

The House Committee on Regulated Industries offers the following substitute to HB 677:

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 provide for casino gaming in this state at a limited number of licensed resort facilities
3 in counties, municipalities, and consolidated governments that have approved by public
4 referendum the establishment of such facilities; to provide for the comprehensive regulation
5 of casino gaming activities; to provide for legislative findings; to provide for definitions; to
6 provide for the creation, powers, and duties of the Georgia Casino Gaming Corporation; to
7 provide for the establishment of the Georgia Gaming Commission; to provide for the
8 membership, terms of office, filling of vacancies, qualifications, compensation, duties, and
9 responsibilities of the members of such commission; to provide for the appointment and
10 responsibilities of the Casino Gaming Advisory Board; to provide for commission staff and
11 employees; to provide for funding, budgeting, and reporting by the commission; to provide
12 for certain background investigations; to provide an oversight committee; to provide for
13 certain licenses and permits; to provide for certain appeals and injunctions; to provide for
14 local referendums on the approval of casino gaming at a limited number of licensed resort
15 facilities in counties, municipalities, or consolidated governments; to provide for the
16 collection of certain amount of gross gaming revenues by the commission generated at
17 licensed resort facilities; to establish and provide for the distribution of funds to the Georgia
18 Casino Gaming Education Fund, the Georgia Problem Gaming Assistance Fund, and the
19 Georgia Licensed Resort Facility Host Fund; to provide for the appointment and duties of the
20 Advisory Committee on Problem Gaming; to provide for audits of licensed resort facilities;
21 to prohibit certain conduct and provide for penalties; to amend Title 13 of the Official Code
22 of Georgia Annotated, relating to contracts, so as to change certain provisions relating to
23 gambling contracts; to amend Title 16 of the Official Code of Georgia Annotated, relating
24 to crimes and offenses, so as to change certain provisions relating to gambling and
25 commercial gambling; to change certain provisions relating to keeping a gambling place; to
26 change certain provisions relating to the possession, manufacture, or transfer of gambling
27 devices or parts and possession of antique slot machines; to change certain provisions
28 relating to solicitation of another to gamble with intent to defraud or deceive; to change

29 certain provisions relating to advertising commercial gambling; to change certain provisions
 30 relating to communicating gambling information; to change certain provisions relating to
 31 seizure and destruction of gambling devices; to change certain provisions relating to civil
 32 forfeiture; to change certain provisions relating to lawful promotional and giveaway contests;
 33 to change certain provisions relating to legislative intent relative to bingo; to change certain
 34 provisions relating to license required to operate certain bingo games; to change certain
 35 provisions relating to bingo licensing procedures, fees, and renewals; to change certain
 36 provisions relating to revocation of bingo licenses and access to premises by law
 37 enforcement agencies; to change certain provisions relating to restrictions as to ownership
 38 of premises utilized for bingo; to change certain provisions relating to annual report to be
 39 filed with the director of the Georgia Bureau of Investigation relative to bingo; to change
 40 certain provisions relating to rules and regulations relating to bingo; to provide for related
 41 matters; to provide for a contingent effective date and repeal under certain circumstances;
 42 to repeal conflicting laws; and for other purposes.

43 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

44 **PART I**
 45 **SECTION 1-1.**

46 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 47 by adding a new chapter to read as follows:

48 "CHAPTER 39
 49 ARTICLE 1

50 50-39-1.

51 It is found and declared by the General Assembly:

52 (1) That net proceeds of casino gaming conducted pursuant to this chapter shall be used
 53 to support improvements and enhancements for educational purposes and programs and
 54 that such net proceeds shall be used to supplement, not supplant, existing resources for
 55 educational purposes and programs;

56 (2) That casino gaming shall only be permitted at a limited number of licensed resort
 57 facilities in counties, cities, or consolidated governments that have approved by public
 58 referendum the establishment of such facilities;

59 (3) That casino gaming at licensed resort facilities is an entrepreneurial enterprise and
 60 that the state shall create a public body, corporate and politic, known as the Georgia

61 Casino Gaming Corporation, with comprehensive and extensive powers as generally
62 exercised by corporations engaged in entrepreneurial pursuits;

63 (4) That casino gaming at licensed resort facilities shall be operated and managed in a
64 manner which provides continuing entertainment to the public, promotes jobs, and
65 provides economic development opportunities for the host communities and surrounding
66 areas in this state;

67 (5) That casino gaming and entrance to any place where such casino gaming is conducted
68 is a privilege which may be granted or denied at the discretion of the Georgia Casino
69 Gaming Corporation or its duly authorized representatives in order to effectuate the
70 purposes set forth in this chapter; and

71 (6) That the Georgia Casino Gaming Corporation shall be accountable to the General
72 Assembly and to the public through a system of audits and reports.

73 50-39-2.

74 As used in this chapter, the term:

75 (1) 'Advisory committee' means the Advisory Committee on Problem Gaming created
76 by Code Section 50-39-62.

77 (2) 'Applicant' means a person who applies for a casino gaming license required under
78 this chapter.

79 (3) 'Application' means a proposal for a casino gaming license submitted by an applicant.

80 (4) 'Automated teller machine' or 'ATM' means an automated bank teller machine
81 capable of dispensing cash to its user.

82 (5) 'Baccarat commission' means a fee assessed by a licensee on cash paid out for a
83 baccarat game as a loss to a patron to modify the odds of the game or a rate or fee
84 charged by a licensee for the right to participate in a baccarat game.

85 (6) 'Background investigation' means a security, criminal, and credit investigation of a
86 person who applies for or who is awarded or issued a casino gaming license under this
87 chapter.

88 (7) 'Bona fide coin-operated amusement machine' shall have the same meaning as set
89 forth in Code Section 50-27-70.

90 (8) 'Cashless wagering system' means a method of wagering and accounting in which the
91 validity and value of a wagering instrument or wagering credits are determined,
92 monitored, and retained by a computer operated and maintained by a licensee which
93 maintains a record of each transaction involving the wagering instrument or wagering
94 credits, exclusive of the game or gaming device on which wagers are being made. Such
95 term shall include computerized systems which facilitate electronic transfers of money
96 directly to or from a gambling game or gaming device.

- 97 (9) 'Casino advisory board' means the Casino Gaming Advisory Board created pursuant
98 to Code Section 50-39-5.
- 99 (10) 'Casino gaming' means to deal, operate, carry on, conduct, maintain, or expose for
100 play any gambling game, or to operate an inter-casino linked system.
- 101 (11) 'Casino Gaming Education Account' means the separate financial account in the
102 state treasury created by Code Section 50-39-60, which serves as the main repository of
103 the proceeds generated by the licensing, regulation, and collection of gross gaming
104 revenues of casino gaming in this state.
- 105 (12) 'Casino gaming license' means a license awarded or issued under this chapter that
106 authorizes a person to offer or provide legal casino gaming to the public at a destination
107 resort.
- 108 (13) 'Casino gaming licensing region' means either or both of the geographic regions,
109 Licensing Region One or Licensing Region Two, where casino gaming licenses may be
110 awarded or issued.
- 111 (14) 'Casino Gaming Proceeds' means the budget category contained within the annual
112 budget presented to the General Assembly by the Governor which matches the annual
113 amount of proceeds expected to be collected and transferred for deposit into the Casino
114 Gaming Education Account as provided in Code Section 50-39-60 during a given fiscal
115 year.
- 116 (15) 'Chief executive officer' means the chief executive officer of the Georgia Casino
117 Gaming Corporation.
- 118 (16) 'Commission' or 'Georgia Casino Gaming Commission' means the board of directors
119 of the Georgia Casino Gaming Corporation.
- 120 (17) 'Commissioner' means a member of the board of directors of the Georgia Casino
121 Gaming Corporation.
- 122 (18) 'Corporation' means the Georgia Casino Gaming Corporation.
- 123 (19) 'Credit instrument' means a writing which evidences a gaming debt owed to a person
124 that holds a casino gaming license at the time the debt is created and includes any writing
125 taken in consolidation, redemption, or payment of a previous credit instrument.
- 126 (20) 'Dependent' means a son, daughter, father, mother, brother, sister, or other
127 individual, whether or not related by blood or marriage, if such individual receives from
128 an officer or employee more than half of his or her financial support.
- 129 (21) 'Destination resort' means a mixed-use land-based development consisting of a
130 combination of various tourism amenities and facilities, including, but not limited to,
131 hotels, villas, restaurants, convention facilities, attractions, entertainment facilities,
132 service centers, and shopping centers.

133 (22) 'Gambling game' means any game played with cards, dice, equipment, or any
134 mechanical, electromechanical, or electronic device or machine for money, property,
135 checks, credit, or any representative of value, including, but not limited to, any table
136 game, slot machine, or other game that is approved by the commission through its
137 regulations, policies, or procedures.

138 (23) 'Gaming employee' means any individual connected directly with the operation of
139 casino gaming or an inter-casino linked system located at a licensed resort facility in this
140 state, including, but not limited to, any:

141 (A) Accounting or internal auditing personnel who is directly involved in any record
142 keeping or the examination of records associated with revenue from casino gaming;

143 (B) Boxperson;

144 (C) Cashier;

145 (D) Change personnel;

146 (E) Counting room personnel;

147 (F) Dealer;

148 (G) Employee whose duties are directly involved with the manufacture, repair, sale,
149 or distribution of any gaming device or cashless wagering system;

150 (H) Employee of an operator of an inter-casino linked system, whose duties include the
151 operational or supervisory control of any inter-casino linked system or the gambling
152 games that are part of such system;

153 (I) Employee who has access to the commission's system of records for the purpose of
154 processing regulatory permitting applications under this chapter;

155 (J) Floorperson;

156 (K) Host or other person empowered to extend credit or complimentary service;

157 (L) Keno runner;

158 (M) Keno writer;

159 (N) Machine mechanic;

160 (O) Shift or pit boss;

161 (P) Shill;

162 (Q) Supervisor or manager;

163 (R) Security or surveillance personnel;

164 (S) Temporary or contract employee hired by a licensee to perform a function related
165 to gaming; and

166 (T) Employee of a licensee who has local access to hardware or provides management,
167 support, security, or disaster recovery services for any hardware or software that is
168 regulated pursuant to the provisions of this chapter and any regulations, policies, or
169 procedures adopted by the commission.

170 (24) 'Gaming device' means any object used directly or remotely in connection with any
171 casino gaming or gambling game which affects the result of a wager by determining a
172 win or loss.

173 (25) 'Gaming position' means one seat at a slot machine or table game.

174 (26) 'Georgia Licensed Resort Facility Host Community Fund' means the fund created
175 within the state general fund pursuant to Code Section 50-39-64.

176 (27) 'Georgia Problem Gaming Assistance Fund' means the fund created within the state
177 general fund pursuant to Code Section 50-39-63.

178 (28) 'Good standing' means that a licensee possesses an active casino gaming license
179 under this chapter and is in substantial or full compliance with the obligations of such
180 license and the regulations, policies, and procedures of the commission governing
181 licenses.

182 (29)(A) 'Gross gaming revenue' means the total of all cash received by a licensed resort
183 facility as winnings and all cash received in payment for credit extended by a licensed
184 resort facility to a patron for the purpose of gaming, less the total of all cash paid out
185 as losses to patrons, those amounts paid to fund periodic payments, and any other items
186 made deductible as losses under subparagraph (C) of this paragraph. For the purposes
187 of such term, the cash or the value of noncash prizes awarded to patrons in a contest or
188 tournament are not losses, except that losses in a contest or tournament conducted in
189 conjunction with an inter-casino linked system may be deducted to the extent of the
190 compensation received for the right to participate in such contest or tournament.

191 (B) The term 'gross gaming revenue' shall not include the following:

192 (i) Counterfeit facsimiles of money, chips, tokens, wagering instruments, or wagering
193 credits;

194 (ii) Coins of other countries which are received in gaming devices;

195 (iii) Any portion of the face value of any chip, token, or other representative of value
196 won by a licensee from a patron for which the licensee can demonstrate that it or its
197 affiliate has not received cash;

198 (iv) Cash taken in fraudulent acts perpetrated against a licensee for which the licensee
199 is not reimbursed;

200 (v) Cash received as entry fees for contests or tournaments in which patrons compete
201 for prizes, except for a contest or tournament conducted in conjunction with an
202 inter-casino linked system;

203 (vi) Uncollected baccarat commissions;

204 (vii) Cash provided by a licensee to a patron and subsequently won by the licensee,
205 for which the licensee can demonstrate that it or its affiliate has not been reimbursed;

206 or

207 (viii) Any promotional gaming credit for any slot machine or table game provided by
 208 a licensee to a patron and subsequently won by the licensee.

209 (C) When calculating gross gaming revenue under this chapter, the following items
 210 may be deducted:

211 (i) Any prizes, premiums, drawings, benefits, or tickets that are redeemable for
 212 money or merchandise or other promotional allowance, except money or tokens paid
 213 at face value directly to a patron as the result of a specific wager, shall not be
 214 deducted as losses from winnings at any gambling game except a slot machine;

215 (ii) The amount of cash paid to fund periodic payments may be deducted as losses
 216 from winnings for any gambling game;

217 (iii) With regard to slot machines, keno, and bingo, the actual cost to the licensee of
 218 any personal property distributed to a patron as the result of a specific legitimate
 219 wager may be deducted as a loss, but not travel expenses, food, refreshments, lodging,
 220 or services;

221 (iv) With regard to bingo, a licensee who provides a patron with additional play at
 222 bingo as the result of an initial wager may deduct as losses from winnings all moneys
 223 or tokens paid directly to that patron as a result of such additional play; and

224 (v) The pro rata share of a payout from a gambling game played in an inter-casino
 225 linked system except for a payout made in conjunction with a card game. The amount
 226 of the deduction shall be determined based upon the written agreement among the
 227 licensed gaming establishments participating in the inter-casino linked system and the
 228 operator of such system. All cash prizes and the value of noncash prizes awarded
 229 during a contest or tournament conducted in conjunction with an inter-casino linked
 230 system shall also be deductible on a pro rata basis to the extent of the compensation
 231 received for the right to participate in that contest or tournament. The deductions
 232 shall be taken only by those participating licensed gaming establishments that held an
 233 active gaming license at any time during the month in which the payout was awarded.

234 (30) 'HOPE scholarship program' means the program for which funding is authorized by
 235 Article I, Section II, Paragraph VIII of the Constitution of Georgia.

236 (31) 'Immediate family member' means a spouse or any other individual residing in the
 237 same household as an officer or employee, who is a dependent of such officer or
 238 employee, or of whom such officer or employee is a dependent.

239 (32) 'Inter-casino linked system' means a network of electronically interfaced similar
 240 games which are located at two or more licensed gaming establishments, either inside or
 241 outside this state, which are linked to conduct gaming activities, contests, or tournaments.

242 (33) 'License' means, unless the context otherwise requires, a casino gaming license
 243 required under this chapter.

- 244 (34) 'Licensed resort facility' means a destination resort for which a casino gaming
245 license has been awarded or issued.
- 246 (35) 'Licensee' means any person awarded or issued a casino gaming license for a
247 destination resort under this chapter.
- 248 (36) 'Licensing Region One' means an area encompassing the Counties of Cherokee,
249 Clayton, Cobb, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry, and Rockdale and
250 such independent municipalities located within the borders of those counties;
- 251 (37) 'Licensing Region Two' means any area of this state outside of Licensing Region
252 One.
- 253 (38) 'Member' means, unless the context otherwise requires, any person designated a
254 member of a nonstock corporation and any person who by means of a pecuniary or other
255 interest in such corporation exercises the power of a member.
- 256 (39) 'Operator of an inter-casino linked system' means a person who, under agreement
257 whereby consideration is paid or payable for the right to place an inter-casino linked
258 system, is engaged in the business of placing and operating an inter-casino linked system
259 upon the premises of two or more licensed casino gaming establishments, either inside
260 or outside this state, and who is authorized to share in the revenue from the gambling
261 games that are a part of the inter-casino linked system without having been individually
262 licensed to conduct casino gaming at the licensed resort facility in this state.
- 263 (40) 'Oversight committee' means the Georgia Casino Gaming Corporation Legislative
264 Oversight Committee created pursuant to Code Section 50-39-12.
- 265 (41) 'Periodic payments' means a series of payments that are disbursed at least annually
266 to remit payouts on winning wagers to a patron.
- 267 (42) 'Permit' means a regulatory authorization issued in accordance with Part 2 of
268 Article 2 of this chapter and any regulations, policies, and procedures promulgated by the
269 commission in accordance therewith.
- 270 (43) 'Person' means any individual, group of individuals, firm, company, corporation,
271 partnership, business, trust, association, or other legal entity.
- 272 (44) 'Primary casino gaming license' means an unencumbered casino gaming license
273 awarded or issued to a licensee in Licensing Region One that places no limitation on the
274 number of table games or slot machines that may be operated by the licensee at its
275 licensed resort facility.
- 276 (45) 'Primary jackpot meter' means the numerical display which shows the current
277 amount of the primary jackpot.
- 278 (46) 'Principal stockholder' means any individual who individually or in concert with an
279 immediate family member beneficially owns or controls, directly or indirectly, 5 percent
280 or more of the stock of any licensee or who in concert with any immediate family

281 member has the power to vote or cause the vote of 5 percent or more of any such stock.
 282 Such term shall not include a broker-dealer registered under the federal Securities
 283 Exchange Act of 1934, as amended, which holds in inventory shares for sale on the
 284 financial markets for a publicly traded corporation holding, directly or indirectly, a
 285 license from the commission.

286 (47) 'Problem gaming' means persistent and recurrent maladaptive behavior relating to
 287 casino gaming that causes disruptions in any major area of life, including, without
 288 limitation, the psychological, social, or vocational areas of life.

289 (48) 'Secondary casino gaming license' means a restricted casino gaming license awarded
 290 or issued to a licensee in Licensing Region One that limits the aggregate number of table
 291 games and slot machines that may be operated by the licensee at its licensed resort
 292 facility to 2,500 total gaming positions.

293 (49) 'Slot machine' means any mechanical, electrical, or other device, contrivance, or
 294 machine which, upon insertion of a coin, token, or similar object, or upon payment of any
 295 consideration, is available to play or operate, the play or operation of which, whether by
 296 reason of the skill of the operator in playing a gambling game which is presented for play
 297 by the machine or application of the element of chance, or both, may deliver or entitle the
 298 individual playing or operating the machine to receive cash, premiums, merchandise,
 299 tokens, or any thing of value, whether the payoff is made automatically from the machine
 300 or in any other manner.

301 (50) 'Stock' includes all classes of stock, partnership interest, membership interest, or
 302 similar ownership interest of an applicant or licensee and any debt or other obligation of
 303 such person or an affiliated person if the commission finds that the holder of such interest
 304 or stock derives therefrom such control of or voice in the operation of the applicant or
 305 licensee that he or she should be deemed an owner of stock.

306 (51) 'Table game equipment' means equipment that is related to the operation of any
 307 table game and that is owned or leased by a licensed resort facility and located on the
 308 premises of the licensed resort facility.

309 (52) 'Table game' means:

310 (A) Any banking or percentage game, baccarat, beat the banker, big injun, big six
 311 wheel, bingo, blackjack, chemin de fer, Chinese chuck-a-luck (dai shu), chuck-a-luck,
 312 craps, fan-tan, faro, keno, klondike, minibaccarat, monte, pai gow poker, panguingui,
 313 poker, roulette, seven-an-a-half, sic bo, twenty-one, wheel of fortune or any variation
 314 and composites of such a game;

315 (B) Gaming tournaments in which players compete against one another in one or more
 316 of the gambling games authorized under this chapter; or

317 (C) Any other game approved by the commission through regulations, policies, and
 318 procedures as a table game.

319 (53) 'Temporary permitted employee or independent contractor' means any employee or
 320 independent contractor authorized to work at a licensed resort facility in this state, under
 321 Code Section 50-39-40 or any regulations, policies, and procedures of the commission,
 322 from the date of submitting a completed application or renewal application for regulatory
 323 permitting for a period not to exceed 120 days following the commission's receipt of the
 324 regulatory permitting application.

325 (54) 'Total investment' means expenditures by a gaming licensee incurred during or for
 326 the development of a licensed resort facility, which shall include, but shall not limited to,
 327 costs associated with construction, licensing fees, architecture, and design of the licensed
 328 resort facility, property taxes associated with the licensed resort facility, site acquisition,
 329 and preparation of the property for the licensed resort facility, permits, infrastructure
 330 improvements, operating supplies, equipment, furniture, fixtures, financing, preopening
 331 costs, and any other costs or expenses approved by the commission.

332 (55) 'Wager' means a sum of money or representative of value that is risked in casino
 333 gaming on an occurrence for which the outcome is uncertain.

334 (56) 'Wagering credit' means a representative of value, other than a chip, token, or
 335 wagering instrument, that is used for wagering at a gambling game or gaming device and
 336 is obtained by the payment of cash or a cash equivalent, the use of a wagering instrument,
 337 or the electronic transfer of money.

338 (57) 'Wagering instrument' means a representative of value, other than a chip or token,
 339 that is issued by a casino gaming licensee and approved by the commission for use in a
 340 cashless wagering system.

341 50-39-3.

342 There is created a body corporate and politic to be known as the Georgia Casino Gaming
 343 Corporation which shall be deemed to be an instrumentality of the state, and not a state
 344 agency, and a public corporation. Venue for the corporation shall be in Fulton County.

345 50-39-4.

346 (a) The corporation shall be governed by a board of directors which shall be known as the
 347 Georgia Casino Gaming Commission.

348 (b) The commission shall be composed of five members to be appointed as follows:

349 (1) One commissioner shall be appointed by the Governor;

350 (2) One commissioner shall be appointed by the Attorney General;

351 (3) One commissioner shall be appointed by the President of the Senate;

352 (4) One commissioner shall be appointed by the Speaker of the House of
353 Representatives; and

354 (5) One commissioner shall be appointed by a majority vote of those making
355 appointments in paragraphs (1) through (4) of this subsection.

356 (c) Commissioners shall be residents of the State of Georgia within 90 days of
357 appointment and while serving on the commission and shall be prominent persons in their
358 businesses or professions. Those making appointments shall consider appointing to the
359 commission an attorney with experience in criminal investigations, an accountant with
360 experience in corporate finance and securities, an individual having experience in law
361 enforcement, and having expertise in marketing. Prior to appointment to the commission,
362 an individual background investigation shall be conducted into the financial stability,
363 integrity, and responsibility of a candidate, including the candidate's reputation for good
364 character, honesty, and integrity. No individual who has been convicted of a felony shall
365 be eligible to serve on the commission.

366 (d) Commissioners, while serving on the commission or within two years of serving on the
367 commission, shall not:

368 (1) Hold or be a candidate for federal, state, or local elective office;

369 (2) Hold an appointed office in a federal, state, or local government;

370 (3) Serve as an official to a political party;

371 (4) Have any direct or indirect interest in an undertaking that puts his or her personal
372 interest in conflict with that of the corporation, including, but not limited to, an interest
373 in any applicant, licensee, former licensee or vendor, or in a major procurement contract
374 or have an immediate family member who has such an interest;

375 (5) Receive any income, fee, or monetary benefit from any applicant, licensee, former
376 licensee, or any vendor of the corporation or of an applicant, licensee, or former licensee,
377 or have an immediate family member who receives or has received any such income, fee,
378 or monetary benefit; or

379 (6) Accept a position of employment with or representation of any applicant, licensee,
380 former licensee, or any vendor of the corporation or of an applicant, licensee, or former
381 licensee, or have an immediate family member who accepts or has previously accepted
382 such a position of employment or representation.

383 (e) Commissioners shall serve terms of five years, except that, of the initial commissioners
384 appointed, the two commissioners appointed pursuant to paragraphs (1) and (2) of
385 subsection (b) of this Code section shall be appointed for initial terms of two years; the two
386 commissioners appointed pursuant to paragraphs (3) and (4) of subsection (b) of this Code
387 section shall be appointed for initial terms of four years, and the one commissioner
388 appointed pursuant to paragraph (5) of subsection (b) of this Code section shall be

389 appointed for an initial term of five years. Any vacancy occurring on the commission shall
390 be filled by appointment by the respective appointing authority for the unexpired term.

391 (f) All commissioners appointed by the Governor and the Attorney General shall be
392 confirmed by the Senate. Commissioners appointed when the General Assembly is not in
393 regular session shall serve only until the Senate has confirmed the appointment at the next
394 regular or special session of the General Assembly. If the Senate refuses to confirm an
395 appointment, the commissioner shall vacate his or her office on the date the confirmation
396 fails.

397 (g) The person who appointed the commissioner may remove such commissioner, if he or
398 she:

399 (1) Is guilty of malfeasance in office;

400 (2) Substantially neglects the duties of a commissioner;

401 (3) Is unable to discharge the powers and duties of the commissioner's office;

402 (4) Commits gross misconduct;

403 (5) Violates subsection (d) of this Code section; or

404 (6) Is convicted of a felony or bookmaking or other forms of illegal gambling or of a
405 crime involving moral turpitude.

406 (h) The commissioners shall elect from their membership a chairperson and vice
407 chairperson. The commissioners shall also elect a secretary and treasurer who can be the
408 chief executive officer of the corporation. Such officers shall serve for such terms as shall
409 be prescribed by the bylaws of the corporation or until their respective successors are
410 elected and qualified. No commissioner shall hold more than any one office of the
411 corporation, except that the same person may serve as secretary and treasurer.

412 (i) The commission may delegate to any one or more of its members, to the chief executive
413 officer, or to any agent or employee of the corporation such powers and duties as it may
414 deem proper.

415 (j) A majority of members of the commission in office shall constitute a quorum for the
416 transaction of any business and for the exercise of any power or function of the
417 corporation. No vacancy in the membership of the commission shall impair the right of
418 the commissioners to exercise all the powers and perform all the duties of the commission.

419 (k) Action may be taken and motions and resolutions adopted by the commission at any
420 meeting thereof by the affirmative vote of a majority of present and voting commission
421 members.

422 (l) Commissioners shall receive salaries not greater than three-quarters of the salary of the
423 chief operating officer; provided, however, that the chairperson of the commission may
424 receive a salary equal to the salary of the chief operating officer. Members of the
425 commission shall devote their full time and attention to the duties of their office. Upon

426 approval by the chairperson, members of the commission shall be reimbursed for actual
 427 and reasonable expenses incurred in the performance of the duties of the corporation.

428 50-39-5.

429 (a) The chairperson of the commission shall appoint a Casino Gaming Advisory Board to
 430 be composed of nine persons representing the broadest possible spectrum of geographical,
 431 racial, and business characteristics of casino gaming licensees, casino gaming vendors, and
 432 other pertinent interest groups associated with casino gaming in this state. The function
 433 of the casino advisory board shall be to advise the commission on various aspects of the
 434 casino gaming industry and to present the concerns of casino gaming licensees, casino
 435 gaming vendors, and other interested parties throughout the state.

436 (b) Casino advisory board members shall serve terms of two years; provided, however,
 437 that five of the initial appointees shall serve initial terms of one year.

438 (c) The casino advisory board shall establish its own rules and internal operating
 439 procedures. Casino advisory board members shall serve without compensation or
 440 reimbursement of expenses. The casino advisory board may report to the commission in
 441 writing at any time. The commission may invite the casino advisory board to make an oral
 442 presentation to the commission at regular meetings of the commission.

443 50-39-6.

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

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

450 (2) To adopt and alter a seal;

451 (3) To adopt, amend, and repeal bylaws, regulations, policies, and procedures for the
 452 regulation of its affairs and the conduct of its business; to elect and prescribe the duties
 453 of officers and employees of the corporation; and to perform such other matters as the
 454 corporation may determine. In the adoption of bylaws, regulations, policies, and
 455 procedures or in the exercise of any regulatory power, the corporation shall be exempt
 456 from the requirements of Chapter 13 of this title, the 'Georgia Administrative Procedure
 457 Act';

458 (4) To procure or to provide insurance;

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

- 461 (6) To initiate, supervise, and administer the operation of casino gaming in this state in
462 accordance with the provisions of this chapter and regulations, policies, and procedures
463 adopted pursuant thereto;
- 464 (7) To enter into written agreements with one or more other states or sovereigns for the
465 operation, participation in marketing, and promotion of casino gaming at licensed resort
466 facilities;
- 467 (8) To conduct such market research as is necessary or appropriate, which may include
468 an analysis of the demographic characteristics of the players participating in casino
469 gaming and an analysis of advertising, promotion, public relations, incentives, and other
470 aspects of communication;
- 471 (9) To acquire or lease real property and make improvements thereon and acquire by
472 lease or by purchase personal property, including, but not limited to, computers;
473 mechanical, electronic, and online equipment and terminals; and intangible property,
474 including, but not limited to, computer programs, systems, and software;
- 475 (10) To enter into contracts to incur debt in its own name and enter into financing
476 agreements with the state, agencies or instrumentalities of the state, or with any
477 commercial bank or credit provider; provided, however, that any such debt shall be
478 approved by the Georgia State Financing and Investment Commission and provided
479 further, that such debt shall not be an obligation of the State of Georgia or another unit
480 of the state, and the State of Georgia shall not bear any liability or responsibility or be a
481 guarantor or surety of any debt or for any loan of the corporation;
- 482 (11) To be authorized to administer oaths, take depositions, issue subpoenas, and compel
483 the attendance of witnesses and the production of books, papers, documents, and other
484 evidence relative to any investigation or proceeding conducted by the corporation;
- 485 (12) To appoint and select officers, agents, representatives, and employees, including
486 professional and administrative staff and personnel and hearing officers to conduct
487 hearings required by this chapter, and to fix their compensation, pay their expenses, and
488 provide a benefit program, including, but not limited to, a retirement plan and a group
489 insurance plan;
- 490 (13) To select and contract with vendors;
- 491 (14) To enter into contracts or agreements with state or local law enforcement agencies,
492 including but not limited to the Georgia Bureau of Investigation, for the performance of
493 law enforcement, background investigations, security checks, and auditing and
494 enforcement of license requirements required under this chapter;
- 495 (15) The commission shall be authorized to contract with the Department of
496 Administrative Services to develop requests for proposals to receive applications for
497 licensure under this chapter;

498 (16) To enter into contracts of any and all types on such terms and conditions as the
 499 corporation may determine;

500 (17) To establish and maintain banking relationships, including, but not limited to,
 501 establishment of checking and savings accounts and lines of credit; provided, however,
 502 that the State of Georgia shall not bear any liability or responsibility or be a guarantor or
 503 surety of any such line of credit;

504 (18) To advertise casino gaming and promote responsible casino gaming with this state;
 505 and

506 (19) To adopt and amend such regulations, policies, and procedures as necessary to carry
 507 out and implement its powers and duties, organize and operate the corporation, regulate
 508 the conduct of casino gaming in general, and any other matters necessary or desirable for
 509 the efficient and effective operation of the corporation or the convenience of the public.
 510 The promulgation of any such regulations, policies, and procedures shall be exempt from
 511 the requirements of Chapter 13 of this title, the 'Georgia Administrative Procedure Act.'

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

515 50-39-7.

516 The corporation through the commission shall have all powers and duties necessary to
 517 carry out the provisions of this chapter and to exercise regulatory control over casino
 518 gaming in this state. Such powers and duties shall include, but not be limited to, the
 519 general powers set forth in Code Section 50-39-6 and the following:

520 (1) The commission is vested with jurisdiction to supervise the licensing of casino
 521 gaming in this state and to observe the conduct of casino gaming by licensed resort
 522 facilities so as to ensure that licenses shall not be held by unqualified or disqualified
 523 parties or unsuitable parties whose operations are conducted in an unsuitable manner;

524 (2) The commission shall employ such persons as are necessary to ensure that casino
 525 gaming is conducted in this state with order and the highest degree of integrity. Such
 526 persons employed by the commission shall possess such authority and perform such
 527 duties as the commission shall prescribe or delegate to them;

528 (3) The commission may eject or exclude from any part of any licensed resort facility
 529 any person, whether an employee or patron of a licensee, whose conduct or reputation is
 530 such that his or her presence may, in the opinion of the commission, reflect adversely on
 531 the honesty and integrity or interfere with the orderly conduct of casino gaming in this
 532 state;

533 (4) The commission, its representatives, and its employees shall visit, investigate, and
 534 have free access to the office, facilities, and other places of business of any licensees and
 535 may compel the production of any of the books, documents, records, or memoranda of
 536 any licensee for the purpose of satisfying itself that the obligations of this chapter and any
 537 regulations, policies, and procedures developed by the commission are strictly complied
 538 with. In conjunction with this authority, the commission may:

539 (A) Demand access to and inspect, examine, photocopy, and audit all papers, books,
 540 and records of any applicant or licensee on its premises, or elsewhere as practicable,
 541 and in the presence of the applicant or licensee or its agent, respecting the gross income
 542 produced by any casino gaming business or activity, and require verification of income,
 543 and all other matters affecting the enforcement of the policy or any of the provisions
 544 of this chapter;

545 (B) Demand access to and inspect, examine, photocopy, and audit all papers, books,
 546 and records of any affiliate of a licensee whom the commission knows or reasonably
 547 suspects is involved in the financing, operation, or management of the licensee. The
 548 inspection, examination, photocopying, and audit may take place on the affiliate's
 549 premises or elsewhere as practicable, and in the presence of the affiliate or its agent;
 550 and

551 (C) Require the production of an annual balance sheet and operating statement of any
 552 licensee operating in this state and may likewise require the production of any contract
 553 to which such licensee is or may be a party;

554 (5) The commission shall promulgate regulations, policies, and procedures setting forth
 555 conditions under which casino gaming shall be conducted in this state and all such other
 556 regulations, policies, and procedures it deems necessary and appropriate to affect the
 557 purposes of this chapter. Nothing in this paragraph shall be deemed to preclude private
 558 ownership of licensed resort facilities or private participation in the commerce of casino
 559 gaming. The regulations, policies, and procedures developed by the commission may
 560 include penalties for violations and shall be promulgated in accordance with the
 561 provisions of this chapter;

562 (6) The commission may require that licensees post, in a conspicuous place in every
 563 licensed resort facility where casino gaming takes place, a sign which bears a toll-free
 564 telephone number for an organization which provides assistance to compulsive gamblers;

565 (7) The commission may compel any licensee to file with it such data as shall appear to
 566 the commission to be necessary for the performance of its duties, including, but not
 567 limited to, financial statements and information relative to stockholders and all others
 568 with any pecuniary interest in such licensee. It may also prescribe the manner in which
 569 books and records of such persons shall be kept;

570 (8) The commission may enter into arrangements with any foreign or domestic
571 government or governmental agency for the purposes of exchanging information or
572 performing any other act to better ensure the proper regulation of casino gaming in this
573 state;

574 (9) The commission, its representatives, and its employees may, within any licensed
575 resort facility, and during regular and usual business hours, subject any licensed resort
576 facility to inspections of its property or premises to ascertain compliance with the
577 provisions of this chapter. Any item, document, or record indicative of a violation of any
578 provision of this chapter or any regulations, policies, and procedures of the commission
579 may be seized as evidence of such violation. All licensees and licensed resort facilities
580 shall be deemed to consent to the searches and seizures authorized in this chapter as a
581 condition of accepting a license from the commission;

582 (10) The commission, its representatives, and its employees shall have all necessary
583 authority to inspect all premises where any gaming device or equipment used in casino
584 gaming or a gambling game is manufactured, sold, or distributed in this state;

585 (11) The commission, its representatives, and its employees shall have all necessary
586 authority to summarily seize, remove, and impound from all licensees and licensed resort
587 facilities any equipment or supplies for the purpose of examination and inspection;

588 (12) The commission, its representatives, and its employees shall have all necessary
589 authority to study, review, and analyze the business of casino gaming and other forms of
590 gaming in this state and may make recommendations to the Governor and the General
591 Assembly regarding the proper regulation and administration of such activities;

592 (13) The commission, its representatives, and its employees shall have all necessary
593 authority to study, review, and analyze the scope and impact of illegal gaming activities,
594 sometimes referred to as 'black-market gaming' or 'gray-market gaming,' within this state
595 and may make recommendations to the Governor and the General Assembly regarding
596 how best to eliminate such activities. The commission shall also have the necessary
597 authority to investigate suspected illegal gaming activities in this state and to refer the
598 results of such investigations to state and local law enforcement authorities for
599 appropriate legal action;

600 (14) The commission, its representatives, and its employees shall have all necessary
601 authority to study, review, and analyze gambling addiction, problem gaming, and other
602 associated afflictions and may make recommendations to the Governor and the General
603 Assembly regarding how best to identify and treat citizens within this state who are
604 affected by such disorders;

605 (15) For the purpose of conducting audits after the cessation of casino gaming by a
606 licensee, the commission shall have all necessary authority to demand that a former

607 licensee furnish, upon demand of an employee or agent of the commission, books, papers,
 608 and records as necessary to conduct such audits. The former licensee shall maintain all
 609 books, papers, and records necessary for such audits for one year after the date of the
 610 surrender or revocation of its gaming license. If the former licensee seeks judicial review
 611 of a deficiency determination or seeks a redetermination from the commission, the former
 612 licensee must maintain all books, papers, and records until a final order is entered on the
 613 determination;

614 (16) The commission shall have the obligation to keep true and accurate records of its
 615 proceedings and to preserve at the general office of the commission all books, documents,
 616 and papers of the corporation and commission;

617 (17) The commission shall provide the chief executive officer with policy guidance
 618 regarding the regulation of casino gaming in this state;

619 (18) The commission shall approve, disapprove, amend, or modify the budget and the
 620 terms of major procurements recommended by the chief executive officer for the
 621 operation of the corporation; and

622 (19) The commission may hear and conduct such hearings as required under this chapter.

623 50-39-8.

624 The commission shall appoint and shall provide for the compensation of a chief executive
 625 officer who shall be an employee of the corporation and who shall direct the day-to-day
 626 operations and management of the corporation and shall be vested with such powers and
 627 duties as specified by the commission and by law. The chief executive officer shall serve
 628 at the pleasure of the commission.

629 50-39-9.

630 (a) The chief executive officer of the corporation shall direct and supervise all
 631 administrative and technical activities in accordance with the provisions of this chapter and
 632 with the regulations, policies, and procedures adopted by the commission. It shall be the
 633 duty of the chief executive officer to:

634 (1) Facilitate the initiation and supervise and administer the regulation of casino gaming
 635 and the licensing of resort facilities in this state;

636 (2) Employ and direct such personnel as deemed necessary;

637 (3) Employ by contract and compensate such persons as deemed necessary;

638 (4) Promote or provide for the regulation of casino gaming, licensing of resort facilities,
 639 and any functions related to the corporation;

640 (5) Prepare a budget for the approval of the commission;

641 (6) Require bond from employees of the commission and any other person in such
642 amounts as may be required by the commission and by law;

643 (7) Report quarterly to the state auditor, the state accounting officer, and the commission
644 a full and complete statement of revenues and expenses of the corporation for the
645 preceding quarter; and

646 (8) Perform other duties generally associated with a chief executive officer of a
647 corporation of an entrepreneurial nature.

648 (b) The chief executive officer may for good cause suspend, revoke, or refuse to renew any
649 contract entered into in accordance with the provisions of this chapter or the regulations,
650 policies, and procedures of the commission.

651 (c) The chief executive officer or his or her designee may conduct hearings and administer
652 oaths to persons for the purpose of assuring the security or integrity of casino gaming
653 operations and licensed resort facilities or to determine the qualifications of or compliance
654 by licensees, permittees, and any other person regulated under the provisions of this chapter
655 or any regulations, policies, and procedures of the commission.

656 50-39-10.

657 (a) The corporation shall establish and maintain a personnel program for its employees and
658 fix the compensation and terms of compensation of its employees; provided, however, that
659 no bonuses or incentive payments shall be awarded or paid to any employee of the
660 corporation based on the amount of funds deposited or maintained in the Casino Gaming
661 Education Account or on the amount of any funds collected by the corporation or
662 commission.

663 (b) No employee of the corporation shall have a financial interest in any vendor doing
664 business or proposing to do business with the corporation or with any applicant or licensee.

665 (c) No employee of the corporation shall have a financial interest in any applicant or
666 licensee.

667 (d) No employee of the corporation who leaves the employment of the corporation shall
668 represent any applicant, licensee, or former licensee, or any vendor of the corporation of
669 an applicant, license, or former licensee, before the corporation for a period of two years
670 following his or her last day of employment with the corporation.

671 (e) Background investigations shall be conducted on each individual who has reached the
672 final selection process prior to employment by the corporation at the level of a division
673 director and above and at any level within any division of security and as otherwise
674 required by the commission. The corporation shall be authorized to pay for the actual cost
675 of such investigations and may contract with the Georgia Bureau of Investigation for the
676 performance of such investigations. The results of such a background investigation shall

677 not be considered a record open to the public pursuant to Article 4 of Chapter 18 of this
678 title.

679 (f) No person who has been convicted of a felony or bookmaking or other forms of illegal
680 gambling or of a crime involving moral turpitude shall be employed by the corporation.

681 (g) The corporation shall bond employees with access to corporation funds or casino
682 gaming revenue in such an amount as provided by the commission and may bond other
683 employees as deemed necessary.

684 50-39-11.

685 (a) The funding of commission operating expenses related to casino gaming regulation and
686 licensing shall be provided for in the manner set forth in subsection (c) of this Code section
687 and in Code Sections 50-39-60 and 50-39-61 from funds appropriated from the annual
688 proceeds maintained in the Casino Gaming Education Account.

689 (b)(1) By June 30 of each year the commission shall submit to the Office of Planning and
690 Budget, the state auditor, the state accounting officer, and the Governor a copy of the
691 annual operating budget for the corporation for the next fiscal year. This annual operating
692 budget shall be approved by the commission and be on such forms as prescribed by the
693 Office of Planning and Budget. Such annual operating budget shall detail the
694 corporation's operational costs for the regulation of casino gaming for the past fiscal year
695 and its expected operational expenditures for the regulation of casino gaming for the
696 upcoming fiscal year. Such report shall provide a detailed overview of the commission's
697 activities in and regulatory priorities for casino gaming in both the past and upcoming
698 fiscal year. The report shall take into account the state constitutional requirement that the
699 commission's annual budget for casino gaming regulation shall never constitute less than
700 1 percent nor more than 5 percent of the annual proceeds deposited into the Casino
701 Gaming Education Account. This budget proposal shall also be accompanied by an
702 estimate of funds to be deposited into the Casino Gaming Education Account during the
703 next fiscal year.

704 (2) The provisions of paragraph (1) of this subsection shall apply in each fiscal year
705 following the effective date of this chapter. In the year of the effective date of this
706 chapter, however, the commission shall be responsible for developing a preliminary
707 budget report document detailing its expected operational expenditures for the first fiscal
708 year after the effective date of this chapter. The contents of such report shall take into
709 account the state constitutional requirement that the commission's annual budget for
710 casino gaming regulation shall never constitute less than 1 percent nor more than 5
711 percent of the annual proceeds deposited into the Casino Gaming Education Account.

712 (c)(1) The General Assembly shall have the authority to appropriate all necessary funds
713 for the initial development of the commission's casino gaming operational structure and
714 the commencement of its initial licensing and regulatory operations. Such appropriations
715 shall be set in consultation with the Governor and the commission and shall provide
716 sufficient funds for the commission to carry out its duties with respect to casino gaming
717 as delineated in this chapter until such time as the Casino Gaming Education Account is
718 funded through the mechanisms described in this chapter or the General Assembly in
719 consultation with the Governor determines that funding for such initial development is
720 no longer necessary. It is the expectation of the General Assembly that funding for
721 commission operations shall derive from the Casino Gaming Education Account starting
722 in the first full fiscal year following the effective date of this chapter.

723 (2) The General Assembly may require the repayment of any funds provided pursuant
724 to paragraph (1) of this subsection and in such event shall establish the method, manner,
725 and time frame of any such repayment.

726 (d) To ensure the financial integrity of the corporation and its operation, the corporation
727 through its commission shall:

728 (1) Submit quarterly reports to the Governor, state auditor, state accounting officer, and
729 the oversight committee disclosing total prize disbursements, gross gaming revenue
730 generated by licensed resort facilities within the state, and total operating and
731 administrative expenses of the corporation and commission during the reporting period.
732 The report during the last quarter of each fiscal year shall additionally describe the
733 organizational structure of the corporation, summarize the functions performed by each
734 organizational division within the corporation, and provide a comprehensive financial
735 report of casino gaming operations conducted at licensed resort facilities within the state
736 during the fiscal year, including revenues generated and operational expenses incurred;

737 (2) Adopt a system of internal audits;

738 (3) Maintain monthly or more frequent records of casino gaming operations conducted
739 at licensed resort facilities, including, but not limited to, data regarding gross gaming
740 revenues generated and operational expenses incurred by licensees;

741 (4) Contract with a certified public accountant or firm for an annual financial audit of the
742 corporation. The certified public accountant or firm shall have no financial interest in any
743 vendor with whom the corporation is under contract. The certified public accountant or
744 firm shall present an audit report not later than four months after the end of the fiscal
745 year. The certified public accountant or firm shall evaluate the internal auditing controls
746 in effect during the audit period. The cost of this annual financial audit shall be an
747 operating expense of the corporation. The state auditor may at any time conduct an audit
748 of any phase of the operations of the corporation at the expense of the state and shall

749 receive a copy of the annual independent financial audit. A copy of any audit performed
 750 by the certified public accountant or firm or the state auditor shall be transmitted to the
 751 Governor, the Lieutenant Governor, and the Speaker of the House of Representatives, the
 752 state auditor, the state accounting officer, and the oversight committee cochairpersons;
 753 (5) Adopt the same fiscal year as that used by state government; and
 754 (6) For informational purposes only, submit to the Office of Planning and Budget on
 755 September 1 of each year a proposed operating budget for the corporation for the
 756 succeeding fiscal year. This budget proposal shall also be accompanied by an estimate
 757 of the net proceeds to be deposited into the Casino Gaming Education Account during the
 758 succeeding fiscal year. This budget shall be on such forms as prescribed by the Office of
 759 Planning and Budget.

760 50-39-12.

761 There is created as a joint committee of the General Assembly the Georgia Casino Gaming
 762 Corporation Legislative Oversight Committee, to be composed of the members of the
 763 House Committee on Regulated Industries and the Senate Regulated Industries and Utilities
 764 Committee. The chairpersons of such committees shall serve as cochairpersons of the
 765 oversight committee. The oversight committee shall periodically inquire into and review
 766 the operations of the Georgia Casino Gaming Corporation, as well as periodically review
 767 and evaluate the success with which the corporation is accomplishing its statutory duties
 768 and functions as provided in this chapter. The oversight committee may conduct any
 769 independent audit or investigation of the authority it deems necessary.

770 50-39-13.

771 The commission shall adopt regulations, policies, and procedures for licensed resort
 772 facilities that restrict participation in casino gaming to individuals who are 21 years of age
 773 or older. Such regulations, policies, and procedures shall be designed to prevent the act of
 774 underage casino gaming but shall not restrict access to licensed resort facilities by
 775 individuals who are age 20 or younger.

776 50-39-14.

777 The commission shall have all necessary authority to promulgate regulations, policies, and
 778 procedures regarding the placement of automated teller machines within licensed resort
 779 facilities in this state.

780 50-39-15.

781 All electronic gaming equipment used in casino gaming at a licensed resort facility and any
782 associated monitoring equipment shall be scientifically tested and technically evaluated for
783 compliance with the laws of this state and the regulations, policies, and procedures of the
784 commission by an independent testing laboratory that has been accredited to meet the
785 standards established by the commission.

786 50-39-16.

787 Except as otherwise provided in this chapter, the commission shall be subject to the
788 provisions of Article 4 of Chapter 18 of this title and Chapter 14 of this title; provided,
789 however, that the commission shall be specifically authorized to determine which
790 information relating to the regulation of casino gaming is confidential. Such information
791 shall include trade secrets; security measures, systems, or procedures; security reports;
792 information concerning bids or other contractual data, the disclosure of which would impair
793 the efforts of the commission to contract for goods or services on favorable terms;
794 employee personnel information unrelated to compensation, duties, qualifications, or
795 responsibilities; and information obtained pursuant to investigations which is otherwise
796 confidential. Information deemed confidential pursuant to this Code section shall be
797 exempt from the provisions of Article 4 of Chapter 18 of this title. Meetings or portions
798 of meetings devoted to discussing information deemed confidential pursuant to this Code
799 section shall be exempt from Chapter 14 of this title.

800 50-39-17.

801 (a) The commission may establish by regulations, policies, and procedures for the
802 regulation and periodic inspection of casino gaming operations at licensed resort facilities
803 within this state to ensure that such operations are in accordance with the requirements of
804 this chapter and the regulations, policies, and procedures of the commission.

805 (b) The regulations, policies, and procedures promulgated by the commission may provide
806 for the assessment of minor civil penalties against those licensees and permit holders who
807 violate the requirements of this chapter or any regulations, policies, or procedures adopted
808 by the commission.

809 50-39-18.

810 For purposes of this chapter, one slot machine shall count as one gaming position, and one
811 table game, regardless of the actual number of seats provided, shall count as six gaming
812 positions.

813 ARTICLE 2

814 Part 1

815 50-39-20.

816 (a) No person shall offer casino gaming or construct, establish, own, or operate any
817 development, facility, enterprise, or business for casino gaming in this state unless such
818 person has been awarded and issued a casino gaming license from the commission in
819 accordance with the provisions of this chapter.

820 (b) All casino gaming licenses issued pursuant to this chapter shall provide the licensee
821 with the ability to operate a destination resort in this state where casino gaming shall be
822 permissible. All other forms of casino gaming not explicitly set forth in this chapter shall
823 remain illegal in this state until such time as they are approved by the commission in
824 accordance with the legal authority granted to it by the General Assembly, or until such
825 time as the General Assembly provides by law for the express legalization of such forms
826 of casino gaming in this state.

827 (c) No license issued under the provisions of this chapter shall be transferable, except as
828 provided in Code Section 50-39-31 or the regulations, policies, and procedures of the
829 commission.

830 (d) Notwithstanding any other provision of law, all licensed resort facilities operating in
831 this state may operate 24 hours a day for all legal purposes, including, but not limited to,
832 casino gaming, hotel and hospitality operations, and the sale and service of food and
833 alcoholic beverages. To facilitate such 24 hour operation by licensed resort facilities, the
834 commission shall have all necessary authority to consider and make recommendations to
835 the Governor, the General Assembly, and appropriate county, municipal, and consolidated
836 governments on proposed changes to any existing state or local laws that currently restrict
837 or prohibit 24 hour business operations for any purpose, including those described in this
838 subsection. Any licensee may request that the commission consider and make
839 recommendations to the Governor, the General Assembly, and appropriate county,
840 municipal, and consolidated governments on proposed changes to any existing state or
841 local laws that restrict or prohibit the licensee's ability to conduct business operations for
842 any purpose, including those described in this subsection, on a 24 hour basis.

843 50-39-21.

844 (a) The commission's authority to award or issue casino gaming licenses shall be limited
845 to a maximum of four casino gaming licenses at any given time in accordance with this
846 chapter. Such casino gaming licenses shall be issued for destination resorts at locations
847 within Licensing Region One and Licensing Region Two as follows:

848 (1)(A) No more than two casino gaming licenses may be issued at any given time
849 within Licensing Region One. Such casino gaming licenses shall be of the following
850 nature:

851 (i) The first casino gaming license awarded and issued in Licensing Region One shall
852 be a primary casino gaming license; and

853 (ii) The second casino gaming license awarded and issued in Licensing Region One
854 shall be a secondary casino gaming license that shall not be awarded or issued until
855 such time as the commission has awarded and issued the primary casino gaming
856 license; and

857 (B) No more than two casino gaming licenses may be issued at any given time within
858 Licensing Region Two; and

859 (2)(A) No secondary casino gaming license awarded and issued for a destination resort
860 in Licensing Region One shall be located within ten miles of or within the same county
861 or consolidated government as a destination resort for which the primary casino gaming
862 license was awarded and issued in Licensing Region One.

863 (B)(i) No casino gaming license awarded and issued for a destination resort in
864 Licensing Region Two shall be located within 50 miles of the boundaries of Licensing
865 Region One; and

866 (ii) The two casino gaming licenses awarded and issued in Licensing Region Two
867 shall not be for licensed resort facilities located within 50 miles of each other.

868 (b) The absence of an active casino gaming license in either of the state's casino gaming
869 licensing regions or the presence of less than four total active casino gaming licenses
870 within the state shall not alter the limitations in this Code section placed on the number of
871 licenses issued within each casino gaming licensing region.

872 (c) The commission shall have the authority to recommend to the General Assembly that
873 it adjust the casino gaming licensing regions and the limitations placed on the secondary
874 casino gaming license awarded and issued within Licensing Region One. The commission
875 shall not, however, alter the specific limitations contained in subsections (a) and (b) of this
876 Code section through regulations, policies, and procedures or any other regulatory action.

877 (d) The licensing of a destination resort at which casino gaming may be conducted in this
878 state shall be considered the exclusive province of the commission. In turn, no licensing
879 structure or similar regulatory framework relating to casino gaming or related activities at
880 licensed resort facilities may be implemented by any county, municipality, or consolidated
881 government within this state.

882 50-39-22.

883 (a) The commission shall seek applications for licensure by issuing a request for proposals
884 for applications for licensure. Such request for proposals shall be for a period of not less
885 than 90 days. The commission shall review all applications for licensure submitted in
886 response to such request for proposals based on the criteria established in the request for
887 proposals which shall be consistent with the criteria set forth in Code Section 50-39-24.

888 (b) Public notice of such request for proposals shall be made at least 90 days prior to the
889 date set for receipt of applications for licensure by posting the legal notice on a single
890 website that shall be procured and maintained for the purpose of soliciting applications for
891 licensure.

892 (c) Upon receipt of an application or applications for licensure responsive to the request
893 for proposals, the commission shall accept written public comment, solicited in the same
894 manner as provided for notice of a request for proposals, for a period of at least 30 days
895 beginning at least ten days after the date set for receipt of the applications for licensure.
896 In addition, the commission shall hold at least two public hearings on such applications for
897 licensure not later than the conclusion of the period for public comment, one of which shall
898 be held within the casino gaming licensing region which is the subject of the request for
899 proposals.

900 (d)(1) The commission shall engage in individual discussions with two or more
901 applicants submitting applications for licensure deemed fully qualified, responsible, and
902 suitable on the basis of initial responses and with emphasis on professional competence
903 and ability to meet the requirements and level of private financial participation called for
904 by the commission, except in the event that there is only one applicant or only one
905 applicant is deemed fully qualified, responsible, and suitable. Repetitive informal
906 interviews shall be permissible. Proprietary information from competing applicants for
907 licensure shall not be disclosed to the public or to other applicants. At the conclusion of
908 such discussions, on the basis of evaluation factors published in the request for proposals
909 and all information developed in the selection process, the commission shall rank the
910 applicants for licensure in the order of whose qualifications and proposed applications for
911 licensure are deemed most meritorious. After ranking the applications, the commission
912 shall begin the process of licensing with the first ranked applicant. If for whatever reason
913 the commission does not issue a casino gaming license to the first ranked applicant, then
914 the commission may begin the process of licensing with the next ranked applicant. This
915 process shall continue until the commission either voluntarily abandons the process or
916 issues a casino gaming license to an applicant. The final decision on whether to issue a
917 casino gaming license shall rest with the commission. No casino gaming license shall be

918 issued unless all of the requirements under this chapter and any regulations, policies, and
 919 procedures of the commission for the issuance of such licenses have been met.

920 (2) Notwithstanding any provision in paragraph (1) of this subsection, if the terms and
 921 conditions for multiple awards of licensure are included in the request for proposals and
 922 are in accordance with the requirements and limitations provided in Code Section
 923 50-39-21, the commission may award licenses to more than one applicant.

924 (3) Should the commission determine in writing and in its sole discretion that only one
 925 applicant for licensure is fully qualified, or that one applicant is clearly more highly
 926 qualified, responsible, and suitable than the others under consideration, a casino gaming
 927 license may be awarded to that applicant. Code Sections 50-39-27, 50-39-28, and
 928 50-39-30 shall apply should the commission determine that an applicant is unsuitable.

929 (e) At any time during the process outlined in this Code section but before the issuance of
 930 a casino gaming license, the commission may, without liability to any private entity or
 931 third party, cancel its request for applications or reject all applications received in response
 932 to its request for proposals for any reason whatsoever. The request for proposals process
 933 shall be deemed to be completed on the date all the casino gaming licenses are issued as
 934 a result of such process or the date on which the commission cancels its request for
 935 applications or rejects all applications.

936 (f) The commission shall present to the Governor, the President of the Senate, the Speaker
 937 of the House of Representatives, and the chairpersons of the Senate Regulated Industries
 938 and Utilities Committee and the House Committee on Regulated Industries quarterly
 939 reports of all of its activities undertaken pursuant to the provisions of this Code section.

940 50-39-23.

941 (a) Any person desiring to construct, establish, own, or operate a destination resort in this
 942 state which offers casino gaming shall file with the commission an application for a casino
 943 gaming license in response to a request for proposals as provided for in Code Section
 944 50-39-22. Such application shall be filed at the time and place prescribed by the
 945 commission and shall be in such form and contain such information as prescribed by the
 946 regulations, policies, and procedures of the commission, which shall include, but not
 947 limited to, the following:

948 (1) The name and address of such person; if a corporation, the state of its incorporation,
 949 the full name and address of each officer and director thereof, and, if a foreign
 950 corporation, whether it is qualified to do business in this state; if a partnership or joint
 951 venture, the name and address of each officer thereof;

952 (2) The name and address of each stockholder or member of such corporation who has
 953 a 5 percent or greater ownership or security interest or each partner of such partnership

954 or joint venture who has a 5 percent or greater ownership or security interest and of each
955 person who has contracted for a pecuniary interest in the applicant or the destination
956 resort where casino gaming will be conducted, whether such interest is an ownership or
957 a security interest, the nature and value of such interest, and the name and address of each
958 person who has agreed to lend money to the applicant;

959 (3) Such information as the commission deems appropriate regarding the character,
960 background, and responsibility of the applicant, the members, partners, stockholders,
961 officers, directors, and managers of the applicant, and any other persons who are likely
962 to have significant influence over the casino gaming operations of the applicant;

963 (4) The location and description of the planned or existing destination resort where the
964 applicant proposes to conduct casino gaming, including the name of any county,
965 municipality, or consolidated government in which any property of such destination
966 resort is or will be located. The commission shall require such information about the
967 planned or existing destination resort as it deems necessary and appropriate to determine
968 whether it complies with the minimum standards provided in this chapter and whether the
969 operation of casino gaming in such location would be in the best interests of the people
970 of this state;

971 (5) Such information relating to the financial responsibility of the applicant as the
972 commission in its discretion deems appropriate;

973 (6) If any of the facilities necessary for the operation of casino gaming at the destination
974 resort are to be leased, the terms of such lease; and

975 (7) Any other information which the commission in its discretion deems appropriate.

976 (b) Each application shall be verified by the oath and affirmation of an officer of the
977 applicant and shall be accompanied by a nonrefundable application review and processing
978 fee not to exceed \$500,000.00. The total amount of this application review and processing
979 fee shall be established by the commission in light of the expected expenses associated
980 with the review and processing of a casino gaming license application submitted under this
981 chapter. All application review and processing fees received by the commission in
982 accordance with the requirements of this Code section shall be transferred by the
983 commission to the Casino Gaming Education Account in the state treasury within a period
984 of seven days from receipt.

985 (c) Each application shall also be accompanied by a financial deposit pursuant to
986 subsection (d) of this Code section that is equal to the amount of the casino gaming
987 licensing fee provided in Code Section 50-39-26 for the type of license in the casino
988 gaming licensing region associated with the application. If the casino gaming license
989 application of a prospective licensee is approved for license and a license is awarded by the
990 commission, such financial deposit shall be credited toward the casino gaming licensing

991 fee required of the licensee pursuant to Code Section 50-39-26. All deposits of an
992 applicant who is awarded a casino gaming license that are to be credited toward the
993 applicant's casino gaming licensing fee under this chapter shall be transferred by the
994 commission to the Casino Gaming Education Account within seven days of the
995 commission's awarding such license to the applicant.

996 (d) If the casino gaming license application of a prospective licensee is not awarded by the
997 commission, such deposit shall be refunded to the applicant within 15 days following the
998 date of the completion of the request for proposal process as provided in subsection (e) of
999 Code Section 50-39-22; provided, however, that, if the applicant is deemed unsuitable
1000 under Code Section 50-39-27, such deposit shall be refunded following the conclusion of
1001 the seven-day licensing appeal period described in Code Section 50-39-30.

1002 (e) During the application evaluation period as part of the request for proposals process
1003 provided in Code Section 50-39-22, all financial deposits associated with prospective
1004 applicants shall be held in escrow by the commission or a financial institution of the
1005 commission's choosing.

1006 50-39-24.

1007 (a) When evaluating applications submitted for any casino gaming license described in this
1008 chapter, the commission shall award such license, if any is awarded, to the applicant who
1009 best meets the following criteria for licensure:

1010 (1) The applicant is adequately capitalized to construct, operate, own, and maintain a
1011 destination resort of outstanding quality for proposed casino gaming. With regard to this
1012 criterion, adequate capitalization shall be evaluated and consideration given to any recent
1013 bankruptcies filed by the current or predecessor parent companies or holding companies
1014 of the applicant;

1015 (2) The applicant, if a stock corporation, has stock that is fully paid and nonassessable
1016 and has been subscribed and paid for only in cash or property to the exclusion of past
1017 services;

1018 (3) All principal stockholders or members of the applicant have submitted to the
1019 jurisdiction of the courts of the State of Georgia and have designated an agent for service
1020 of process in the state;

1021 (4) The plans and specifications submitted by the applicant for a casino gaming license
1022 meet minimum total investment levels as set by the commission, and such applicant has
1023 a demonstrated history of meeting such total investment levels in destination resorts it has
1024 developed, managed, or operated such that:

1025 (A) At no time shall the commission allow minimum total investment levels for
1026 licensed resort facilities to be less than \$1.25 billion for applicants seeking the primary

1027 casino gaming license in Licensing Region One or less than \$750 million for applicants
1028 seeking the secondary casino gaming license in Licensing Region One; and
1029 (B) At no time shall the commission allow minimum total investment levels for
1030 licensed resort facilities to be less than \$400 million for applicants seeking a casino
1031 gaming license in Licensing Region Two;

1032 (5) The applicant has a demonstrated history of excellence in resort design and
1033 architecture, and the plans and specifications submitted by such applicant for the
1034 destination resort where casino gaming is proposed reflect a focus on such high-quality
1035 destination resort design and architecture that is also complimentary to the existing
1036 architecture of the area;

1037 (6) The applicant has a demonstrated history of excellence in developing destination
1038 resorts with high-quality, nongaming amenities, and the plans and specifications
1039 submitted by the applicant for the destination resort where casino gaming is proposed
1040 reflect a focus on providing such high-quality, nongaming amenities;

1041 (7) The applicant has a demonstrated history of excellence in the development,
1042 management, and operation of high-quality destination resorts for casino gaming, and the
1043 plans and specifications submitted by the applicant for the destination resort where casino
1044 gaming is proposed reflect a focus on developing, managing, and operating such a
1045 high-quality facility;

1046 (8) The applicant has a demonstrated history of development, management, and
1047 operation of destination resorts for casino gaming that value the principles of
1048 environmental sustainability and stewardship at a LEED Gold level standard or higher
1049 as awarded by the United States Green Building Council, and the plans and specifications
1050 submitted by the applicant for the destination resort where casino gaming is proposed
1051 reflect a focus on the principles of environmental sustainability and stewardship at the
1052 same LEED Gold level standard or higher;

1053 (9) The applicant has a demonstrated history of job creation, employment partnerships,
1054 and initial and ongoing training programs in the development, management, and
1055 operation of destination resorts for casino gaming, and the plans and specifications
1056 submitted by the applicant for the destination resort where casino gaming is proposed
1057 reflect a focus on creating a diverse range of high-quality and permanent job
1058 opportunities;

1059 (10) The applicant has a demonstrated history of developing, managing, and operating
1060 destination resorts for casino gaming that match the existing infrastructure capabilities
1061 of the areas surrounding such facilities, and the plans and specifications submitted by the
1062 applicant for the destination resort where casino gaming is proposed reflect adequate
1063 concern for the infrastructure capabilities of the preferred site location;

1064 (11) The applicant has a demonstrated history of promoting tourism through the
1065 development, management, and operation of destination resorts for casino gaming, and
1066 the destination resort proposal submitted by the applicant exhibits an ability to promote
1067 tourism in this state and increased economic engagement by out-of-state residents. With
1068 regard to this criterion, the promotion of tourism shall be evaluated with consideration
1069 given as to the proposed economic impact of increased tourism on the target licensing
1070 region. The applicant's demonstrated history of promoting economic development
1071 through tourism promotion shall also be taken into account;

1072 (12) The applicant has a demonstrated ability of generating substantial revenue from
1073 casino gaming in a competitive business environment and under varying economic
1074 conditions, and the proposal submitted by the applicant exhibits an ability to generate
1075 such substantial revenue in this state at the destination resort where casino gaming is
1076 proposed;

1077 (13) The applicant has a demonstrated history of brand recognition, tourism-generating
1078 partnerships, and consumer satisfaction in developing, managing, and operating
1079 destination resorts for casino gaming, and the proposal submitted by the applicant
1080 exhibits an ability to maximize economic opportunity for the people of this state through
1081 leveraging the applicant's tourism-generating partnerships and reputation for brand
1082 recognition and consumer satisfaction;

1083 (14) The applicant has a demonstrated history of generating substantial gaming and
1084 nongaming tax proceeds from the destination resorts it develops, manages, and operates,
1085 and the proposal submitted by the applicant exhibits an ability to generate substantial
1086 gross gaming revenues and nongaming tax proceeds in this state at the destination resort
1087 where casino gaming is proposed with consideration given to tax revenue generation from
1088 out-of-state visitors;

1089 (15) The applicant demonstrates that it has a reasonable plan to address any impact
1090 casino gaming at the destination resort might have on the operations of the Georgia
1091 Lottery Corporation pursuant to Chapter 27 of this title;

1092 (16) The applicant has a demonstrated history of developing, managing, and operating
1093 destination resorts for casino gaming that have a positive impact on economic
1094 development and business growth in the localities around such facilities, and the proposal
1095 submitted by the applicant exhibits an ability to encourage economic development and
1096 business growth in the preferred site location where it intends to develop, manage, and
1097 operate a destination resort where casino gaming is proposed;

1098 (17) The applicant has a demonstrated history of local support, community partnerships,
1099 and socially responsible behavior in the communities where it has developed, managed,
1100 and operated destination resorts for casino gaming, and the proposal submitted by the

1101 applicant exhibits clear evidence of local support and community engagement from the
 1102 county, municipal, or consolidated government jurisdiction in this state where the
 1103 applicant seeks to establish a destination resort where casino gaming is proposed as
 1104 provided in Code Section 50-39-33; and

1105 (18) The applicant meets all other criteria established by the commission pursuant to the
 1106 regulations, policies, and procedures for the award and issuance of a casino gaming
 1107 license.

1108 (b) In deciding whether to award any license pursuant to this chapter and in ranking the
 1109 applications as provided in Code Section 50-39-22, the commission shall consider whether
 1110 it has previously awarded or issued a license to the applicant and the extent to which an
 1111 application is supported by elected officials in the county, municipality, or consolidated
 1112 government where the proposed destination resort would be located.

1113 50-39-25.

1114 (a) The commission shall consider all applications for a casino gaming license submitted
 1115 in response to a request for proposals as provided in Code Section 50-39-22 that is in
 1116 compliance with the provisions of this chapter and any regulations, policies, and
 1117 procedures of the commission.

1118 (b) The issuance of a casino gaming license to an applicant authorizes the applicant to
 1119 begin construction or development of the proposed destination resort detailed in the
 1120 application submitted to the commission. Operation of the facility shall not commence,
 1121 however, until such time as the commission has formally issued the casino gaming license
 1122 to the licensee. The timing of this issuance shall be determined by the commission in
 1123 accordance with the specifications of this chapter.

1124 (c) The commission shall not grant a casino gaming license for a proposed or existing
 1125 destination resort located in any county, municipality, or consolidated government that has
 1126 not approved by public referendum, in accordance with Code Section 50-39-32, the
 1127 construction, establishment, operation, or ownership of a licensed resort facility where
 1128 casino gaming is permitted.

1129 (d) The commission shall not grant a casino gaming license if it finds for any reason that
 1130 the issuance of such license to an applicant would not be in the interest of the people of this
 1131 state or the casino gaming industry in this state or would reflect adversely on the honesty
 1132 and integrity of the casino gaming industry in this state or that the applicant or any officer,
 1133 partner, principal stockholder, member, or director of the applicant:

1134 (1) Has knowingly made a false statement of material fact or has deliberately failed to
 1135 disclose any information requested;

1136 (2) Is or has been found guilty of any illegal, corrupt, or fraudulent act, practice, or
 1137 conduct in connection with any casino gaming in this or any other state, or has been
 1138 convicted of a felony;

1139 (3) Has at any time knowingly failed to comply with the provisions of this chapter or of
 1140 any regulations, policies, or procedures of the commission;

1141 (4) Has legally defaulted in the payment of any obligation or debt due to the State of
 1142 Georgia or any other state;

1143 (5) Has constructed or caused to be constructed a destination resort for casino gaming
 1144 in this state for which a license was required under Code Section 50-39-25 without being
 1145 awarded or issued such a license, or has deviated substantially, without the permission
 1146 of the commission, from the plans and specifications submitted to the commission for the
 1147 construction of a destination resort that is to be a licensed resort facility; or

1148 (6) Is not qualified to do business in this state or is not subject to the jurisdiction of the
 1149 courts of the State of Georgia.

1150 (e)(1) As part of its review of casino gaming license applications submitted by potential
 1151 licensees, the commission shall fingerprint and require a background investigation of
 1152 every person who is an officer, director, or principal stockholder of a corporation
 1153 applying for a license to operate a resort facility in this state where casino gaming will
 1154 be undertaken.

1155 (2) Any such background investigations conducted pursuant to this subsection shall be
 1156 conducted by the commission in accordance with its regulations, policies, and procedures.
 1157 The commission may, as it sees fit, also authorize a representative of a law enforcement
 1158 agency of the State of Georgia to conduct such background investigations.

1159 50-39-26.

1160 (a) An initial casino gaming license issued under this chapter shall be for a term of 15
 1161 years and shall be subject to review by the commission once every five years within the
 1162 license term. The commission shall include on the license the term of such license, the
 1163 location of the licensed resort facility for which the license is issued, and such other
 1164 information as the commission deems proper. The term of the license shall commence as
 1165 of the issuance date of the license and not as of the award date of the license.

1166 (b) Following the award of a casino gaming license to an applicant, the commission shall
 1167 require the approved licensee to pay a casino gaming licensing fee. The casino gaming
 1168 licensing fee shall vary based upon the licensing region where the approved resort facility
 1169 is to be located and the type of license and shall be required to be paid once for each
 1170 approved destination resort as follows:

1171 (1)(A) The licensing fee for the primary casino gaming license issued for a destination
1172 resort that will be located in Licensing Region One shall be \$40 million; and
1173 (B) The licensing fee for the secondary casino gaming license issued for a destination
1174 resort that will be located in Licensing Region One shall be \$25 million; and
1175 (2) The licensing fee for the two casino gaming licenses issued to destination resorts that
1176 will be located in Licensing Region Two shall be \$15 million each.
1177 (c) The commission shall have the authority to recommend to the General Assembly that
1178 it adjust the casino gaming licensing fees set forth in this Code section. The commission
1179 shall not, however, increase or decrease such fees through regulations, policies, and
1180 procedures or any other rule-making or regulatory actions.
1181 (d) As set forth in Code Section 50-39-23, any applicant awarded a casino gaming license
1182 by the commission shall have the full amount of its casino gaming licensing fee satisfied
1183 through the crediting of its casino gaming license application deposit against its respective
1184 casino licensing fee obligation. The commission shall complete this crediting process prior
1185 to transferring the applicant's license application deposit to the Casino Gaming Education
1186 Account and shall, in conjunction with this crediting process, provide the applicant with
1187 suitable documentation verifying that its casino gaming licensing fee has been paid in full.
1188 (e) The commission shall keep a comprehensive record of all casino gaming licensing fees
1189 paid through the crediting process described in subsection (d) of this Code section. Such
1190 record shall, at a minimum, include true and accurate information regarding all casino
1191 gaming licensing fee obligations met through the crediting process and all casino gaming
1192 license application deposits transferred to the Casino Gaming Education Account following
1193 the crediting process.
1194 (f) The commission shall establish regulations, policies, and procedures for the renewal
1195 of a casino gaming license upon its expiration. As part of this renewal process, the
1196 commission shall provide that one year before the expiration of a casino gaming license,
1197 a licensee may file with the commission a notice of intent to renew the license. Following
1198 the submission of this notice of intent and before the expiration of its active casino gaming
1199 license, a licensee may apply for renewal of its license for another 15 year term. If a
1200 licensee is considered in good standing at the time of its renewal application, the
1201 commission shall automatically renew such licensee's casino gaming license. If a licensee
1202 is not considered to be in good standing at the time of the submission its renewal
1203 application, the commission shall not automatically renew the casino gaming license but
1204 may provide the licensee with an opportunity to remedy any issues affecting its standing
1205 with the commission. If such issues are addressed to the satisfaction of the commission,
1206 it may, but shall not be compelled to, renew the licensee's casino gaming license for a new
1207 15 year term.

1208 (g) The licensing of destination resorts for casino gaming in this state and the assessment
 1209 of licensing fees associated therewith shall be considered the exclusive province of the
 1210 commission. No licensing structure or regulatory fee framework shall be implemented
 1211 against casino gaming licensees or licensed resort facilities by any county, municipal, or
 1212 consolidated government in this state.

1213 50-39-27.

1214 (a) A person who has been found unsuitable by the commission shall not be entitled to
 1215 profit from such person's investment in a:

1216 (1) Corporation, other than a publicly traded corporation;

1217 (2) Partnership;

1218 (3) Limited partnership;

1219 (4) Limited liability company; or

1220 (5) Joint venture

1221 which has applied for or has been awarded or issued a casino gaming license.

1222 (b) A person who has applied for a casino gaming license and been found unsuitable by
 1223 the commission shall not retain interest in a corporation, partnership, limited partnership,
 1224 limited liability company, or joint venture licensed by the commission beyond that period
 1225 prescribed by the commission.

1226 (c) A person who has been found unsuitable by the commission shall not accept more for
 1227 interest held in a corporation, partnership, limited partnership, limited liability company,
 1228 or joint venture licensed by the commission than such person paid for it or the market value
 1229 on the date of the finding of unsuitability.

1230 (d) The finding of unsuitability by the commission shall be final unless appealed under
 1231 Code Section 50-39-30 within seven days of the commission's decision.

1232 50-39-28.

1233 (a) The commission shall maintain and make available to every licensee a complete and
 1234 current list containing the names of every person who has been found unsuitable or has had
 1235 a license or finding of suitability revoked by the commission.

1236 (b) Any person whose name has been placed on the list maintained by the commission
 1237 pursuant to subsection (a) of this Code section may apply, on a form prescribed by the
 1238 commission, for removal from the list no earlier than five years after the date on which the
 1239 person was found unsuitable or had a license or finding of suitability revoked by the
 1240 commission.

1241 50-39-29.

1242 (a) After a hearing upon at least 15 days' notice, the commission may suspend or revoke
1243 any license or fine any licensee a sum not to exceed \$250,000.00 in any case in which the
1244 commission has reason to believe that any provision of this chapter or any regulations,
1245 policies, or procedures, or condition of the commission have not been complied with or
1246 have been violated by such licensee. The commission may revoke a license if it finds that
1247 facts not known by the commission at the time it considered the application for licensure
1248 indicate that such license should not have been awarded or issued.

1249 (b) The commission may revoke any casino gaming license awarded to an applicant under
1250 this chapter if the licensee, within three years of the date of such award, fails to engage in
1251 casino gaming at the license resort facility in accordance with this chapter. Revocation of
1252 such an awarded casino gaming license under this subsection shall not be mandatory, and
1253 the commission shall retain all necessary authority to extend the period of time before
1254 revocation if the commission believes the licensee is operating and acting in good faith.

1255 (c) The commission, at a meeting at which a quorum of the commissioners is present, may
1256 summarily suspend any casino gaming license for a period of not more than 90 days
1257 pending a hearing and final determination by the commission if the commission determines
1258 that emergency action is required to protect the public health, safety, and welfare,
1259 including, but not limited to, revenues due the commission and this state and the political
1260 subdivisions thereof. The commission shall schedule a hearing within 14 business days
1261 after the license is summarily suspended and notify the licensee not less than five business
1262 days before the hearing of the date, time, and place of the hearing.

1263 (d) Deliberations of the commission shall be conducted pursuant to the regulations,
1264 policies, and procedures developed by the commission. If any casino gaming license is
1265 suspended or revoked, the commission shall state the reasons for doing so, which shall be
1266 entered into the record. Such suspension or revocation shall be final unless appealed in
1267 accordance with Code Section 50-39-30. Suspension or revocation of a license by the
1268 commission for any violation shall not preclude criminal liability for such violation.

1269 (e) Any license revoked or surrendered in accordance with the provisions of this chapter
1270 or any regulations, policies, or procedures of the commission shall revert to the state for
1271 future reissuance.

1272 50-39-30.

1273 (a) Any licensee that has a casino gaming license revoked or suspended or an applicant
1274 who has been found unsuitable may appeal the decision of the commission to the Superior
1275 Court of Fulton County within a period of seven days from the commission's

1276 determination. Such appellate review shall be conducted by the court and shall be confined
 1277 to the record presented by the commission.

1278 (b) The Superior Court of Fulton County shall not substitute its judgment for that of the
 1279 commission or the commissioners on matters of discretion expressly delegated to the
 1280 commission and the commissioners under this chapter and any other law of this state.

1281 Likewise, the court shall not substitute its judgment for that of the commission or the
 1282 commissioners on matters of interpretation associated with the evaluation of facts presented
 1283 in an application for a casino gaming license. The court may, however, review the record
 1284 presented by the commission to ascertain whether an applicant's rights have been
 1285 prejudiced because the commission's licensing determination is clearly:

1286 (1) In violation of state constitutional or statutory provisions;

1287 (2) In excess of the statutory authority of the commission;

1288 (3) Made upon unlawful regulations, policies, or procedures;

1289 (4) Affected by other error of law;

1290 (5) Not reasonably supported by substantial evidence in view of the reliable and
 1291 probative evidence in the record as a whole; or

1292 (6) Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted
 1293 exercise of discretion.

1294 (c) Appeal from any final judgment of the Superior Court of Fulton County with regard
 1295 to a licensing revocation or suspension decision made by the commission may be taken by
 1296 any party, including the commission, in the manner provided for in civil actions generally.

1297 50-39-31.

1298 (a) The commission shall have all necessary authority to review and monitor changes in
 1299 the ownership structure of casino gaming licensees, including, but not limited to, the
 1300 following: the addition of new partners, members, and principal stockholders to the
 1301 ownership structure of existing licensees; changes in operational or financial control within
 1302 existing licensees; and transfers of partial ownership interests in existing licensees. In
 1303 conjunction with this authority, the commission shall have the power to adopt and
 1304 promulgate those regulations, policies, and procedures necessary or convenient to
 1305 guarantee that all such changes in the ownership structures of existing licensees comply
 1306 with the requirements of this chapter, the regulations, policies, and procedures of the
 1307 commission, and otherwise align with the general public interest. Any regulations,
 1308 policies, and procedures adopted and promulgated by the commission in accordance with
 1309 this subsection shall be in addition to the specific requirements set forth in subsections (b)
 1310 through (e) of this Code section.

1311 (b) The commission shall require any person desiring to become a new partner, member,
1312 or principal stockholder of an existing licensee or any person seeking to gain operational
1313 or financial control over an existing licensee to apply to the commission for approval
1314 thereof and may require such information of the applicant as it finds necessary. The
1315 commission shall consider such application forthwith and shall approve or deny the
1316 application within 60 days of receipt. The commission shall approve an application that
1317 meets the criteria set forth in this chapter. The commission shall deny such application if
1318 in its judgment the proposed acquisition by the applicant would be detrimental to the public
1319 interest or to the honesty, integrity, and reputation of casino gaming in this state. In
1320 situations involving an application to acquire actual control over an existing licensee, the
1321 commission shall only approve such application if it finds that the applicant meets the
1322 criteria set forth in subsection (c) of this Code section.

1323 (c) If an applicant proposes to acquire operational or financial control, or both, of an
1324 existing licensee, such person shall, pursuant to subsection (b) of this Code section, submit
1325 to the commission its proposal for the future operation of any existing or planned licensed
1326 resort facility owned or operated by the licensee and such information as may be required
1327 by the commission to assure the commission that the licensee, under the actual control of
1328 such person, will have the experience, expertise, financial responsibility, and commitment
1329 to comply with the following:

1330 (1) The provisions of this chapter;

1331 (2) All commission regulations, policies, and procedures and orders;

1332 (3) All requirements for continued operation of the existing licensed resort facility
1333 pursuant to the terms and conditions in effect on the date of application for the license at
1334 issue; and

1335 (4) All plans and specifications contained in the proposal and application submitted to
1336 the commission by the existing licensee when obtaining the license at issue.

1337 The provisions of this subsection shall apply regardless of whether the control acquired
1338 over the existing licensee is direct or indirect, or whether the acquisition is accomplished
1339 individually or in concert with others.

1340 (d) Any acquisition of financial or operational control, or both, over an existing licensee
1341 without prior approval of the commission shall be grounds for the commission to revoke
1342 any license it has issued to such licensee, order compliance with this Code section, or take
1343 any other action as may be appropriate within the discretion and authority of the
1344 commission.

1345 (e) The requirements of this Code section shall be in addition to, and shall in no way
1346 impair, the regulatory permitting provisions set forth in Part 2 of this article. As such, all
1347 individuals who are approved to become a new partner, member, or principal stockholder

1348 of an existing licensee, or acquire new financial or operational control, or both, over an
1349 existing licensee, shall also be subject to all applicable regulations, policies, and procedures
1350 for regulatory permitting developed by the commission in accordance with Part 2 of this
1351 article.

1352 50-39-32.

1353 The commission shall not award any casino gaming license to any applicant for any
1354 destination resort within this state until a referendum approving the question set forth
1355 herein is held in each county, municipality, or consolidated government of this state in
1356 which such resort facility is to be located. Such a referendum shall be conducted in the
1357 following manner:

1358 (1) The governing authority of any county, or municipality, or consolidated government
1359 in this state may allow casino gaming at a licensed resort facility within its jurisdiction
1360 if the establishment of such a facility is approved by referendum as provided in this Code
1361 section;

1362 (2) Any governing authority of any county, municipality, or consolidated government
1363 in this state desiring to allow casino gaming at a destination resort within its jurisdiction
1364 pursuant to paragraph (1) of this Code section shall so provide by proper resolution or
1365 ordinance for the authorization of casino gaming at such a destination resort located
1366 within its boundaries, provided that such authorization is approved by public referendum.
1367 Upon passage of such a resolution or ordinance, the governing authority of the county,
1368 municipality, or consolidated government shall provide such election superintendent of
1369 the jurisdiction with a copy of the resolution or ordinance. Upon receipt of the resolution
1370 or ordinance, such election superintendent shall issue the call and shall conduct a special
1371 election in accordance with Chapter 2 of Title 21 to submit the referendum question to
1372 the electors of the jurisdiction. Such election shall be held on the next available day
1373 under Code Section 21-2-540 that is at least 60 days after the date on which the resolution
1374 or ordinance was delivered to the election superintendent but shall not be later than the
1375 next general election unless such general election is within 60 days of the date on which
1376 the resolution or ordinance was delivered to the election superintendent;

1377 (3) The election superintendent shall cause the date and purpose of the special election
1378 to be published once a week for four weeks immediately preceding the date of the special
1379 election in the official legal organ of the county, municipality, or consolidated
1380 government; and

1381 (4) Each ballot used in the special election shall contain the following written or printed
1382 question:

1383 '() YES Shall the governing authority of (name of county, municipality, or
 1384 () NO consolidated government) be authorized to permit the establishment of
 1385 a destination resort within (name of county, municipality, or consolidated
 1386 government) where casino gaming is permitted, which will provide
 1387 (name of county, municipality, or consolidated government) with new job
 1388 opportunities and economic benefit and which will provide the state with
 1389 a new source of revenues to preserve the future financial stability of the
 1390 HOPE scholarship program and other educational programs?'

1391 All persons desiring to vote for approval of the question shall vote 'Yes' and all persons
 1392 desiring to vote for rejection of the question shall vote 'No'. If more than one-half of the
 1393 votes cast on the question are for approval, then such question shall be approved and
 1394 casino gaming shall be approved and may be conducted at licensed resort facilities
 1395 located in such county, municipality, or consolidated government. If the question is not
 1396 so approved or if the election is not conducted as provided in this Code section, then
 1397 casino gaming shall not be approved and shall not be conducted in such county,
 1398 municipality, or consolidated government. The expense of such special election shall be
 1399 borne by the county, municipality, or consolidated government which adopts the
 1400 resolution or ordinance pursuant to paragraph (2) of this Code section. It shall be the
 1401 duty of the election superintendent of the county, municipality, or consolidated
 1402 government to certify the result of the special election to the Secretary of State. No such
 1403 referendum shall be held more often than once every three years in the same county,
 1404 municipality, or consolidated government. A subsequent referendum shall be required
 1405 in a county, municipality, or consolidated government if a casino gaming license has not
 1406 been granted by the commission in that locality within five years of the certification of
 1407 a special election approving such question.

1408 50-39-33.

1409 (a) As provided in paragraph (17) of subsection (a) of Code Section 50-39-24, when
 1410 evaluating casino gaming license applicants for the potential award of a casino gaming
 1411 license under this chapter, the commission shall be obligated to consider the degree to
 1412 which there is evidence of local support and community engagement from the county,
 1413 municipality, or consolidated government in this state where the applicant seeks to
 1414 establish its licensed resort facility. In light of this obligation, the commission shall have
 1415 all necessary authority and power to communicate with officials in potential host
 1416 communities throughout this state for the purpose of gathering information about their
 1417 prospective support or opposition for a particular licensed resort facility proposed by an
 1418 applicant. When communicating with county, municipal, or consolidated government

1419 officials on such matters, the commission shall note whether officials elicit any preferences
 1420 for certain applicants and attempt to discern the reasoning behind such preferences,
 1421 including whether or not a prospective applicant has promised to provide certain benefits
 1422 to the host community if awarded a casino gaming license.

1423 (b) Any information gathered by the commission in accordance with subsection (a) of this
 1424 Code section indicating that a prospective applicant has promised to provide certain
 1425 benefits to its potential host community if awarded a casino gaming license, or has already
 1426 entered into a formal community benefit agreement with its potential host community, shall
 1427 be considered by the commission when evaluating the casino gaming license application
 1428 of a potential licensee. Given the fact that formal and informal community benefit
 1429 agreements invade upon the exclusive licensing, regulation, collection of gross gaming
 1430 revenues, and other authority of the commission with regard to casino gaming in this state,
 1431 the commission shall be permitted to draw a negative inference against applicants who
 1432 engage in such arrangements or agreements when evaluating casino gaming license
 1433 applications.

1434 (c) As set forth in this chapter, the licensing, regulation, and collection of gross gaming
 1435 revenues of casino gaming in this state shall be the express province of the commission.
 1436 In turn, no county, municipality, or consolidated government of this state shall enter into
 1437 any agreement or arrangement with a licensee or potential licensee that obligates such
 1438 licensee or potential licensee to submit to any local casino gaming licensing or regulatory
 1439 structures or to the payment of any funds, fees, levies, assessments, valuations, charges,
 1440 duties, or other amounts not otherwise required of noncasino gaming businesses operating
 1441 in the county, municipality, or consolidated government.

1442 50-39-34.

1443 Although the power to license, regulate, and collect certain revenues of casino gaming in
 1444 this state is vested with the commission, the governing authority of any county,
 1445 municipality, or consolidated government in this state shall be authorized to enact and
 1446 enforce certain ordinance provisions that do not encroach on state authority in the area of
 1447 casino gaming. Such acceptable provisions may include any or all of the following:

1448 (1) Ordinances providing for zoning restrictions related to distance from specified
 1449 structures and uses so long as the distance requirements and use restrictions applied to
 1450 licensed resort facilities are no more restrictive, onerous, or expensive than the
 1451 requirements and restrictions applicable to all hotels and resorts located within the
 1452 jurisdiction;

1453 (2) Ordinances providing for the procurement and public display of a business license
 1454 at a licensed resort facility by a licensee, provided that such requirements are no more

1455 restrictive, onerous, or expensive than the requirements faced by all hotels and resorts
 1456 located within the jurisdiction;

1457 (3) Ordinances providing for the procurement of a local alcohol license by a licensee for
 1458 a licensed resort facility, provided that such requirements are no more restrictive,
 1459 onerous, or expensive than the requirements faced by all hotels and resorts located within
 1460 the jurisdiction that are licensed to sell and serve alcoholic beverages;

1461 (4) Ordinances providing for adherence of a licensed resort facility to local fire and
 1462 safety codes, provided that such requirements are no more restrictive, onerous, or
 1463 expensive than the requirements faced by all hotels and resorts located within the
 1464 jurisdiction; and

1465 (5) Ordinances eliminating any statutory or regulatory restrictions on the ability of
 1466 licensed resort facilities to operate on a 24 hour basis for all legal purposes, including, but
 1467 not limited to, casino gaming, hotel and hospitality operations, and the sale and service
 1468 of food and alcoholic beverages.

1469 50-39-35.

1470 (a) Licensees shall pay 20 percent of the annual gross gaming revenue generated at the
 1471 licensed resort facility to the commission in accordance with regulations, policies, and
 1472 procedures of the commission.

1473 (b) Prior to the implementation of this annual payment of a percentage on gross gaming
 1474 revenue generated by licensees, the commission shall develop appropriate processes and
 1475 regulations, policies, and procedures for the collection of such proceeds and for the
 1476 enforcement of delinquencies and violations.

1477 (c) The commission shall transfer to the Casino Gaming Education Account all amounts
 1478 of gross gaming revenues collected pursuant to this Code section within seven days of
 1479 receipt.

1480 (d) The collection of gross gaming revenue generated by licensees under this chapter shall
 1481 be the exclusive province of the commission. In turn, no gross gaming revenue tax or other
 1482 similar levy on gaming revenue generated by licensees may be implemented by a county,
 1483 municipality, or consolidated government in this state.

1484 (e) All sales of gambling games authorized under this chapter shall be exempt from any
 1485 and all sales taxes imposed by state or local law.

1486 50-39-36.

1487 All casino gaming conducted in this state shall be regulated, licensed, subjected to revenue
 1488 collection, or taxed only in accordance with the provisions of this chapter and the
 1489 regulations, policies, and procedures of the commission and shall not be subject to any

1490 licensing requirements, regulatory considerations, revenue collection, or taxes already
1491 placed on bona fide coin-operated amusement machines pursuant to Chapter 27 of this title
1492 or any other state or local law or rules, regulations, ordinances, or resolutions.

1493 Part 2

1494 50-39-40.

1495 (a)(1) The commission may establish by regulations, policies, and procedures for the
1496 regulatory permitting of certain officers, directors, members, partners, and stockholders
1497 of casino gaming licensees, as well as certain other persons who are likely to have
1498 significant influence over the casino gaming operations of such licensees.

1499 (2) In the context of licensees that are publicly traded corporations, the commission may
1500 establish by regulations, policies, and procedures for the regulatory permitting of all
1501 officers, directors, and employees whom the commission determines are actively and
1502 directly engaged or involved in the administration or supervision of the casino gaming
1503 activities of a licensee.

1504 (3) In the context of licensees that are corporations that are not publicly traded, the
1505 commission may establish by regulations, policies, and procedures for the regulatory
1506 permitting of all officers and directors of a licensee. The commission may also, if the
1507 commission finds that such is in the public interest, expand such regulatory permitting
1508 to a corporate licensee's stockholders, lenders, holders of evidence of indebtedness,
1509 underwriters, key executive personnel, and other similar persons.

1510 (4) In the context of licensees that are limited liability companies that are not publicly
1511 traded, the commission may establish by regulations, policies, and procedures for the
1512 regulatory permitting of all limited liability company members with more than a 5
1513 percent ownership interest in a licensee. The commission may also, if the commission
1514 finds that such is in the public interest, expand such regulatory permitting to certain
1515 limited liability company members with ownership interests of 5 percent or less in a
1516 licensee. In such circumstances, the commission may also expand its regulatory
1517 permitting to a limited liability company licensee's lenders, holders of evidence of
1518 indebtedness, underwriters, key executive personnel, and other similar persons.

1519 (5) In the context of licensees that are partnerships, the commission may establish by
1520 regulations, policies, and procedures for the regulatory permitting of all general partners
1521 of a licensee or all limited partners with more than a 5 percent ownership interest in a
1522 licensee. The commission may also, if the commission finds that such is in the public
1523 interest, expand such regulatory permitting to certain limited partners with ownership
1524 interests of 5 percent or less in a licensee. In such circumstances, the commission may

1525 also expand its regulatory permitting to a partnership licensee's lenders, holders of
1526 evidence of indebtedness, underwriters, key executive personnel, and other similar
1527 persons.

1528 (6) In the context of licensees that are neither corporations, limited liability corporations,
1529 nor partnerships, the commission may establish by regulations, policies, and procedures
1530 for the regulatory permitting of any employee, agent, guardian, personal representative,
1531 lender, or holder of indebtedness of a licensee who, in the opinion of the commission, has
1532 the power to exercise significant influence over the licensee's casino gaming operations
1533 in this state.

1534 (b) The commission may establish by regulations, policies, and procedures for the
1535 regulatory permitting of individuals working at licensed resort facilities as either employees
1536 or temporary permitted employees or independent contractors in the following capacities:

1537 (1) Security and surveillance personnel;

1538 (2) Gaming employees; and

1539 (3) All other personnel of any licensee whom the commission deems necessary to
1540 regulate and permit so as to ensure honesty and integrity in casino gaming within this
1541 state, provided that such persons are not exempted from regulation or permitting by
1542 regulations, policies, and procedures of the commission.

1543 (c) When establishing by regulations, policies, and procedures for the regulation and
1544 permitting of persons described in subsections (a) and (b) of this Code section, the
1545 commission shall at least develop protocols for permit application, issuance, renewal,
1546 suspension, and revocation. In the case of applicants for permits described in
1547 subsection (b) of this Code section, the commission shall create a process by which such
1548 applicants can work as temporary permitted employees or independent contractors during
1549 the period of time, not to exceed 120 days, in which their permit applications are being
1550 reviewed and processed by the commission. Additionally, the commission may create a
1551 process by which unsuccessful permit applicants under this Code section can appeal any
1552 negative rulings issued by the commission. The regulations, policies, and procedures
1553 developed by the commission under this Code section may also provide for the assessment
1554 of minor civil penalties against those persons who violate the requirements of this chapter
1555 or any regulations, policies, and procedures adopted by the commission.

1556 (d) The commission shall transfer to the Casino Gaming Education Account any
1557 application fees or other amounts collected for the issuance of any permits under this Code
1558 section within seven days of receipt.

1559 50-39-41.

1560 (a) The commission may establish by regulations, policies, and procedures for a permitting
 1561 process governing casino gaming vendors who supply any gaming device or any equipment
 1562 used in gambling games to any licensed resort facilities. When establishing by regulations,
 1563 policies, and procedures for the regulation and permitting of such vendors, the commission
 1564 shall at least develop protocols for permit application, issuance, renewal, suspension, and
 1565 revocation. Additionally, the commission may create a process by which applicants that are
 1566 denied permits can appeal any negative rulings issued by the commission. The regulations,
 1567 policies, and procedures developed by the commission pursuant to this Code section may
 1568 also provide for the assessment of minor civil penalties against those persons who violate
 1569 the requirements of this chapter or any regulations, policies, and procedures adopted by the
 1570 commission.

1571 (b) The commission shall transfer to the Casino Gaming Education Account any
 1572 application fees or other amounts collected for the issuance of any permits under this Code
 1573 section within seven days of receipt.

1574 50-39-42.

1575 (a) The commission shall establish regulations, policies, and procedures governing the
 1576 approval and operation of inter-casino linked systems and the permitting of the operators
 1577 of inter-casino linked systems at licensed resort facilities.

1578 (b) The commission shall, without limitation, include in such regulations, policies, and
 1579 procedures the following:

1580 (1) Standards for the approval and operation of inter-casino linked systems;

1581 (2) Requirements for the:

1582 (A) Operator of an inter-casino linked system to disclose to the commission and
 1583 licensees on a confidential basis the rate of progression of the primary jackpot meter;
 1584 and

1585 (B) Establishment of a minimum rate of progression of the primary jackpot meter;

1586 (3) Criteria for multiple permitting of inter-casino linked systems and the operators of
 1587 inter-casino linked systems; and

1588 (4) Procedures and criteria for regular auditing of the regulatory compliance of an
 1589 operator of an inter-casino linked system.

1590 (c) The commission shall transfer to the Casino Gaming Education Account any
 1591 application fees or other amounts collected for the issuance of any permits under this Code
 1592 section within seven days of receipt.

ARTICLE 3

1593

1594 50-39-60.

1595 (a) A separate account is hereby created in the state treasury that shall be known as the
1596 Casino Gaming Education Account. The Casino Gaming Education Account shall be the
1597 repository of all revenue and proceeds derived from the following sources associated with
1598 casino gaming in this state which shall be collected and transferred by the commission:

1599 (1) Civil penalties levied against licensees and other parties regulated by the commission
1600 collected and transferred in accordance with Code Section 50-39-90;

1601 (2) All proceeds generated by the collection and transfer of 20 percent of the gross
1602 gaming revenue of licensed resort facilities in accordance with Code Section 50-39-35;

1603 (3) All permitting fees collected and transferred in accordance with Part 2 of Article 2
1604 of this chapter; and

1605 (4) All other regulatory fees collected and transferred in accordance with the regulations,
1606 policies, and procedures of the commission.

1607 (b) Except for the percentage of funds that shall be provided annually to the commission
1608 as required pursuant to Article I, Section II, Paragraph VII of the Constitution of Georgia
1609 and Code Section 50-39-61, all funds contained within the Casino Gaming Education
1610 Account shall be unencumbered property of the state and shall be invested by the state
1611 treasurer in accordance with state investment practices. Except for the percentage of funds
1612 that shall be provided annually to the commission as required pursuant to Article I, Section
1613 II, Paragraph VII of the Constitution of Georgia and Code Section 50-39-61, all earnings
1614 attributable to such investments shall be the unencumbered property of the state and shall
1615 accrue to the credit of the Casino Gaming Education Account.

1616 50-39-61.

1617 (a) Funds contained within the Casino Gaming Education Account shall only be
1618 appropriated, dispensed, and utilized in accordance with the requirements of Article I,
1619 Section II, Paragraph VIII of the Constitution of Georgia. As required by those provisions,
1620 the proceeds contained within the Casino Gaming Education Account shall only be
1621 appropriated, dispensed, or utilized as set forth in this Code section for the:

1622 (1) Payment of operating expenses associated with the regulation of casino gaming by
1623 the commission;

1624 (2) Funding of state resources for the treatment of problem gaming issues;

1625 (3) Financial support of counties, municipalities, or consolidated governments hosting
1626 licensed resort facilities for casino gaming; and

1627 (4) Funding of educational programs and purposes.

1628 (b)(1) Each fiscal year, the Governor of this state shall specifically identify in his or her
1629 annual budget presented to the General Assembly a budget category entitled 'Casino
1630 Gaming Proceeds,' which shall match the expected annual proceeds contained within the
1631 Casino Gaming Education Account. Within the budget category for Casino Gaming
1632 Proceeds, the Governor shall make specific recommendations for how such proceeds
1633 shall be distributed among the following budget subcategories:

1634 (2)(A) The payment of the commission's operating expenses associated with the
1635 regulation of casino gaming; provided, however, that the funding recommendation of
1636 the Governor as to such payment shall not be less than 1 percent nor more than 5
1637 percent of the proceeds deposited in the Casino Gaming Education Account in a given
1638 fiscal year.

1639 (B) The funding of the Georgia Problem Gaming Assistance Fund; provided, however,
1640 that the funding recommendation shall not be less than 1 percent nor more than 2
1641 percent of the proceeds deposited in the Casino Gaming Education Account in a given
1642 fiscal year.

1643 (C) The funding of the Georgia Licensed Resort Facility Host Community Fund;
1644 provided, however, that the funding recommendation presented by the Governor shall
1645 not be less than 1 percent nor more than 3 percent of the total proceeds deposited in the
1646 Casino Gaming Education Account in a given fiscal year.

1647 (D) The funding of educational programs and purposes; provided, however, that the
1648 funding recommendations presented by the Governor with regard to educational
1649 programs and purposes shall at all times constitute at least 90 percent of the total
1650 proceeds deposited in the Casino Gaming Education Account in a given fiscal year;
1651 provided, further, that such educational funding shall only be provided for the following
1652 programs and purposes:

1653 (i) The HOPE scholarship program;

1654 (ii) Other tuition grants, scholarships, or loans to citizens of this state to enable such
1655 citizens to attend colleges and universities located within this state, regardless of
1656 whether such colleges and universities are operated by the Board of Regents of the
1657 University System of Georgia, or to attend institutions operated under the authority
1658 of the Technical College System of Georgia;

1659 (iii) Voluntary pre-kindergarten; and

1660 (iv) One or more educational shortfall reserves in a total amount of not more than 5
1661 percent of the proceeds deposited into the Casino Gaming Education Account for the
1662 preceding fiscal year;

1663 provided, however, that no funds shall be recommended for the items listed in divisions
 1664 (ii) through (iv) of this subparagraph until the HOPE scholarship program has been
 1665 fully funded.

1666 (c)(1) Upon consideration of the budgetary recommendations provided by the Governor,
 1667 in the General Appropriations Act adopted each fiscal year, the General Assembly shall
 1668 appropriate all 'Casino Gaming Proceeds' by separate category for the following
 1669 purposes: the funding of educational programs and purposes, the payment of commission
 1670 operating expenses associated with the regulation of casino gaming, the funding of the
 1671 Georgia Problem Gaming Assistance Fund, and the funding of the Georgia Licensed
 1672 Resort Facility Host Community Fund.

1673 (2)(A) The General Assembly's appropriation of funds to the commission for the
 1674 payment of its operating expenses associated with the regulation of casino gaming shall
 1675 not be less than 1 percent nor more than 5 percent of the total proceeds deposited in the
 1676 Casino Gaming Education Account in a given fiscal year.

1677 (B) The General Assembly's appropriation of funds to the Georgia Problem Gaming
 1678 Assistance Fund shall not be less than 1 percent nor more than 2 percent of the total
 1679 proceeds deposited in the Casino Gaming Education Account in a given fiscal year.

1680 (C) The General Assembly's appropriation of funds for the Georgia Licensed Resort
 1681 Facility Host Community Fund shall not be less than 1 percent nor more than 3 percent
 1682 of the total proceeds deposited in the Casino Gaming Education Account in a given
 1683 fiscal year.

1684 (D) The General Assembly's appropriation of funds for educational programs and
 1685 purposes shall at all times constitute at least 90 percent of the total proceeds deposited
 1686 in the Casino Gaming Education Account in a given fiscal year. As demanded by the
 1687 Constitution of Georgia, the General Assembly's appropriation of funds for educational
 1688 programs and purposes shall be limited to financial support for the following:

- 1689 (i) The HOPE scholarship program;
 1690 (ii) Other tuition grants, scholarships, or loans to citizens of this state to enable such
 1691 citizens to attend colleges and universities located within this state, regardless of
 1692 whether such colleges and universities are operated by the Board of Regents of the
 1693 University System of Georgia, or to attend institutions operated under the authority
 1694 of the Technical College System of Georgia;
 1695 (iii) Voluntary pre-kindergarten; and
 1696 (iv) One or more educational shortfall reserves in a total amount of not more than 5
 1697 percent of the proceeds deposited into the Casino Gaming Education Account for the
 1698 preceding fiscal year;

1699 provided, however, that no funds shall be appropriated for the items listed in divisions
 1700 (ii) through (iv) of this subparagraph until the HOPE scholarship program has been
 1701 fully funded.

1702 (d) Each fiscal year, the state treasurer shall transfer to the designated recipients the
 1703 portion of the funds contained within the Casino Gaming Proceeds specifically
 1704 appropriated from the Casino Gaming Education Account pursuant to the General
 1705 Appropriations Act. The timing and process of such transfers shall be in accordance with
 1706 traditional state budgetary and appropriation principles.

1707 50-39-62.

1708 (a) The commission shall establish an Advisory Committee on Problem Gaming,
 1709 consisting of seven members, to advise it on matters associated with problem gaming.

1710 (b) The Governor shall appoint the following individuals as members of the advisory
 1711 committee:

1712 (1) Two representatives from current casino gaming licensees upon the issuance of any
 1713 casino gaming licenses;

1714 (2) Two individuals who work in the area of mental health, at least one of whom has
 1715 experience in the treatment of individuals who are problem gamblers;

1716 (3) One individual who represents the Department of Behavioral Health and
 1717 Developmental Disabilities and has experience in the prevention or treatment of problem
 1718 gaming; and

1719 (4) Two individuals who represent organizations that provide assistance to individuals
 1720 who are problem gamblers.

1721 (c) No vacancy in the membership of the advisory committee shall impair the right of the
 1722 committee to exercise all the powers and perform all the duties of the commission.

1723 (d) Members shall serve without compensation for a term to be established by the
 1724 commission. Any member appointed to the advisory committee who is an officer or
 1725 employee of this state or a political subdivision of this state shall be relieved of his or her
 1726 duties without loss of his or her regular compensation so that he or she may prepare for and
 1727 attend meetings of the advisory committee and perform any work necessary to carry out
 1728 the duties of the advisory committee in the most timely manner practicable. A state agency
 1729 or political subdivision of this state shall not require an officer or employee who is a
 1730 regular member of the advisory committee to:

1731 (1) Make up the time he or she is absent from work to carry out his or her duties as a
 1732 regular member of the advisory committee; or

1733 (2) Take annual leave or compensatory time for such absence.

1734 (e) The advisory committee shall:

- 1735 (1) At its first meeting and annually thereafter, elect a chairperson from among its
1736 regular members;
- 1737 (2) Meet at the call of the commission, the chairperson of the advisory committee, or a
1738 majority of the advisory committee members as necessary, within the budget of the
1739 advisory committee, but not to exceed six meetings per year; and
- 1740 (3) Adopt rules and procedures for its management and government.
- 1741 (f) The advisory committee shall have such powers and duties as set by the commission,
1742 which may include the following:
- 1743 (1) Reviewing each request received by the commission from a state agency or other
1744 political subdivision of this state or from an organization or educational institution for a
1745 grant of money or a contract for services to provide programs for the prevention and
1746 treatment of problem gaming or to provide services related to the development of data,
1747 the assessment of needs, the performance of evaluations, or technical assistance;
- 1748 (2) Recommending to the commission each request received pursuant to paragraph (1)
1749 of this subsection that the advisory committee believes should be awarded;
- 1750 (3) Establishing criteria for determining which state agencies and other political
1751 subdivisions of this state and organizations and educational institutions to recommend for
1752 grants of money or contracts for services pursuant to paragraph (2) of this subsection;
- 1753 (4) Monitoring each grant of money awarded by the commission to provide programs for
1754 the prevention and treatment of problem gaming or to provide services related to the
1755 development of data, the assessment of needs, the performance of evaluations, or
1756 technical assistance;
- 1757 (5) Assisting the commission in determining the needs of local communities and in
1758 establishing priorities for funding programs for the prevention and treatment of problem
1759 gaming and funding services related to the development of data, the assessment of needs,
1760 the performance of evaluations, or technical assistance; and
- 1761 (6)(A) Appointing subcommittees consisting of members of the advisory committee,
1762 former members of the advisory committee, and members of the public who have
1763 appropriate experience or knowledge to:
- 1764 (i) Consider specific problems or other matters that are related to and within the
1765 scope of activities of the advisory committee; and
- 1766 (ii) Review requests for grants of money or contracts for services related to specific
1767 programs for the prevention and treatment of problem gaming or services related to
1768 the development of data, the assessment of needs, the performance of evaluations, or
1769 technical assistance.
- 1770 (B) Subcommittee members shall serve without compensation.

1771 50-39-63.

1772 (a) An account is hereby created within the state general fund that shall be known as the
1773 Georgia Problem Gaming Assistance Fund. The Georgia Problem Gaming Assistance
1774 Fund shall be administered by the commission.

1775 (b) As provided in Code Section 50-39-61, annual funding for the Georgia Problem
1776 Gaming Assistance Fund shall be appropriated by the General Assembly from the Casino
1777 Gaming Education Account.

1778 (c) The money in the Georgia Problem Gaming Assistance Fund shall be expended:

1779 (1) To award grants of money or contracts for services to state agencies and other
1780 political subdivisions of this state or to organizations or educational institutions to
1781 provide programs for the prevention and treatment of problem gaming or to provide
1782 services related to the development of data, the assessment of needs, the performance of
1783 evaluations, or technical assistance; and

1784 (2) For any other purpose authorized by law.

1785 (d) The existence of the Georgia Problem Gaming Assistance Fund shall not create a right
1786 in any state agency or other political subdivision of this state or in any organization or
1787 educational institution to receive money from the Georgia Problem Gaming Assistance
1788 Fund.

1789 (e) The commission may apply for and accept any gift, donation, bequest, grant, or other
1790 source of money. Any money so received shall be deposited in the Georgia Problem
1791 Gaming Assistance Fund. The interest and income earned on money in the Georgia
1792 Problem Gaming Assistance Fund from any gift, donation, or bequest, after deducting any
1793 applicable charges, shall be credited to the Georgia Problem Gaming Assistance Fund.
1794 Money from any gift, donation, or bequest that remains in the Georgia Problem Gaming
1795 Assistance Fund at the end of the fiscal year shall not revert to the state general fund, and
1796 the balance in the Georgia Problem Gaming Assistance Fund shall be carried forward to
1797 the next fiscal year.

1798 (f) The commission shall adopt any and all necessary regulations, policies, and procedures
1799 to carry out the provisions of this Code section which shall include, but shall not be limited
1800 to:

1801 (1) The procedure by which a state agency or other political subdivision of this state or
1802 an organization or educational institution may apply for a grant of money or a contract
1803 for services to be paid from the Georgia Problem Gaming Assistance Fund;

1804 (2) The criteria that the commission shall consider in determining whether to award a
1805 grant of money or a contract for services to be paid from the Georgia Problem Gaming
1806 Assistance Fund; and

1807 (3) The procedure used by the commission to ensure that the money in the Georgia
 1808 Problem Gaming Assistance Fund is distributed in a fair and equitable manner.

1809 50-39-64.

1810 (a) An account is hereby created within the state general fund that shall be known as the
 1811 Georgia Licensed Resort Facility Host Community Fund. The Georgia Licensed Resort
 1812 Facility Host Community Fund shall be administered by the commission.

1813 (b) As provided in Code Section 50-39-61, annual funding for the Georgia Licensed Resort
 1814 Facility Host Community Fund shall be appropriated by the General Assembly from the
 1815 Casino Gaming Education Account.

1816 (c) The money in the Georgia Licensed Resort Facility Host Community Fund shall be
 1817 expended to provide local impact grants only to those counties, municipalities, and
 1818 consolidated governments within this state that host licensed resort facilities where casino
 1819 gaming is permitted. Such local impact grants shall be made, at the discretion of the
 1820 commission, only for the following purposes:

1821 (1) To fund infrastructure and transportation improvement projects within a five-mile
 1822 radius of the licensed resort facility in the host county, municipality, or consolidated
 1823 government;

1824 (2) To fund school construction projects and educational programs in the host county,
 1825 municipality, or consolidated government;

1826 (3) To fund economic and community development projects in the host county,
 1827 municipality, or consolidated government;

1828 (4) To fund public safety projects and police, fire, and emergency service activities
 1829 within a five-mile radius of the licensed resort facility in the host county, municipality,
 1830 or consolidated government;

1831 (5) To fund sanitation projects within the host county, municipality, or consolidated
 1832 government; and

1833 (6) To fund all other projects that the General Assembly may otherwise designate as
 1834 permissible.

1835 (d) When a licensed resort facility in this state is located within the boundaries of both a
 1836 county and independent municipality, both the county and municipality shall be entitled
 1837 to apply for a local impact grant as set forth in this Code section. Similarly, when a
 1838 licensed resort facility is situated in multiple counties, municipalities, or consolidated
 1839 governments, all such counties, municipalities, or consolidated governments where the
 1840 licensed resort facility's property is located shall be entitled to apply for a local impact
 1841 grant as set forth in this Code section.

1842 (e) The existence of the Georgia Licensed Resort Facility Host Community Fund shall not
 1843 create a right for any host county, municipality, or consolidated government to receive
 1844 money from the Georgia Licensed Resort Facility Host Community Fund.

1845 (f) Money contained in the Georgia Licensed Resort Facility Host Community Fund at the
 1846 end of the fiscal year shall not revert to the state general fund, and the balance in the
 1847 Georgia Licensed Resort Facility Host Community Fund shall be carried forward to the
 1848 next fiscal year.

1849 (g) The commission shall adopt any and all necessary regulations, policies, and procedures
 1850 to carry out the provisions of this Code section. The regulations, policies, and procedures
 1851 adopted by the commission shall include, but shall not be limited to:

1852 (1) The procedure by which a host county, municipality, or consolidated government
 1853 may apply for a local impact grant of money from the Georgia Licensed Resort Facility
 1854 Host Community Fund;

1855 (2) The criteria that the commission shall consider in determining whether to award a
 1856 local impact grant of money from the Georgia Licensed Resort Facility Host Community
 1857 Fund; and

1858 (3) The procedure used by the commission to ensure that the money in the Georgia
 1859 Licensed Resort Facility Host Community Fund shall be distributed in a fair and
 1860 equitable manner.

1861 ARTICLE 4

1862 50-39-80.

1863 (a) A credit instrument accepted by a licensee on or after the effective date of this chapter
 1864 and the debt that the credit instrument represents are valid and may be enforced by the legal
 1865 process.

1866 (b) A licensee under this chapter may accept an incomplete credit instrument which is
 1867 signed by a patron and states the amount of the debt in figures and may complete the
 1868 instrument as necessary for the instrument to be presented for payment.

1869 (c) A licensee:

1870 (1) May accept a credit instrument that is payable to an affiliated company or may
 1871 complete a credit instrument in the name of an affiliated company as payee if the credit
 1872 instrument otherwise complies with this Code section and the records of the affiliated
 1873 company pertaining to the credit instrument are made available to agents of the
 1874 commission upon request; and

1875 (2) May accept a credit instrument before, at the time, or after the patron incurs the debt.
 1876 The credit instrument and the debt that the credit instrument represents are enforceable

1877 without regard to whether the credit instrument was accepted before, at, or after the debt
 1878 is incurred.

1879 (d) This Code section shall not prohibit the establishment of an account by a deposit of
 1880 cash, recognized traveler's check, or any other instrument which is equivalent to cash.

1881 (e) The commission shall have all necessary authority to promulgate regulations, policies,
 1882 and procedures:

1883 (1) Regarding the issuance of credit instruments by licensees; and

1884 (2) Prescribing the conditions under which a credit instrument may be redeemed or
 1885 presented to a bank or credit union for collection or payment.

1886 50-39-81.

1887 The provisions of Code Section 13-8-3 regarding the illegality and nonenforceability of
 1888 gambling contracts and any debt associated therewith under state law shall not be
 1889 applicable to contracts or debt arising out of legal casino gaming activities conducted in
 1890 accordance with the requirements of this chapter and the regulations, policies, and
 1891 procedures of the commission.

1892 50-39-82.

1893 (a) Except as otherwise provided in this chapter or by the regulations, policies, and
 1894 procedures of the commission, gaming debts that are not evidenced by a credit instrument
 1895 shall be void and unenforceable and shall not give rise to any administrative or civil cause
 1896 of action.

1897 (b) A claim by a patron of a licensee for payment of a gaming debt that is not evidenced
 1898 by a credit instrument may be resolved in accordance with the procedures set forth in this
 1899 chapter and any processes set forth in the regulations, policies, and procedures of the
 1900 commission.

1901 50-39-83.

1902 (a) The commission shall have all necessary authority to promulgate regulations, policies,
 1903 and procedures regarding the resolution of all disputes between casino patrons and
 1904 licensees or any persons acting on behalf of or in conjunction with licensees regarding:

1905 (1) Alleged winnings, alleged losses, or the award or distribution of cash, prizes,
 1906 benefits, tickets, or any other item or items in a gambling game, tournament, contest,
 1907 drawing, promotion, or similar activity or event; and

1908 (2) The manner in which a gambling game, tournament, contest, drawing, promotion, or
 1909 similar activity or event is conducted.

1910 (b) The regulations, policies, and procedures of the commission governing disputes
 1911 relating to gaming debts shall include, but shall not be limited to, the following:
 1912 (1) Preliminary investigation of disputes by the commission;
 1913 (2) Review and adjudication of disputes by a specified subcomponent of the commission;
 1914 (3) Review by the commission of any preliminary findings made by a specified
 1915 subcomponent of the commission during the review and adjudication stage of the dispute
 1916 resolution process;
 1917 (4) Judicial review of any findings made by the commission in accordance with the
 1918 dispute resolution process described in this Code section; and
 1919 (5) Payment of claims regarding resolved disputes.

1920 50-39-84.

1921 All licensees shall, in addition to maintaining full compliance with the obligations of this
 1922 chapter and the regulations, policies, and procedures of the commission, adhere to the
 1923 federal record-keeping, reporting, and compliance program demands required of casino
 1924 gaming operators by the Financial Crimes Enforcement Network (FinCEN) of the United
 1925 States Department of the Treasury. Such obligations include, but are not limited to,
 1926 adhering to the casino-specific requirements of the Bank Secrecy Act of 1970, as amended,
 1927 and its associated regulations in 31 C.F.R. Part 103.

1928 ARTICLE 5

1929 50-39-90.

1930 The commission may establish by regulations, policies, and procedures for the assessment
 1931 of minor civil penalties against persons who violate any of the requirements of this chapter
 1932 and any regulations, policies, and procedures adopted by the commission. Such civil
 1933 penalties shall be collected by the commission in accordance with the commission's
 1934 regulations, policies, and procedures and held in escrow by the commission or a financial
 1935 institution of its choosing until transferred to the Casino Gaming Education Account within
 1936 the state treasury. The transfer of such penalty funds to the Casino Gaming Education
 1937 Account shall take place on a monthly basis and shall be properly documented and
 1938 recorded by the commission.

1939 50-39-91.

1940 Any person who knowingly makes a false statement to the commission for the purposes of
 1941 obtaining a license under this chapter shall be guilty of a felony and, upon conviction

1942 thereof, shall be punished by a fine not to exceed \$50,000.00, or by imprisonment for not
 1943 less than one nor more than ten years, or both.

1944 50-39-92.

1945 Any person not licensed in accordance with this chapter that knowingly operates any
 1946 facility where casino gaming is undertaken shall be guilty of a felony and, upon conviction
 1947 thereof, shall be punished by a fine not to exceed \$100,000.00, or by imprisonment for not
 1948 less than one nor more than ten years, or both.

1949 50-39-93.

1950 (a) Any person other than the lawful holder thereof who is in possession of any license or
 1951 permit issued by the commission or a forged or simulated license or permit of the
 1952 commission and who uses such license or permit for the purposes of misrepresentation,
 1953 fraud, or touting shall be guilty of a felony and, upon conviction thereof, shall be punished
 1954 by a fine not to exceed \$100,000.00, or by imprisonment of not less than one nor more than
 1955 ten years, or both.

1956 (b) Any license or permit issued by the commission if used by the holder thereof for a
 1957 purpose other than for identification or for the performance of legitimate duties associated
 1958 with casino gaming shall be automatically revoked whether or not such use was inside or
 1959 outside of a licensed resort facility.

1960 50-39-94.

1961 (a) Any person who, with the intent to defraud, acts to alter the outcome of any table game
 1962 or slot machine through:

1963 (1) The use of any device, electrical or otherwise, except those specifically permitted by
 1964 the regulations, policies, and procedures of the commission;

1965 (2) The administration or introduction of any foreign substance or item; or

1966 (3) Any other impermissible means under the regulations, policies, and procedures of the
 1967 commission

1968 shall be guilty of a felony and, upon conviction thereof, shall be punished by a fine not to
 1969 exceed \$25,000.00, or by imprisonment for not less than one nor more than three years, or
 1970 both.

1971 (b) Any person who, with the intent to defraud, influences or conspires with another to
 1972 alter the outcome of any table game or slot machine through:

1973 (1) The use of any device, electrical or otherwise, except those specifically permitted by
 1974 the regulations of the commission;

1975 (2) The administration or introduction of any foreign substance or item; or

1976 (3) Any other impermissible means under the regulations, policies, and procedures of the
 1977 commission
 1978 shall be guilty of a felony and, upon conviction thereof, shall be punished by a fine not to
 1979 exceed \$100,000.00, or by imprisonment for not less than one nor more than ten years, or
 1980 both.

1981 (c) Any person who with the intent to defraud:

1982 (1) Alters or misrepresents the outcome of a gambling game or other event on which
 1983 wagers have been made after the outcome is made sure but before it is revealed to the
 1984 players;

1985 (2) Places, increases, or decreases a bet or to determine the course of play after acquiring
 1986 knowledge, not available to all players, of the outcome of the gambling game or any
 1987 event that affects the outcome of the gambling game or which is the subject of the bet or
 1988 to aid anyone in acquiring such knowledge for the purpose of placing, increasing, or
 1989 decreasing a bet or determining the course of play contingent upon that event or outcome;

1990 (3) Claims, collects, or takes, or attempts to claim, collect, or take, money or anything
 1991 of value in or from a gambling game without having made a wager contingent thereon,
 1992 or to claim, collect, or take an amount greater than the amount won;

1993 (4) Entices or induces another to go to any place where a gambling game is being
 1994 conducted or operated in violation of the provisions of this chapter, with the intent that
 1995 the other person play or participate in such gambling game;

1996 (5) Places or increases a bet after acquiring knowledge of the outcome of the gambling
 1997 game or other event which is the subject of the bet, including past posting and pressing
 1998 bets;

1999 (6) Reduces the amount wagered or cancels the bet after acquiring knowledge of the
 2000 outcome of the gambling game or other event which is the subject of the bet, including
 2001 pinching bets;

2002 (7) Manipulates any component of a gaming device in a manner contrary to the designed
 2003 and normal operational purpose for the component, including, but not limited to, varying
 2004 the pull of the handle of a slot machine, with knowledge that the manipulation affects the
 2005 outcome of the gambling game or with knowledge of any event that affects the outcome
 2006 of the gambling game; or

2007 (8) Offers, promises, or gives anything of value to anyone for the purpose of influencing
 2008 the outcome of a contest or gambling game upon which a wager may be made, or places,
 2009 increases, or decreases a wager after acquiring knowledge, not available to the general
 2010 public, that anyone has been offered, promised, or given anything of value for the
 2011 purpose of influencing the outcome of the contest or gambling game upon which the
 2012 wager is placed, increased, or decreased

2013 shall be guilty of a felony and, upon conviction thereof, shall be punished by a fine not to
 2014 exceed \$25,000.00, or by imprisonment for not less than one nor more than three years, or
 2015 both.

2016 50-39-95.

2017 It shall be unlawful for any person to use, possess with the intent to use, or assist another
 2018 person in using or possessing with the intent to use any computerized, electronic, electrical,
 2019 or mechanical device, or any software or hardware, or any combination thereof, which is
 2020 designed, constructed, altered, or programmed to obtain an advantage at playing any
 2021 gambling game in a licensed resort facility or any gambling game that is offered by a
 2022 licensee, including, without limitation, a device that:

2023 (1) Projects the outcome of the gambling game;

2024 (2) Keeps track of cards played or cards prepared for play in the gambling game;

2025 (3) Analyzes the probability of the occurrence of an event relating to the gambling game;

2026 or

2027 (4) Analyzes the strategy for playing or betting to be used in the gambling game,

2028 except as may be made available as part of an approved gambling game or otherwise

2029 permitted by the commission. Any individual violating the terms of this Code section shall

2030 be guilty of a felony and, upon conviction thereof, shall be punished by a fine not to exceed

2031 \$25,000.00, or by imprisonment for not less than one nor more than three years, or both.

2032 50-39-96.

2033 (a) It shall be unlawful for any licensee, employee, or other person, not a duly authorized

2034 employee of a licensee acting in furtherance of his or her employment within a licensed

2035 resort facility, to possess, use, sell, or manufacture counterfeit chips, counterfeit debit

2036 instruments, or other counterfeit wagering instruments in a gambling game, associated

2037 equipment, or a cashless wagering system.

2038 (b) It shall be unlawful for any licensee, employee, or other person, not a duly authorized

2039 employee of a licensee acting in furtherance of his or her employment within a licensed

2040 resort facility, to possess, use, sell, or manufacture any counterfeit instruments, counterfeit

2041 tickets, or other counterfeit items that are used to determine the outcome of any contest or

2042 promotional activity conducted by or on behalf of any licensee.

2043 (c) It shall be unlawful for any person, in playing or using any gambling game, associated

2044 equipment, or cashless wagering system designed to be played with, receive or be operated

2045 by chips, tokens, wagering credits, or other wagering instruments approved by the

2046 commission or by lawful coin or legal tender of the United States of America to:

2047 (1) Knowingly use anything other than chips, tokens, wagering credits, or other wagering
 2048 instruments approved by the commission or lawful coin or legal tender of the United
 2049 States of America, or to use coin or tokens not of the same denomination as the coin or
 2050 tokens intended to be used in such gambling game, associated equipment, or cashless
 2051 wagering system; or

2052 (2) Use any device or means to violate the provisions of this chapter or the rules or
 2053 regulations of the commission.

2054 (d) It shall be unlawful for any individual, not a duly authorized employee of a licensee
 2055 acting in furtherance of such employment within a licensed resort facility, to have on his
 2056 or her person or in his or her possession on or off the premises of any licensed gaming
 2057 establishment any device intended to be used to violate the provisions of this chapter or the
 2058 regulations, policies, and procedures of the commission.

2059 (e) It shall be unlawful for any person, not a duly authorized employee of a licensee acting
 2060 in furtherance of such employment within a licensed resort facility, to have on his or her
 2061 person or in his or her possession on or off the premises of any licensed gaming
 2062 establishment any key or device known to have been designed for the purpose of and
 2063 suitable for opening, entering, or affecting the operation of any gambling game, cashless
 2064 wagering system, or drop box, or any electronic or mechanical device connected thereto,
 2065 or for removing money or other contents therefrom.

2066 (f)(1) It shall be unlawful for any person, not a duly authorized employee of a licensee
 2067 acting in furtherance of such employment within a licensed resort facility, to have on his
 2068 or her person or in his or her possession any paraphernalia for manufacturing slugs.

2069 (2) As used in this subsection, 'paraphernalia for manufacturing slugs' means the
 2070 equipment, products, and materials that are intended for use or designed for use in
 2071 manufacturing, producing, fabricating, preparing, testing, analyzing, packaging, storing,
 2072 or concealing a counterfeit facsimile of the chips, tokens, debit instruments, or other
 2073 wagering instruments approved by the commission or a lawful coin of the United States,
 2074 the use of which is unlawful pursuant to subsection (c) of this Code section. Such term
 2075 includes, but shall not be limited to:

2076 (A) Lead or lead alloys;

2077 (B) Molds, forms, or similar equipment capable of producing a likeness of a gaming
 2078 token or United States coin;

2079 (C) Melting pots or other receptacles;

2080 (D) Torches;

2081 (E) Tongs, trimming tools, or other similar equipment; and

2082 (F) Equipment which can be reasonably demonstrated to manufacture facsimiles of
 2083 debit instruments or wagering instruments approved by the commission.

2084 (g) Possession of more than one of the devices, equipment, products, or materials
 2085 described in this Code section permits a rebuttable inference that the possessor intended
 2086 to use them for cheating.

2087 (h) Any person violating the terms of this Code section shall be guilty of a felony and,
 2088 upon conviction thereof, shall be punished by a fine not to exceed \$25,000.00, or by
 2089 imprisonment for not less than one nor more than three years, or both.

2090 50-39-97.

2091 It shall be unlawful for any person, whether the person is an owner or employee of or a
 2092 player in a licensed resort facility, to knowingly cheat at any gambling game. Any
 2093 individual found to be knowingly cheating shall be guilty of a felony and, upon conviction
 2094 thereof, shall be punished by a fine not to exceed \$25,000.00, or by imprisonment for not
 2095 less than one nor more than three years, or both.

2096 50-39-98.

2097 (a) It shall be unlawful to manufacture, sell, or distribute any cards, chips, dice, gambling
 2098 game, or gaming device which is intended to be used to violate any provision of this
 2099 chapter.

2100 (b) It shall be unlawful to mark, alter, or otherwise modify any gambling game, gaming
 2101 device, or any apparatus associated therewith in a manner that:

2102 (1) Affects the result of a wager by determining win or loss; or

2103 (2) Alters the normal criteria of random selection, which affects the operation of a
 2104 gambling game or which determines the outcome of a gambling game.

2105 (c) It shall be unlawful for any person to instruct another in cheating or in the use of any
 2106 device for such purpose, with the knowledge or intent that the information or use so
 2107 conveyed may be employed to violate any provision of this chapter or the rules or
 2108 regulations of the commission.

2109 (d) Any individual violating the provisions of this Code section shall be guilty of a felony
 2110 and, upon conviction thereof, shall be punished by a fine not to exceed \$25,000.00, or by
 2111 imprisonment for not less than one nor more than three years, or both.

2112 50-39-99.

2113 (a) As used in this Code section, 'medium of communication' includes, but shall not be
 2114 limited to, mail, telephone, television, telegraph, facsimile, cable, wire, the Internet, or any
 2115 other similar medium.

2116 (b) Except as otherwise provided in subsection (d) of this Code section, a person, alone or
 2117 with others, shall not knowingly, within or outside of this state:

2118 (1) Accept or receive, directly or indirectly, through any medium of communication a
 2119 wager from another person who is physically present within this state; or

2120 (2) Allow a lessee, agent, or employee to accept or receive, directly or indirectly, through
 2121 any medium of communication a wager from another person who is physically present
 2122 within this state.

2123 (c) Except as otherwise provided in this Code section, a person, alone or with others, shall
 2124 not knowingly:

2125 (1) From within this state, place, send, transmit, or relay through a medium of
 2126 communication a wager to another person or casino gaming establishment that is located
 2127 within or outside of this state; or

2128 (2) From outside of this state, place, send, transmit, or relay through a medium of
 2129 communication a wager to another person or a casino gaming establishment that is
 2130 located within this state.

2131 (d) The provisions of subsections (b) and (c) of this Code section shall not apply to a
 2132 wager placed by a person for the person's own benefit or, without compensation, for the
 2133 benefit of another that is accepted or received by, placed with, or sent, transmitted, or
 2134 relayed to any other person or licensed resort facility that is licensed to engage in wagering
 2135 pursuant to this chapter, if the wager is accepted or received within this state and otherwise
 2136 complies with all other applicable laws and regulations concerning wagering.

2137 (e) A person who violates the provisions of subsection (b) or (c) of this Code section shall
 2138 be guilty of a misdemeanor.

2139 50-39-100.

2140 (a) Any person who conspires, confederates, or combines with another, either inside or
 2141 outside this state, to commit a felony prohibited by this chapter shall be guilty of a felony
 2142 and, upon conviction thereof, shall be punished by a fine not exceed \$100,000.00, by
 2143 imprisonment for not less than one nor more than ten years, or both.

2144 (b) Any person who attempts to commit any act prohibited by this chapter shall be guilty
 2145 of a criminal offense and shall be punished as provided in Code Section 16-4-6.

2146 50-39-101.

2147 Whenever it appears to the commission that a licensee or any other person subject to the
 2148 jurisdiction of the commission has violated or may violate any provision of this chapter or
 2149 any regulations, policies, and procedures of the commission, or final decision of the
 2150 commission, the commission may apply to the appropriate superior court for an injunction
 2151 against such person. The order granting or refusing such injunction shall be subject to
 2152 appeal as in other cases in equity."

2153 **PART II**

2154 **SECTION 2-1.**

2155 Title 13 of the Official Code of Georgia Annotated, relating to contracts, is amended by
2156 revising Code Section 13-8-3, relating to gambling contracts, as follows:

2157 "13-8-3.

2158 (a) Except as provided in subsection (c) of this Code section, Gambling gambling contracts
2159 are void; and all evidences of debt, except negotiable instruments in the hands of holders
2160 in due course or encumbrances or liens on property, executed upon a gambling
2161 consideration, are void in the hands of any person.

2162 (b) Except as provided in subsection (c) of this Code section, Money money paid or
2163 property delivered upon a gambling consideration may be recovered from the winner by
2164 the loser by institution of an action for the same within six months after the loss and, after
2165 the expiration of that time, by institution of an action by any person, at any time within four
2166 years, for the joint use of himself or herself and the educational fund of the county.

2167 (c) Subsections (a) and (b) of this Code section shall not be applicable to contracts or debt
2168 arising out of legal casino gaming activities conducted in accordance with Chapter 39 of
2169 Title 50 and the regulations, policies, and procedures of the Georgia Casino Gaming
2170 Commission promulgated thereunder."

2171 **PART III**

2172 **SECTION 3-1.**

2173 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
2174 amended by revising Code Section 16-12-21, relating to gambling, as follows:

2175 "16-12-21.

2176 (a) Except as provided in subsection (c) of this Code section, A a person commits the
2177 offense of gambling when he or she:

2178 (1) Makes a bet upon the partial or final result of any game or contest or upon the
2179 performance of any participant in such game or contest;

2180 (2) Makes a bet upon the result of any political nomination, appointment, or election or
2181 upon the degree of success of any nominee, appointee, or candidate; or

2182 (3) Plays and bets for money or other thing of value at any game played with cards, dice,
2183 or balls.

2184 (b) A person who commits the offense of gambling shall be guilty of a misdemeanor.

2185 (c) This Code section shall not be applicable to legal casino gaming activities conducted
 2186 in accordance with Chapter 39 of Title 50 and the regulations, policies, and procedures of
 2187 the Georgia Casino Gaming Commission promulgated thereunder."

2188

SECTION 3-2.

2189 Said title is further amended by revising Code Section 16-12-22, relating to commercial
 2190 gambling, as follows:

2191 "16-12-22.

2192 (a) Except as provided in subsection (c) of this Code section, ~~A~~ a person commits the
 2193 offense of commercial gambling when he or she intentionally does any of the following
 2194 acts:

2195 (1) Operates or participates in the earnings of a gambling place;

2196 (2) Receives, records, or forwards a bet or offer to bet;

2197 (3) For gain, becomes a custodian of anything of value bet or offered to be bet;

2198 (4) Contracts to have or give himself or herself or another the option to buy or sell or
 2199 contracts to buy or sell at a future time any gain or other commodity whatsoever or any
 2200 stock or security of any company, when it is at the time of making such contract intended
 2201 by both parties thereto that the contract to buy or sell, the option whenever exercised or
 2202 the contract resulting therefrom, shall be settled not by the receipt or delivery of such
 2203 property but by the payment only of differences in prices thereof;

2204 (5) Sells chances upon the partial or final result of or upon the margin of victory in any
 2205 game or contest or upon the performance of any participant in any game or contest or
 2206 upon the result of any political nomination, appointment, or election or upon the degree
 2207 of success of any nominee, appointee, or candidate;

2208 (6) Sets up or promotes any lottery, sells or offers to sell, or knowingly possesses for
 2209 transfer or transfers any card, stub, ticket, check, or other device designed to serve as
 2210 evidence of participation in any lottery; or

2211 (7) Conducts, advertises, operates, sets up, or promotes a bingo game without having a
 2212 valid license to operate a bingo game as provided by law.

2213 (b) A person who commits the offense of commercial gambling shall be guilty of a felony
 2214 and, upon conviction thereof, shall be punished by imprisonment for not less than one nor
 2215 more than five years or by a fine not to exceed \$20,000.00, or both.

2216 (c) This Code section shall not be applicable to legal casino gaming activities conducted
 2217 in accordance with Chapter 39 of Title 50 and the regulations, policies, and procedures of
 2218 the Georgia Casino Gaming Commission promulgated thereunder."

SECTION 3-3.

2219
2220 Said title is further amended by revising Code Section 16-12-23, relating to keeping a
2221 gambling place, as follows:

2222 "16-12-23.

2223 (a) Except as provided in subsection (c) of this Code section, ~~A~~ a person who knowingly
2224 permits any real estate, building, room, tent, vehicle, boat, or other property whatsoever
2225 owned by him or her or under his or her control to be used as a gambling place or who
2226 rents or lets any such property with a view or expectation that it be so used commits the
2227 offense of keeping a gambling place.

2228 (b) A person who commits the offense of keeping a gambling place shall be guilty of a
2229 misdemeanor of a high and aggravated nature.

2230 (c) This Code section shall not be applicable to legal casino gaming activities conducted
2231 in accordance with Chapter 39 of Title 50 and the regulations, policies, and procedures of
2232 the Georgia Casino Gaming Commission promulgated thereunder."

SECTION 3-4.

2233
2234 Said title is further amended by revising subsection (a) of Code Section 16-12-24, relating
2235 to possession, manufacture, or transfer of gambling device or parts and possession of antique
2236 slot machines, and adding a new subsection to read as follows:

2237 "(a) Except as provided in subsection (c) of this Code section, ~~A~~ a person who knowingly
2238 owns, manufactures, transfers commercially, or possesses any device which he or she
2239 knows is designed for gambling purposes or anything which he or she knows is designed
2240 as a subassembly or essential part of such device is guilty of a misdemeanor of a high and
2241 aggravated nature."

2242 "(c) This Code section shall not be applicable to activities conducted in connection with
2243 legal casino gaming undertaken in accordance with Chapter 39 of Title 50 and the
2244 regulations, policies, and procedures of the Georgia Casino Gaming Commission
2245 promulgated thereunder."

SECTION 3-5.

2246
2247 Said title is further amended by revising Code Section 16-12-25, relating to solicitation of
2248 another to gamble with intent to defraud or deceive, as follows:

2249 "16-12-25.

2250 (a) Except as provided in subsection (c) of this Code section, ~~Any~~ any person who solicits
2251 another person to commit any of the following acts with the intent to defraud or deceive
2252 such person on or adjacent to the premises of any business operated for pecuniary gain

2253 shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment
2254 for not less than one nor more than five years:

2255 (1) Keeps, maintains, employs, or carries on a game for the hazarding of money or other
2256 thing of value;

2257 (2) Permits the playing for money or other thing of value of a game or device for the
2258 hazarding of money or other thing of value;

2259 (3) Keeps or employs a device or equipment for the purpose of carrying on or operating
2260 a game or device for the hazarding of money or other thing of value;

2261 (4) Permits the betting or wagering of money or other thing of value;

2262 (5) Sells or offers to sell to a person a ticket number or combination or chance or
2263 anything representing a chance in a lottery or other similar scheme;

2264 (6) Keeps, maintains, employs, or carries on a lottery or scheme or device for the
2265 hazarding of money or other thing of value;

2266 (7) Keeps, maintains, or employs a lottery ticket, lottery book, lottery ribbon, or other
2267 article used in keeping, maintaining, or carrying on a lottery or other scheme, game, or
2268 device for the hazarding of money or other thing of value;

2269 (8) Solicits a person to engage in a game or to operate a device for the hazarding of
2270 money or other thing of value; or

2271 (9) Solicits a person to engage in a lottery or other scheme or device for the hazarding
2272 of money or other thing of value.

2273 (b) This Code section is cumulative of and supplemental to any laws making any of the
2274 activities prohibited by this Code section unlawful and punishable as a misdemeanor; and
2275 nothing in this Code section shall be construed to repeal, amend, alter, or supersede any
2276 such laws.

2277 (c) This Code section shall not be applicable to activities conducted, without the intent to
2278 defraud or deceive, in connection with legal casino gaming undertaken in accordance with
2279 Chapter 39 of Title 50 and the regulations, policies, and procedures of the Georgia Casino
2280 Gaming Commission promulgated thereunder."

2281 **SECTION 3-6.**

2282 Said title is further amended by revising Code Section 16-12-26, relating to advertising
2283 commercial gambling, as follows:

2284 "16-12-26.

2285 (a) Except as provided in subsection (c) of this Code section, ~~A~~ a person who knowingly
2286 prints, publishes, or advertises any lottery or other scheme for commercial gambling or
2287 who knowingly prints or publishes any lottery ticket, policy ticket, or other similar device

2288 designed to serve as evidence of participation in a lottery commits the offense of
2289 advertising commercial gambling.

2290 (b) A person who commits the offense of advertising commercial gambling shall be guilty
2291 of a misdemeanor of a high and aggravated nature.

2292 (c) This Code section shall not be applicable to any advertising undertaken in connection
2293 with legal casino gaming activities conducted in accordance with Chapter 39 of Title 50
2294 and the regulations, policies, and procedures of the Georgia Casino Gaming Commission
2295 promulgated thereunder."

2296 **SECTION 3-7.**

2297 Said title is further amended by revising Code Section 16-12-28, relating to communicating
2298 gambling information, as follows:

2299 "16-12-28.

2300 (a) Except as provided in subsection (c) of this Code section, ~~A~~ a person who knowingly
2301 communicates information as to bets, betting odds, or changes in betting odds or who
2302 knowingly installs or maintains equipment for the transmission or receipt of such
2303 information with the intent to further gambling commits the offense of communicating
2304 gambling information.

2305 (b) A person who commits the offense of communicating gambling information, upon
2306 conviction thereof, shall be punished by imprisonment for not less than one nor more than
2307 five years or by a fine not to exceed \$5,000.00, or both.

2308 (c) This Code section shall not be applicable to any communications undertaken in
2309 connection with legal casino gaming activities conducted in accordance with Chapter 39
2310 of Title 50 and the regulations, policies, and procedures of the Georgia Casino Gaming
2311 Commission promulgated thereunder."

2312 **SECTION 3-8.**

2313 Said title is further amended by revising subsection (b) of Code Section 16-12-32, relating
2314 to civil forfeiture, and adding a new subsection to read as follows:

2315 "(b) Except as provided in subsection (d) of this Code section, ~~the~~ the following are
2316 declared to be contraband, and no person shall have a property right in them:

2317 (1) Every gambling device except antique slot machines as provided for in subsection
2318 (b) of Code Section 16-12-24;

2319 (2) Any property which is, directly or indirectly, used or intended for use in any manner
2320 to facilitate a violation of this article and any proceeds;

2321 (3) Any property located in this state which was, directly or indirectly, used or intended
 2322 for use in any manner to facilitate a violation of this article or of the laws of the United
 2323 States relating to gambling and any proceeds;

2324 (4) Any interest, security, claim, or property or contractual right of any kind affording
 2325 a source of influence over any enterprise that a person has established, operated,
 2326 controlled, conducted, or participated in the conduct of in violation of this article or any
 2327 of the laws of the United States relating to gambling and any proceeds; and

2328 (5) Any property found in close proximity to any gambling device or other property
 2329 subject to forfeiture under this Code section."

2330 "(d) This Code section shall not be applicable to any property used in, derived from, or
 2331 realized through legal casino gaming activities conducted in accordance with Chapter 39
 2332 of Title 50 and the regulations, policies, and procedures of the Georgia Casino Gaming
 2333 Commission promulgated thereunder."

2334 **SECTION 3-9.**

2335 Said title is further amended by revising Code Section 16-12-36, relating to lawful
 2336 promotional and giveaway contests, as follows:

2337 "16-12-36.

2338 (a) A promotional or giveaway contest which conforms with the qualifications of a lawful
 2339 promotion specified in paragraph (16) of subsection (b) of Code Section 10-1-393 shall not
 2340 be a lottery.

2341 (b) Except as provided in ~~subsection~~ subsections (a) and (c) of this Code section, all
 2342 promotions or promotional contests involving an element of chance in the distribution of
 2343 prizes, gifts, awards, or other items which otherwise meet the definition of a 'lottery' in this
 2344 article shall be included within the definition of the term 'lottery' for purposes of this
 2345 article, unless specifically exempted by some other statute or law.

2346 (c) All promotions or promotional contests involving an element of chance in the
 2347 distribution of prizes, gifts, awards, or other items, which are conducted in association with
 2348 legal casino gaming activities undertaken in accordance with Chapter 39 of Title 50 and
 2349 the regulations, policies, and procedures of the Georgia Casino Gaming Commission
 2350 promulgated thereunder, shall not qualify as a 'lottery' and shall not be included within the
 2351 definition of a 'lottery' for the purposes of this article."

2352 **SECTION 3-10.**

2353 Said title is further amended by revising Code Section 16-12-50, relating to legislative intent
 2354 relative to bingo, as follows:

2355 "16-12-50.

2356 It is the intention of the General Assembly that, except for recreational bingo and bingo
 2357 conducted as a legal casino gaming activity in accordance with Chapter 39 of Title 50 and
 2358 the regulations, policies, and procedures of the Georgia Casino Gaming Commission
 2359 promulgated thereunder, only nonprofit, tax-exempt organizations which are properly
 2360 licensed pursuant to this part shall be allowed to operate bingo games."

2361 **SECTION 3-11.**

2362 Said title is further amended by revising Code Section 16-12-52, relating to license required
 2363 to operate bingo game and recreational bingo exception, as follows:

2364 "16-12-52.

2365 (a) Any other law to the contrary notwithstanding except for ~~subsection~~ subsections (b)
 2366 and (c) of this Code section, no nonprofit, tax-exempt organization shall be permitted to
 2367 operate a bingo game until the director issues a license to the organization authorizing it
 2368 to do so. In the event of any controversy concerning whether or not certain activity
 2369 constitutes bingo for which a license may be issued, the decision of the director shall
 2370 control. The license described in this Code section is in addition to and not in lieu of any
 2371 other licenses which may be required by this state or any political subdivision thereof, and
 2372 no bingo game shall be operated until such time as all requisite licenses have been
 2373 obtained.

2374 (b) Recreational bingo is a nonprofit bingo game or a bingo game operated by an employer
 2375 with ten or more full-time employees for the purpose of providing a safe workplace
 2376 incentive and shall not be subject to the licensing requirements and regulations provided
 2377 in this part applicable to bingo games not considered recreational bingo and operated by
 2378 nonprofit, tax-exempt organizations.

2379 (c) All bingo games operated in connection with legal casino gaming activities undertaken
 2380 in accordance with Chapter 39 of Title 50 and the regulations, policies, and procedures of
 2381 the Georgia Casino Gaming Commission promulgated thereunder shall be exempt from the
 2382 requirements of this Code section."

2383 **SECTION 3-12.**

2384 Said title is further amended by revising Code Section 16-12-53, relating to licensing
 2385 procedure, fee, and renewal, by adding a new subsection to read as follows:

2386 "(f) The licensing procedures, fees, and renewal obligations set forth in this Code section
 2387 shall not be applicable to any bingo games operated in connection with legal casino gaming
 2388 activities undertaken in accordance with Chapter 39 of Title 50 and the regulations,

2389 policies, and procedures of the Georgia Casino Gaming Commission promulgated
 2390 thereunder."

2391 **SECTION 3-13.**

2392 Said title is further amended by revising Code Section 16-12-54, relating to revocation of
 2393 licenses and access to premises by law enforcement agencies, as follows:

2394 "16-12-54.

2395 (a) The director shall have the specific authority to suspend or revoke any license for any
 2396 violation of this part or for any violation of any rule or regulation promulgated under this
 2397 part. Any licensee accused of violating any provision of this part or of any rule or
 2398 regulation promulgated hereunder shall be entitled, unless waived, to a hearing on the
 2399 matter of the alleged violation conducted in accordance with Chapter 13 of Title 50, the
 2400 'Georgia Administrative Procedure Act.'

2401 (b) By making application for a license under this part, every applicant consents that the
 2402 director, as well as any of his or her agents, together with any prosecuting attorney, as well
 2403 as any of his or her agents, may come upon the premises of any licensee or upon any
 2404 premises on which any licensee is conducting a bingo game for the purpose of examining
 2405 the accounts and records of the licensee to determine if a violation of this part has occurred.

2406 (c) The procedures and powers set forth in this Code section shall not be applicable to any
 2407 bingo games operated in connection with legal casino gaming activities undertaken in
 2408 accordance with Chapter 39 of Title 50 and the regulations, policies, and procedures of the
 2409 Georgia Casino Gaming Commission promulgated thereunder."

2410 **SECTION 3-14.**

2411 Said title is further amended by revising Code Section 16-12-57, relating to restrictions as
 2412 to ownership of premises utilized, as follows:

2413 "16-12-57.

2414 Bingo games, except those operated in connection with legal casino gaming activities
 2415 undertaken in accordance with Chapter 39 of Title 50 and the regulations, policies, and
 2416 procedures of the Georgia Casino Gaming Commission promulgated thereunder, shall be
 2417 operated only on premises owned by the nonprofit, tax-exempt organization operating the
 2418 bingo game, on property leased by the nonprofit, tax-exempt organization and used
 2419 regularly by that organization for purposes other than the operation of a bingo game, or on
 2420 property leased by the nonprofit, tax-exempt organization operating the bingo game from
 2421 another nonprofit, tax-exempt organization."

SECTION 3-15.

2422
2423 Said title is further amended by revising Code Section 16-12-59, relating to annual report to
2424 be filed with the director of the Georgia Bureau of Investigation, as follows:

2425 "16-12-59.

2426 On or before April 15 of each year, every nonprofit, tax-exempt organization engaged in
2427 operating bingo games shall file with the director a report disclosing all receipts and
2428 expenditures relating to the operation of bingo games in the previous year. The report shall
2429 be in addition to all other reports required by law. The report shall be prepared and signed
2430 by a certified public accountant competent to prepare such a report and shall be deemed a
2431 public record subject to public inspection. Such reporting requirements shall not apply to
2432 operators of bingo games at licensed resort facilities in this state where legal casino gaming
2433 activities are undertaken in accordance with Chapter 39 of Title 50 and the regulations,
2434 policies, and procedures of the Georgia Casino Gaming Commission promulgated
2435 thereunder."

SECTION 3-16.

2436
2437 Said title is further amended by revising Code Section 16-12-60, relating to rules and
2438 regulations, by adding a new subsection to read as follows:

2439 "(j) The provisions of this Code section shall not be applicable to any bingo game
2440 operations conducted as part of legal casino gaming activities undertaken in accordance
2441 with Chapter 39 of Title 50 and the regulations, policies, and procedures of the Georgia
2442 Casino Gaming Commission promulgated thereunder."

PART IV**SECTION 4-1.**

2443
2444
2445 This Act shall become effective on January 1, 2017, provided that an amendment to the
2446 Constitution of the State of Georgia authorizing casino gaming at a limited number of
2447 licensed resort facilities is passed by the General Assembly and ratified by the electors of this
2448 state in the 2016 general election. If no such amendment is proposed by the General
2449 Assembly, if such amendment is rejected by the electors, or if the election to ratify the
2450 proposed amendment is not held at the time of the 2016 general election, this Act shall be
2451 repealed on January 1, 2017.

SECTION 4-2.

2452
2453 All laws and parts of laws in conflict with this Act are repealed.