

House Bill 49

By: Representatives Buck of the 135th, Royal of the 164th, Jamieson of the 22nd, Skipper of the 137th, Heard of the 89th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 17 of Title 48 of the Official Code of Georgia Annotated, relating to coin
2 operated amusement machines, so as to change certain definitions regarding such machines;
3 to provide an effective date; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

5 Chapter 17 of Title 48 of the Official Code of Georgia Annotated, relating to coin operated
6 amusement machines, is amended by striking Code Section 48-17-1, relating to definitions
7 regarding such machines, and inserting in its place a new Code Section 48-17-1 to read as
8 follows:
9

10 "48-17-1.

11 As used in this chapter, the term:

12 (1) 'Applicant' or 'licensee' means owner as defined in this Code section including an
13 owner's officers, directors, shareholders, individuals, members of any association or other
14 entity not specified, and, when applicable in context, the business entity itself.

15 (2) 'Bona fide coin operated amusement machine' means:

16 (A) Every machine of any kind or character used by the public to provide amusement
17 or entertainment whose operation requires the payment of or the insertion of a coin, bill,
18 other money, token, ticket, or similar object and the result of whose operation depends
19 in whole or in part upon the skill of the player, whether or not it affords an award to a
20 successful player pursuant to subsections (b) through (g) of Code Section 16-12-35, and
21 which can be legally shipped interstate according to federal law. Examples of bona fide
22 coin operated amusement machines include, but are expressly not limited to, the
23 following:

- 24 (i) Pinball machines;
- 25 (ii) Console machines;

- 1 (iii) Video games;
 - 2 (iv) Crane machines;
 - 3 (v) Claw machines;
 - 4 (vi) Pusher machines;
 - 5 (vii) Bowling machines;
 - 6 (viii) Novelty arcade games;
 - 7 (ix) Football or table soccer machines;
 - 8 (x) Miniature racetrack, football, or golf machines;
 - 9 (xi) Target or shooting gallery machines;
 - 10 (xii) Basketball machines;
 - 11 (xiii) Shuffleboard games;
 - 12 (xiv) Kiddie ride games;
 - 13 (xv) Skee-ball machines;
 - 14 (xvi) Air hockey machines;
 - 15 (xvii) Roll down machines;
 - 16 (xviii) Trivia machines;
 - 17 (xix) Laser games;
 - 18 (xx) Simulator games;
 - 19 (xxi) Virtual reality machines;
 - 20 (xxii) Matchup or lineup games which require the player to use skill stops to
 - 21 complete the game;
 - 22 (xxiii) Maze games;
 - 23 (xxiv) Racing games;
 - 24 (xxv) Coin operated pool tables or coin operated billiard tables as defined in
 - 25 paragraph (3) of Code Section 43-8-1; and
 - 26 (xxvi) Any other similar amusement machine which can be legally operated in
 - 27 Georgia; and
- 28 (B) Every machine of any kind or character used by the public to provide music whose
- 29 operation requires the payment of or the insertion of a coin, bill, other money, token,
- 30 ticket, or similar object such as jukeboxes or other similar types of music machines.
- 31 The term 'bona fide coin operated amusement machine' does not include the following
- 32 (i) Coin operated washing machines or dryers;
 - 33 (ii) Vending machines which for payment of money dispense products or services;
 - 34 (iii) Gas and electric meters;
 - 35 (iv) Pay telephones;
 - 36 (v) Pay toilets;

- 1 (vi) Cigarette vending machines;
2 (vii) Coin operated scales;
3 (viii) Coin operated gumball machines;
4 (ix) Coin operated parking meters;
5 (x) Coin operated television sets which provide cable or network programming;
6 (xi) Coin operated massage beds; and
7 (xii) Machines which are not legally permitted to be operated in Georgia.

8 (2.1) 'Business owner or business operator' means an owner or operator of a business
9 where one or more bona fide coin operated amusement machines are available for
10 commercial use and play by the public.

11 (3) 'Commissioner' means the state revenue commissioner.

12 (4) 'Master license' means the certificate which every owner of a bona fide coin operated
13 amusement machine must purchase and display in the owner's or operator's place of
14 business where the machine is located for commercial use by the public for play in order
15 to legally operate the machine in the state.

16 (4.1) 'Net receipts' means the entire amount of moneys received from the public for play
17 of an amusement machine, minus the amount of expenses for noncash redemption of
18 winnings from the amusement machine, and minus the amount of moneys refunded to the
19 public for malfunction of the amusement machine.

20 (5) 'Operator' means any person, individual, firm, company, association, corporation, or
21 other business entity who exhibits, displays, or permits to be exhibited or displayed, in
22 a place of business other than his own, any bona fide coin operated amusement machine
23 in this state.

24 (6) 'Owner' means any person, individual, firm, company, association, corporation, or
25 other business entity owning any bona fide coin operated amusement machine in this
26 state.

27 (7) 'Permit fee' means the annual per machine charge which every owner of a bona fide
28 coin operated amusement machine in commercial use must purchase and display in either
29 the owner's or operator's place of business in order to legally operate the machine in the
30 state.

31 (8) 'Sticker' means the decal issued for every bona fide coin operated amusement
32 machine to show proof of payment of the permit fee."

33 SECTION 2.

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

SECTION 3.

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