

## House Resolution 68EX2

By: Representatives Rogers of the 20<sup>th</sup>, Stephens of the 150<sup>th</sup> and Lucas of the 124<sup>th</sup>

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to authorize the General Assembly to  
 2 authorize and regulate the operation of certain games, contests, competitions, or devices for  
 3 which a player exchanges money or a thing of value for the chance to win a thing of value;  
 4 to provide for definitions; to limit rewards for successful play or competition; to authorize  
 5 a tax on the proceeds of such machines, devices, or games and provide for the allocation of  
 6 the proceeds of such tax for specific purposes; to provide for the submission of this  
 7 amendment for ratification or rejection; and for other purposes.

8 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

## 9 SECTION 1.

10 Article 1, Section II, Paragraph VIII of the Constitution is amended by inserting a new  
 11 subparagraph to be designated subparagraph (e) to read as follows:

12 "(e) The General Assembly may by general law authorize and regulate the operation of  
 13 bona fide coin operated amusement machines or devices and other games for which a  
 14 player exchanges money or any thing of value for the opportunity to receive something of  
 15 value for successful play or competition, whether successful play or competition is more  
 16 dependent on chance or skill. Reward for the successful play or competition with such  
 17 machines or games shall be limited to free replays and noncash merchandise, prizes, toys,  
 18 gift certificates, or novelties, each of which has a wholesale value of not more than \$5.00  
 19 received for a single play of the game, machine, or device; provided that successful players  
 20 may receive points, tokens, tickets, or other evidence of winnings which may be exchanged  
 21 for free replays and noncash merchandise, prizes, toys, gift certificates, or novelties. The  
 22 General Assembly is authorized to levy a tax on the proceeds of such machines and games;  
 23 the proceeds of such tax shall not be subject to the provisions of Article VII, Section III,  
 24 Paragraph II; Article III, Section IX, Paragraph VI (a); or Article III, Section IX, Paragraph  
 25 IV (c). The proceeds of such tax shall be separately accounted for and the General  
 26 Assembly shall appropriate the proceeds of such tax for any of the following or any  
 27 combination of the following: the public schools for elementary and secondary education,

1 including kindergarten; the purchase of land for parks and the development, maintenance,  
2 and improvement of parks; and health care expenses for children and elderly persons."

3 **SECTION 2.**

4 The above proposed amendment to the Constitution shall be published and submitted as  
5 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
6 above proposed amendment shall have written or printed thereon the following:

7 "( ) YES Shall the constitution be amended to authorize the General Assembly to  
8 permit and regulate the operation of bona fide coin operated amusement  
9 ( ) NO machines or devices and other games for which a player exchanges money  
or some thing of value for the opportunity to win some thing of value for  
successful play or competition; to limit the rewards for successful play or  
competition to noncash prizes and free replays; to authorize a tax on the  
proceeds from such machines, devices, or games, and to allocate the  
proceeds of such tax to public elementary and secondary education, parks,  
and health care for children and elderly persons?"

10 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."  
11 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
12 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
13 become a part of the Constitution of this state.