act in an unprofessional  
551 manner at any time during the performance of his or her official duties.

552 (g) A commissioner or an employee of the commission shall avoid impropriety in all  
553 activities and must act at all times in a manner that promotes public confidence in the  
554 integrity and impartiality of the commission.

555 (h) A commissioner or an employee of the commission shall not, directly or indirectly,  
556 through staff or other means, solicit anything of value from any person regulated by the  
557 commission, or from any business entity that, whether directly or indirectly, is an affiliate  
558 or a subsidiary of any person regulated by the commission, or from any party appearing in  
559 a proceeding considered by the commission in the preceding one year.

560 (i) A commissioner shall not personally represent another person or entity for  
561 compensation before the executive or legislative branch or any county or municipal  
562 government or governmental agency except to represent the commission in an official  
563 capacity.

564 (j) The Georgia Government Transparency and Campaign Finance Commission shall  
565 accept and investigate any alleged violations of this Code section. For any investigation  
566 of alleged violations the Georgia Government Transparency and Campaign Finance  
567 Commission shall provide the Governor, the Lieutenant Governor, and the Speaker of the  
568 House of Representatives with a report of its findings and recommendations. The  
569 Governor is authorized to enforce recommendations of the Georgia Government  
570 Transparency and Campaign Finance Commission. A commissioner or an employee of the  
571 commission may request an advisory opinion from the Georgia Government Transparency  
572 and Campaign Finance Commission regarding the standards of conduct or prohibitions set  
573 forth in this Code section.

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

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

585 50-28-22.

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

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

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

596 (2) Accept employment by, or compensation from, a business entity that, directly or  
597 indirectly, owns or hold a license issued under this chapter;

598 (3) Be an officer, official, or employee of such licensee; or

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

616 ARTICLE 2

617 Part 1

618 50-28-30.

619 (a) Each person required under this chapter to have a certificate of fitness for sports betting  
 620 affiliation shall submit to the Department of Revenue an application for such certification.  
 621 Prior to issuing a certificate of fitness for sports betting affiliation, the department shall be  
 622 furnished with satisfactory evidence that the applicant has satisfactory results from a  
 623 fingerprint record check report conducted by the Georgia Crime Information Center and

624 the Federal Bureau of Investigation, as determined by the department. Application for a  
625 such certification under this Code section shall constitute express consent and authorization  
626 for the department or its representative to perform a criminal background check. Each  
627 applicant who submits an application to the department for licensure agrees to provide the  
628 department with any and all information necessary to run a criminal background check,  
629 including, but not limited to, classifiable sets of fingerprints. The applicant shall be  
630 responsible for all fees associated with the performance of such background check.

631 (b) The department shall not issue a certificate of fitness for sports betting affiliation to  
632 any person who has been convicted of, found guilty of, or has pled nolo contendere to,  
633 regardless of adjudication and in any jurisdiction, any misdemeanor that is directly related  
634 to gambling, dishonesty, theft, or fraud or any felony.

635 50-28-31.

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

639 50-28-32.

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

645 (c) If a commissioner knowingly receives an ex parte communication relative to a  
646 proceeding to which the commissioner is assigned, the commissioner shall place on the  
647 record of the proceeding copies of all written communications received, all written  
648 responses to the communications, and a memorandum stating the substance of all oral

649 communications received and all oral responses made, and shall give written notice to all  
650 parties to the communication that such matters have been placed on the record. Any party  
651 that desires to respond to an ex parte communication may do so and the response shall be  
652 received by the commission within ten days after receiving notice that the ex parte  
653 communication has been placed on the record. The commissioner may, if deemed by such  
654 commissioner to be necessary to eliminate the effect of an ex parte communication,  
655 withdraw from the proceeding, in which case the chairperson shall substitute another  
656 commissioner for the proceeding.

657 (d) Any individual who makes an ex parte communication shall submit to the commission  
658 a written statement describing the nature of such communication, to include the name of  
659 the person making the communication, the name of the commissioner or commissioners  
660 receiving the communication, copies of all written communications made, all written  
661 responses to such communications, and a memorandum stating the substance of all oral  
662 communications received and all oral responses made. The commission shall place on the  
663 record of a proceeding all such communications.

664 (e) Any commissioner who knowingly fails to place on the record any such  
665 communications in violation of this Code section within 15 days after the date of such  
666 communication is subject to removal and may be assessed a civil penalty not to exceed  
667 \$5,000.00.

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

671 (2) The Georgia Government Transparency and Campaign Finance Commission shall  
672 accept and investigate any alleged violations of this Code section. For any investigation  
673 of alleged violations, the Georgia Government Transparency and Campaign Finance  
674 Commission shall provide the Governor, the Lieutenant Governor, and the Speaker of the  
675 House of Representatives with a report of its findings and recommendations. The

676 Governor is authorized to enforce recommendations of the Georgia Government  
677 Transparency and Campaign Finance Commission, and to remove from office any  
678 commissioner who is found by the Georgia Government Transparency and Campaign  
679 Finance Commission to have willfully and knowingly violated this Code section. The  
680 Governor shall remove from office any commissioner who is found by the Georgia  
681 Government Transparency and Campaign Finance Commission to have willfully and  
682 knowingly violated this Code section after a previous finding by the Georgia Government  
683 Transparency and Campaign Finance Commission that the commissioner willfully and  
684 knowingly violated this Code section in a separate matter.

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

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

Part 2

698

699 50-28-40.

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

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

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

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

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

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

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

723 (5) To the extent available, letters of reference or the equivalent from law enforcement  
724 agencies having jurisdiction of the applicant's place of residence and principal place of  
725 business. Each such letter of reference shall indicate that the law enforcement agency  
726 does not have any pertinent information concerning the applicant or, if such law  
727 enforcement agency does have information pertaining to the applicant, shall provide such  
728 information;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

784 50-28-41.

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

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

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

797 (d) A Type 1 sports betting licensee may enter into commercial agreements with licensees  
798 or other entities that provide for such Type 1 sports betting licensee to share in the amount  
799 bet from sports betting. A Type 1 sports betting licensee shall not be required to obtain any  
800 approval or other form of authorization from the commission to enter into such commercial  
801 agreements. The commission shall not prescribe any terms or conditions that are required  
802 to be included into such commercial agreements.

803 (e) All licenses issued under this chapter shall be valid for a term of ten years, unless  
804 suspended or revoked as provided under this chapter.

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

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

810 50-28-42.

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

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

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

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

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

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

825 (5) An individual who is a member or employee of any sports governing body or  
826 sporting events operator;

827 (6) An individual or entity with an owner, officer, or director who has been convicted of  
828 a crime of moral turpitude or similar degree as specified in rules and regulations  
829 promulgated by the commission;

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

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

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

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

840 (11) Any other category of persons, established by rules and regulations of the  
841 commission, that, if licensed, would negatively affect the integrity of sports betting in this  
842 state.

843 (c) An individual listed in paragraphs (2) through (11) of subsection (b) of this Code  
844 section may hold an ownership interest in an applicant or licensee without disqualifying  
845 the applicant or licensee from obtaining or holding a license; provided, however, that such  
846 an ownership interest of 25 percent or more shall require approval from the commission.

847 In determining whether such an ownership interest shall be the basis of disqualification, the  
848 commission shall consider whether such interest would negatively affect the integrity of  
849 sports betting in this state and any other factors the commission shall deem relevant.

850 50-28-43.

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

853 (b) The commission shall issue not more than 18 Type 1 sports betting licenses to Type 1  
854 eligible entities in accordance with the following:

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

859 (2) One Type 1 sports betting license shall be reserved for each of the Type 1 eligible  
860 entities defined in subparagraphs (B) through (E) of paragraph (44) of Code Section  
861 50-28-3; and

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

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

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

873 50-28-44.

874 (a) A Type 2 sports betting distributor license authorizes a Type 2 eligible entity to offer  
875 retail sports betting on behalf of the commission through a platform provided by one or  
876 more Type 2 sports betting platform licensees; provided, however, that retail sports betting  
877 shall be limited to fixed-odds betting, money line bets, over/under bets, parlay bets, and  
878 bets on the spread.

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

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

886 (d) Each Type 2 sports betting distributor licensee shall contract with the commission to  
887 operate retail sports betting on behalf of the commission in exchange for 80 percent of the  
888 state's proceeds from retail sports betting generated by self-service or clerk operated  
889 terminals owned or operated by such Type 2 sports betting distributor.

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

892 (f) Except as provided for in subsection (i) of this Code section, a Type 2 sports betting  
893 distributor licensee shall not install or offer more than two sports betting terminals at the  
894 Type 2 sports betting retail licensee's place of business; however, Class B machines  
895 licensed by Georgia Lottery Corporation under Chapter 27 of this title adapted to also  
896 function as self-service terminals shall not be subject to such limitation.

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

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

901 (i) The commission shall adopt rules and regulations that:

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

905 however, that such limitation shall not apply to Class B machines described in  
906 paragraph (3) of this subsection;

907 (2) Prescribe the ratios by which revenue from retail sports betting shall be divided  
908 among Type 2 distributor licensees, Type 2 platform licensees, and Type 2 retail  
909 licensees;

910 (3) Permit a Type 2 sports betting distributor to offer any amount of self-service or clerk  
911 operated sports betting terminals owned or operated by such distributor for sports betting  
912 purposes at a Type 2 eligible retail entity that has been sanctioned by the National  
913 Steeplechase Association in this state for at least six months prior to the effective date of  
914 this chapter, or 18 months prior to the submission of an application for a Type 2 eligible  
915 retail license; and

916 (4) Are reasonable and necessary to effectuate the provisions of this chapter.

917 (j) The commission may adopt rules and regulations that limit sports betting within Type 2  
918 sports betting retail licensee's premises to Type 2 betting, so far as technically practical.

919 50-28-45.

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

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

927 (c) If the holder of a Type 1 sports betting license is a Type 1 eligible entity and is a  
928 member of a league, association, or organization that prevents the holder from being  
929 subject to the regulatory control of the commission or from otherwise operating under the  
930 license, such a Type 1 eligible entity may contractually appoint an online sports betting

931 services provider for all aspects of commission oversight and operations under the Type 1  
932 sports betting license.

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

939 50-28-46.

940 If this chapter becomes effective on January 1, 2023, following the ratification of an  
941 amendment to the Constitution of Georgia, any person offering or engaging in sporting  
942 betting in this state after January 1, 2023, prior to being licensed by the commission to  
943 offer or engage in such activity shall be prohibited from obtaining a license under this  
944 chapter for a minimum period of two years. The prohibition and penalty provided in this  
945 Code section shall be in addition to any other civil or criminal prohibitions and penalties  
946 as may be provided in this chapter, Title 16, or other provisions of law.

947 Part 3

948 50-28-60.

949 (a) The commission shall prescribe by rules and regulations:

950 (1) The reserves that must be kept by licensees to comply with subparagraph (c)(7)(A)  
951 of Code Section 50-28-40 to pay off bettors;

952 (2) Any insurance requirements for a licensee;

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

- 955 (A) Safeguarding assets and revenues, including evidence of indebtedness;  
956 (B) Maintaining reliable records relating to accounts, transactions, profits and losses,  
957 operations, and events; and  
958 (C) Global risk management;  
959 (4) Requirements for internal and independent audits of licensees;  
960 (5) The manner in which periodic financial reports shall be submitted to the commission  
961 from each licensee, including the financial information to be included in the reports;  
962 (6) The type of information deemed to be confidential financial or proprietary  
963 information that is not subject to any reporting requirements under this chapter;  
964 (7) Policies, procedures, and processes designed to mitigate the risk of cheating and  
965 money laundering; and  
966 (8) Any post-employment restrictions necessary to maintain the integrity of sports  
967 betting in this state.

968 Part 4

969 50-28-70.

- 970 (a) In addition to any other taxes as may be provided by law and except as provided in  
971 paragraph (55) of Code Section 48-8-3, there shall be imposed an annual privilege tax of  
972 20 percent of the adjusted gross income derived from online sports betting in accordance  
973 with this Code section.
- 974 (b) The privilege tax described in subsection (a) of this Code section shall be paid by the  
975 online sports betting services provider.
- 976 (c) The privilege tax imposed under this Code section shall be paid monthly by the online  
977 sports betting services provider based on its monthly adjusted gross income for the  
978 immediately preceding calendar month. The privilege tax shall be paid to the commission  
979 in accordance with rules and regulations promulgated by the commission. If the online

980 sports betting services provider's adjusted gross income for a month is a negative number,  
981 such online sports betting services provider may carry over such negative amount to  
982 subsequent months.

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

986 50-28-71.

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

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

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

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

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

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

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

999 (c) With respect to information reported under subsection (b) of this Code section, a  
1000 licensee shall include with such report a statement of any conflict of interest that may exist  
1001 as a result of such election or acquisition.

1002 (d) Upon receiving a report under this Code section or subsection (b) of Code  
1003 Section 50-28-111, the commission may conduct a hearing in accordance with Code  
1004 Section 50-28-120 to determine whether the licensee remains in compliance with this  
1005 chapter.

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ARTICLE 3

Part 1

50-28-80.

(a) A licensee shall not knowingly:

(1) Allow a minor to place a wager;

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

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

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

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

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

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

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

50-28-81.

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

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

1031 50-28-82.

1032 (a) The following individuals and categories of individuals shall not, directly or indirectly,  
1033 place a wager on sporting events or online sports betting platforms in this state:

1034 (1) A member, officer, or employee of the commission shall not place a wager on any  
1035 sporting event or platform.

1036 (2) A member, officer, or employee of the Georgia Lottery Corporation shall not place  
1037 a wager on any sporting event or platform.

1038 (3) A commission vendor shall not place a wager on any sporting event or platform.

1039 (4) A licensee or principal owner, partner, member of the board of directors, officer, or  
1040 supervisory employee of a licensee shall not place a wager on the licensee's platform.

1041 (5) A vendor of a licensee or any principal owner, partner, member of the board of  
1042 directors, officer, or supervisory employee of a vendor shall not place a wager on the  
1043 licensee's platform.

1044 (6) A contractor, subcontractor, or consultant or any officer or employee of a contractor,  
1045 subcontractor, or consultant of a licensee shall not place a wager on the licensee's  
1046 platform, if such individual is directly involved in the licensee's operation of sports  
1047 betting or the processing of sports betting claims or payments through the licensee's  
1048 platform.

1049 (7) An individual subject to a contract with the commission shall not place a wager on  
1050 any platform, if the contract contains a provision prohibiting the individual from  
1051 participating in sports betting.

1052 (8) An individual with access to material nonpublic information that is known  
1053 exclusively by an individual who is prohibited from placing a wager in this state under  
1054 this Code section shall not use any such information to place a wager on any sporting  
1055 event or platform.

1056 (9) An amateur or Olympic athlete shall not place a wager on any sporting event in  
1057 which the athlete participates.

1058 (10) A professional athlete shall not place a wager on any sporting event overseen by  
1059 such athlete's sports governing body or sporting events operator.

1060 (11) An owner or employee of a team, player, umpire, or sports union personnel, or  
1061 employee, referee, coach, or official of a sports governing body or sporting events  
1062 operator shall not place a wager on any sporting event, if the wager is based on a sporting  
1063 event overseen by the individual's sports governing body or sporting events operator.

1064 (12) An individual having the ability to directly affect the outcome of a sporting event  
1065 shall not place a wager on such sporting event.

1066 (13) A trustee or regent of a governing board of a public or private institution of higher  
1067 education shall not place a wager on a collegiate sporting event.

1068 (14) An individual prohibited by the rules or regulations of a sports governing body or  
1069 sporting events operator of a collegiate sports, team, league, or association from  
1070 participating in sports betting shall not place a wager on any sporting event to which such  
1071 prohibition applies.

1072 (15) A student or an employee of a public or private institution of higher education who  
1073 has access to material nonpublic information concerning a student athlete or a sports team  
1074 shall be prohibited from placing a wager on a collegiate sporting event if such  
1075 information is relevant to the outcome of such event.

1076 (b) The commission may prescribe by rules and regulations additional individuals and  
1077 categories of individuals who are prohibited from placing a wager on specified sporting  
1078 events or online sports betting platforms in this state.

1079 (c) The commission shall issue rules and regulations that require periodic reports from  
1080 licensees and the information to be contained therein so that the commission can develop  
1081 and maintain a confidential registry of a consolidated list of individuals and categories of  
1082 individuals who are ineligible to place a wager in this state and shall provide the registry  
1083 to each licensee in this state. The commission shall provide each updated registry to the  
1084 licensees as soon as practicable. Each licensee shall maintain the registry provided by the

1085 commission confidentially. Such registry shall not be considered a record open to the  
1086 public pursuant to Article 4 of Chapter 18 of this title and shall be exempt from such  
1087 provisions.

1088 (d) Any individual who places a wager in violation of this Code section:

1089 (1) For a first offense, shall be guilty of a misdemeanor;

1090 (2) For a second offense, shall be guilty of a misdemeanor and shall be fined not less  
1091 than \$500.00 nor more than \$1,000.00 or shall be imprisoned for not less than one month  
1092 nor more than five months, or both; and

1093 (3) For a third or subsequent offense, shall be guilty of a misdemeanor of a high and  
1094 aggravated nature and shall be fined not less than \$750.00 or shall be imprisoned for not  
1095 less than three months, or both.

1096 50-28-83.

1097 (a) The commission shall by rules and regulations prohibit betting on injuries, penalties,  
1098 or the outcome of player discipline rulings or replay reviews under this chapter that are  
1099 contrary to public policy or unfair to bettors.

1100 (b)(1) A sports governing body or sporting events operator may submit to the  
1101 commission in writing, by providing notice in such form and manner as the commission  
1102 may require, a request to restrict, limit, or prohibit a certain type, form, or category of  
1103 sports betting with respect to sporting events of such sports governing body or sporting  
1104 events operator, if the sports governing body or sporting events operator believes that  
1105 such type, form, or category of sports betting with respect to sporting events of such  
1106 sports governing body or sporting events operator may undermine the integrity or  
1107 perceived integrity of such sports governing body or sporting events operator or sporting  
1108 events of such sports governing body or sporting events operator. The commission shall  
1109 request comments from sports betting licensees on all such requests it receives.

1110 (2) After giving due consideration to all comments received, the commission shall, upon  
1111 demonstration of good cause from the requestor that such type, form, or category of  
1112 sports betting is likely to undermine the integrity or perceived integrity of such sports  
1113 governing body or sporting events operator or sporting events of such sports governing  
1114 body or sporting events operator, grant the request. The commission shall respond to a  
1115 request concerning a particular event before the start of the event, or if it is not feasible  
1116 to respond before then, no later than seven days after the request is made. If the  
1117 commission determines that the requestor is more likely than not to prevail in  
1118 successfully demonstrating good cause for its request, the commission may provisionally  
1119 grant the request of the sports governing body or sporting events operator until the  
1120 commission makes a final determination as to whether the requestor has demonstrated  
1121 good cause. Absent such a provisional grant by the commission, sports betting licensees  
1122 may continue to offer sports betting on sporting events that are the subject of such a  
1123 request during the pendency of the commission's consideration of the applicable request.

1124 Part 2

1125 50-28-90.

1126 (a) Prior to placing a wager with a licensee via online sports betting, a bettor shall register  
1127 and establish a player account with the licensee remotely and attest that the bettor meets  
1128 the requirements to place a wager with a licensee in this state. Prior to verification of a  
1129 bettor's identity in accordance with this Code section, a licensee shall not allow the bettor  
1130 to engage in sports betting, make a deposit, or process a withdrawal via online sports  
1131 betting. A licensee shall implement commercially and technologically reasonable  
1132 procedures to prevent access to sports betting by minors on its online sports betting  
1133 platforms. A licensee may use information obtained from third parties to verify that an

1134 individual is authorized to open an account, place wagers, and make deposits and  
1135 withdrawals.

1136 (b) Each online sports betting services provider licensee shall adopt a registration policy  
1137 to ensure that all bettors utilizing online sports betting are authorized to place a wager with  
1138 a licensee within this state. Such policy shall include, without limitation, commercially  
1139 reasonable mechanisms which shall:

1140 (1) Verify the name and age of the registrant;

1141 (2) Verify that the registrant is not knowingly prohibited from placing a wager under  
1142 Code Section 50-28-82; and

1143 (3) Obtain the following information from the registrant:

1144 (A) Legal name;

1145 (B) Date of birth;

1146 (C) Physical address other than a post office box;

1147 (D) Phone number;

1148 (E) A unique username; and

1149 (F) An active email account.

1150 (c) Each online sports betting services provider licensee may in its discretion require a  
1151 bettor to provide the licensee with a signed and notarized document attesting that the bettor  
1152 is qualified to engage in sports betting under this chapter as part of the registration policy  
1153 of the licensee.

1154 (d) A bettor shall not register more than one account with a licensee, and each licensee  
1155 shall use commercially and technologically reasonable means to ensure that each bettor is  
1156 limited to one account.

1157 (e) Each online sports betting services provider licensee, in addition to complying with  
1158 state and federal law pertaining to the protection of the private, personal information of  
1159 registered bettors, shall use all other commercially and technologically reasonable means  
1160 to protect such information consistent with industry standards.

- 1161 (f) When a bettor's account is created, a bettor may fund the account through:  
1162 (1) Electronic bank transfer of funds, including such transfers through third parties;  
1163 (2) Cash;  
1164 (3) Debit cards;  
1165 (4) Online and mobile payment systems that support online money transfers; and  
1166 (5) Any other method approved by rules and regulations of the commission.  
1167 (g)(1) Licensees shall not allow bets to be placed until first verifying the identity of the  
1168 bettor pursuant to this Code section and by rules promulgated by the commission.  
1169 Further, and pursuant to rules promulgated by the commission, licensees shall establish  
1170 safeguards, including, but not limited to, access notifications and similar security  
1171 safeguards, to protect each bettor's account.  
1172 (2) If a licensee determines that the information provided by a bettor to make a deposit  
1173 or process a withdrawal is inaccurate or incapable of verification or violates the policies  
1174 and procedures of the licensee, the licensee shall, within ten days, require the submission  
1175 of additional information that can be used to verify the identity of such bettor.  
1176 (3) If such information is not provided or does not result in verification of the bettor's  
1177 identity, the licensee shall:  
1178 (A) Immediately suspend the bettor's account and shall not allow the bettor to place  
1179 wagers;  
1180 (B) Retain any winnings attributable to the bettor;  
1181 (C) Refund the balance of deposits made to the account to the source of such deposit  
1182 or by issuance of a check; and  
1183 (D) Suspend the account.  
1184 (h) A licensee shall utilize geofencing technology to ensure that online sports betting is  
1185 available only to bettors who are physically located in this state. A licensee shall maintain  
1186 in this state the servers it uses to accept wagers on a sporting event placed by bettors  
1187 located in this state.

1188 (i) Each online sports betting services provider licensee shall clearly and conspicuously  
1189 display on its website a statement indicating that it is illegal for a person under 21 years of  
1190 age to engage in sports betting in this state.

1191 (j) The commission shall promulgate rules and regulations for purposes of regulating  
1192 sports betting via online sports betting.

1193 50-28-91.

1194 (a) Licensees shall allow bettors to restrict themselves from placing wagers with the  
1195 licensee, including limits on the amounts wagered, and take reasonable steps to prevent  
1196 those bettors from placing such wagers. At the request of a bettor, a licensee may share the  
1197 request with the commission for the sole purpose of disseminating the request to other  
1198 licensees.

1199 (b) The commission shall promulgate rules and regulations that require a licensee to  
1200 implement responsible sports betting programs that include comprehensive training on  
1201 responding to circumstances in which individuals present signs of problem gambling or a  
1202 betting or gambling disorder.

1203 (c) The commission shall work with national and local organizations to provide services  
1204 for individuals with problem gambling or a betting or gambling disorder and to establish  
1205 prevention initiatives to reduce the number of individuals with problem gambling or a  
1206 betting or gambling disorder, including, but not limited to, utilizing currently established  
1207 programs for problem gambling or betting or gambling disorders.

1208 (d) The commission shall annually generate a report outlining activities with respect to  
1209 problem gambling and betting or gambling disorders, including, but not limited to,  
1210 descriptions of programs, grants, and other resources made available; the number of  
1211 individuals seeking assistance; the number of individuals who reported completing  
1212 programs and therapies; and the rate of recidivism, if known to the commission. The  
1213 commission shall file the annual report with the Governor, the Lieutenant Governor, and

1214 the Speaker of the House of Representatives and shall publish such report on its website  
1215 no later than January 1 of each year.

1216 50-28-92.

1217 (a) Each licensee shall adopt and adhere to a written, comprehensive policy outlining its  
1218 rules governing the acceptance of wagers and payouts. Such policy and rules must be  
1219 approved by the commission prior to the acceptance of a wager by a licensee. Such policy  
1220 and rules must be readily available to a bettor on the licensee's website.

1221 (b) The commission shall promulgate rules and regulations regarding:

1222 (1) The manner in which a licensee accepts wagers from and issues payouts to bettors,  
1223 including payouts in excess of \$10,000.00; and

1224 (2) Requirements for reporting suspicious wagers.

1225 Part 3

1226 50-28-100.

1227 (a) Except as provided in subsection (b) of this Code section, a licensee may use any data  
1228 source for determining the results of any tier 1 sports wager or tier 2 sports wager.

1229 (b)(1) A sports governing body or sporting events operator with headquarters located in  
1230 the United States may notify the commission that it desires licensees to use official league  
1231 data or official event data, respectively, for determining the results of tier 2 sports wagers.  
1232 A notification under this subsection shall be made in the form and manner as the  
1233 commission shall require through rules and regulations. The commission shall notify  
1234 each licensee within five days after receipt of such notification from a sports governing  
1235 body or sporting events operator. If a sports governing body or sporting events operator  
1236 does not notify the commission of its desire to supply official league data or official event  
1237 data, a licensee may use any data source approved by the commission for determining the

1238 results of any tier 2 wagers on sporting events of that sports governing body or sporting  
1239 events operator.

1240 (2) Within 60 days after the commission notifies each licensee of the desire of a sports  
1241 governing body or sporting events operator to require official league data or official event  
1242 data as provided under paragraph (1) of this subsection, each such licensee shall be  
1243 required to use only official league data or official event data, as applicable, to determine  
1244 the results of tier 2 sports wagers on sporting events sanctioned by such sports governing  
1245 body or sporting events operator, except when:

1246 (A) The sports governing body or sporting events operator, or a designee of such sports  
1247 governing body or sporting events operator, is unable to provide a feed of official  
1248 league data or official event data to determine the results of a particular type of tier 2  
1249 sports wager, in which case licensees may use any data source for determining the  
1250 results of the applicable tier 2 sports wager until the data feed becomes available on  
1251 commercially reasonable terms; or

1252 (B) A licensee is able to demonstrate to the commission that the sports governing body  
1253 or sporting events operator, or a designee of such sports governing body or sporting  
1254 events operator, will not provide a feed of official league data or official event data to  
1255 the licensee on commercially reasonable terms.

1256 (3) The commission may consider the following factors in evaluating whether official  
1257 league data or official event data is being provided by the sports governing body or  
1258 sporting events operator on commercially reasonable terms:

1259 (A) The availability of official league data of a sports governing body or the official  
1260 event data of a sporting events operator on tier 2 sports wagers to a licensee from more  
1261 than one authorized source;

1262 (B) Market information regarding the purchase of comparable data by licensees for the  
1263 purpose of settling sports wagers, for use in this state or other jurisdictions;

1264 (C) The nature and quantity of data, including the quality and complexity of the  
1265 process used for collecting such data; and  
1266 (D) The extent to which sports governing bodies or sporting events operators, or  
1267 designees of sports governing bodies or sporting events operators, have made available  
1268 to licensees the data used to determine the results of tier 2 sports wagers.  
1269 (4) While the commission is determining whether a feed of official league data or official  
1270 event data has been provided on commercially reasonable terms pursuant to paragraph (3)  
1271 of this subsection, a licensee may use any data source for determining the results of any  
1272 tier 2 sports wagers.  
1273 (5) The commission shall make a determination under paragraph (3) of this subsection  
1274 within 120 days after the licensee notifies the commission that it desires to demonstrate  
1275 that the sports governing body or sporting events operator, or a designee of such sports  
1276 governing body or sporting events operator, will not provide a feed of official league data  
1277 or official event data to such licensee on commercially reasonable terms.

1278 ARTICLE 4

1279 Part 1

1280 50-28-110.

1281 Members of the commission or designated employees thereof may, during normal business  
1282 hours, enter the premises of any facility of a licensee, or a third party utilized by the  
1283 licensee to operate and conduct business in accordance with this chapter, for the purpose  
1284 of inspecting books and records kept as required by this chapter to ensure that the licensee  
1285 is in compliance with this chapter or to make any other inspection of the premises  
1286 necessary to protect the public interests of this state and its consumers.

1287 50-28-111.

1288 (a) The commission, licensees, commission vendors, and vendors shall use commercially  
1289 reasonable efforts to cooperate with investigations conducted by any sports governing  
1290 body, any sporting events operator, and law enforcement agencies, including, but not  
1291 limited to, using commercially reasonable efforts to provide or facilitate the provision of  
1292 anonymized account level betting information and audio or video files relating to  
1293 individuals placing wagers. All disclosures under this Code section shall be subject to the  
1294 obligation of a sports betting licensee to comply with all federal, state, and local laws and  
1295 rules and regulations relating to privacy and personally identifiable information.

1296 (b) Licensees shall promptly report to the commission any information relating to:

1297 (1) Criminal or disciplinary proceedings commenced against the licensee in connection  
1298 with its operations;

1299 (2) Abnormal betting activity or patterns that may indicate a concern with the integrity  
1300 of a sporting event;

1301 (3) Any potential breach of the internal rules and codes of conduct of a sports governing  
1302 body or sporting events operator pertaining to sports betting to the extent that such rules  
1303 or codes of conduct are provided to the licensee by the sports governing body or sporting  
1304 events operator or are otherwise known to the licensee;

1305 (4) Conduct that corrupts the betting outcome of a sporting event for purposes of  
1306 financial gain, including match fixing; and

1307 (5) Suspicious or illegal betting activities, including cheating, use of funds derived from  
1308 illegal activity, wagers to conceal or launder funds derived from illegal activity, use of  
1309 agents to place wagers, and use of false identification.

1310 (c) Licensees shall as soon as is practicable report any information relating to conduct  
1311 described in paragraphs (2) through (4) of subsection (b) of this Code section to the  
1312 commission.

1313 (d) Licensees shall use commercially reasonable efforts to maintain, in real time and at the  
1314 account level, anonymized information regarding a bettor; the amount and type of bet; the  
1315 time the bet was placed; the location of the bet, including the internet protocol address if  
1316 applicable; the outcome of the bet; and records of abnormal betting activity. The  
1317 commission may request such information in the form and manner as required by rules and  
1318 regulations of the commission. For purposes of this subsection, the term 'real time' means  
1319 on a commercially reasonable periodic interval.

1320 (e) All records, documents, and information received by the commission pursuant to this  
1321 Code section shall be considered investigative records of a law enforcement agency, shall  
1322 not be subject to Article 4 of Chapter 18 of this title, and shall not be released under any  
1323 condition without the permission of the person providing such records, documents, or  
1324 information.

1325 (f) Nothing in this Code section shall require a sports betting licensee to provide any  
1326 information that is prohibited by federal, state, or local laws or rules and regulations,  
1327 including, without limitation, laws and rules and regulations relating to privacy and  
1328 personally identifiable information.

1329 (g) If a sports governing body or sporting events operator has notified the commission that  
1330 real-time information sharing for wagers placed on its sporting events is necessary and  
1331 desirable and the commission determines it is necessary so as to further the goals of this  
1332 chapter, licensees shall share the same information with the sports governing body or  
1333 sporting events operator, or a designee of such sports governing body or sporting events  
1334 operator, with respect to wagers on its sporting events. A sports governing body or  
1335 sporting events operator, or a designee, shall only use information received under this  
1336 subsection for integrity-monitoring purposes and shall not use such information for any  
1337 other purpose. Nothing in this subsection shall require a licensee to provide any  
1338 information that is prohibited by federal, state, or local laws, rules, or regulations,

1339 including, but not limited to laws, rules, or regulations relating to privacy and personally  
1340 identifiable information.

1341 50-28-112.

1342 The commission shall assist in any investigations by law enforcement to determine  
1343 whether:

1344 (1) A licensee is accepting wagers from minors or other persons ineligible to place  
1345 wagers in this state; and

1346 (2) An individual is unlawfully accepting wagers from another individual without a  
1347 license or at a location in violation of this chapter.

1348 Part 2

1349 50-28-120.

1350 (a) The commission may investigate and conduct a hearing with respect to a licensee upon  
1351 information and belief that the licensee has violated this chapter or upon the receipt of a  
1352 credible complaint from any person that a licensee has violated this chapter. The  
1353 commission shall conduct investigations and hearings in accordance with rules and  
1354 regulations adopted by the commission.

1355 (b) If the commission determines that a licensee has violated any provision of this chapter  
1356 or any rules and regulations of the commission, the commission may suspend, revoke, or  
1357 refuse to renew a license; impose an administrative fine not to exceed \$25,000.00 per  
1358 violation; or both.

1359 (c) The commission shall promulgate rules and regulations establishing a schedule of  
1360 administrative fines that may be assessed in accordance with subsection (b) of this Code  
1361 section for each violation of this chapter; provided, however, if the commission finds that:

- 1362 (1) A licensee is accepting wagers from minors or other persons ineligible to place  
 1363 wagers in this state, the commission shall impose a fine against the licensee as follows:  
 1364 (A) For a first offense, \$1,000.00;  
 1365 (B) For a second offense, \$2,000.00; and  
 1366 (C) For a third or subsequent offense, \$5,000.00; or  
 1367 (2) An individual is unlawfully accepting wagers from another individual without a  
 1368 license, the commission shall impose a fine against the individual as follows:  
 1369 (A) For a first offense, \$10,000.00;  
 1370 (B) For a second offense, \$15,000.00; and  
 1371 (C) For a third or subsequent offense, \$25,000.00.  
 1372 (d) The commission may refer conduct that it reasonably believes is a violation of  
 1373 Article 2 of Chapter 12 of Title 16 to the appropriate law enforcement agency.

1374 50-28-121.

- 1375 (a) Fines assessed under this chapter shall be accounted for separately for use by the  
 1376 commission in a manner consistent with rules and regulations of the commission.  
 1377 (b) The commission may issue subpoenas to compel the attendance of witnesses and the  
 1378 production of relevant books, accounts, records, and documents for purposes of carrying  
 1379 out its duties under this chapter.

1380 50-28-122.

- 1381 (a) A licensee or other individual aggrieved by a final decision or action of the commission  
 1382 may appeal such decision or action to the Superior Court of Fulton County.  
 1383 (b) The Superior Court of Fulton County shall hear appeals from decisions or actions of  
 1384 the commission and, based upon the record of the proceedings before the commission, may  
 1385 reverse the decision or action of the commission only if the appellant proves the decision  
 1386 or action to be:



1411 (c) Costs shall not be taxed against the commission or this state for actions brought under  
1412 this chapter. Reserved."

1413 **PART III**  
1414 **SECTION 3-1.**

1415 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is  
1416 amended by revising paragraph (55) of Code Section 48-8-3, relating to exemptions from  
1417 state sales and use tax, as follows:

1418 "(55) The sale of lottery tickets authorized by Chapter 27 of Title 50 or wagers  
1419 authorized by Chapter 28 of Title 50;"

1420 **PART IV**  
1421 **SECTION 4-1.**

1422 This Act shall become effective on January 1, 2023, following the ratification of an  
1423 amendment to the Constitution of Georgia providing for lotteries, bingo games, raffles, sports  
1424 betting, and other forms of betting and gambling; provided, however, to the extent this Act  
1425 conflicts with law in effect at the time of ratification, this Act and such amendment shall  
1426 control, and to the extent such law is not in conflict, the law in effect at the time of  
1427 ratification shall control and shall remain in full force and effect. If such amendment is not  
1428 so ratified, then this Act shall stand automatically repealed.

1429 **SECTION 4-2.**

1430 All laws and parts of laws in conflict with this Act are repealed.