

Senate Bill 142

By: Senators Mullis of the 53rd, Miller of the 49th, Jones II of the 22nd, Albers of the 56th,  
Parent of the 42nd and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to  
2 lottery for education, so as to provide for the lottery game of sports wagering in this state;  
3 to provide for and revise certain definitions; to provide for oversight of such lottery game by  
4 the Georgia Lottery Corporation and its board of directors; to provide for a short title; to  
5 provide for legislative findings; to provide for additional powers and duties of the  
6 corporation and its board of directors; to provide for procedures, limitations, requirements,  
7 qualifications, and licensing; to regulate wagers and provide requirements for bettors; to  
8 provide for bettors to restrict themselves from placing certain wagers; to provide certain  
9 resources for individuals with a gambling problem or a gambling disorder; to provide for the  
10 collection and disposition of taxes; to amend Chapter 8 of Title 48 of the Official Code of  
11 Georgia Annotated, relating to sales and use taxes, so as to exempt wagers placed as part of  
12 the lottery game of sports wagering; to provide for violations and penalties; to provide for  
13 related matters; to provide for an effective date; to repeal conflicting laws; and for other  
14 purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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**PART I**  
**SECTION 1-1.**

18 Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to lottery for  
19 education, is amended by revising Code Section 50-27-3, relating to definitions related to  
20 lottery for education, as follows:

21 "50-27-3.

22 As used in this chapter, the term:

23 (1) 'Administrative expenses' means operating expenses, excluding amounts set aside for  
24 prizes, regardless of whether such prizes are claimed and excluding amounts held as a  
25 fidelity fund pursuant to Code Section 50-27-19.

26 (2) 'Assignee' means any person or third party other than the winner to whom any portion  
27 of a prize or any right of any person to a prize awarded payable by the corporation in  
28 installment payments may be transferred or assigned pursuant to an appropriate judicial  
29 order as provided in Code Section 50-27-24.1.

30 (3) 'Assignment' means the transfer of any portion of a prize or any right of any person  
31 to a prize awarded payable by the corporation in installment payments to any person or  
32 third party pursuant to an appropriate judicial order as provided in Code  
33 Section 50-27-24.1.

34 (4) 'Assignor' means any person receiving installment payments seeking to assign or  
35 transfer any portion of a prize or any right of any person to a prize awarded to an assignee  
36 or any person or third party pursuant to an appropriate judicial order as provided in Code  
37 Section 50-27-24.1.

38 (5) 'Board' means the board of directors of the Georgia Lottery Corporation.

39 (6) 'Capital outlay projects' means the acquisition, construction, installation,  
40 modification, renovation, repair, extension, renewal, replacement, or rehabilitation of  
41 land, interests in land, buildings, structures, facilities, or other improvements and the

42 acquisition, installation, modification, renovation, repair, extension, renewal,  
43 replacement, rehabilitation, or furnishing of fixtures, machinery, equipment, computers,  
44 software, laboratories, furniture, textbooks, and reference material or other property of  
45 any nature whatsoever used on, in, or in connection with educational facilities.

46 (7) 'Casino gambling' means a location or business for the purpose of conducting illegal  
47 gambling activities, but excluding lottery games and the sale and purchase of lottery  
48 tickets or shares as authorized by this chapter.

49 (8) 'Chief executive officer' means the chief executive officer of the Georgia Lottery  
50 Corporation.

51 (9) 'Corporation' means the Georgia Lottery Corporation.

52 (10) 'Educational facilities' means land, structures, and buildings owned or operated by  
53 and through the board of regents, the State Board of Education, the Technical College  
54 System of Georgia, or by any city, county, or independent school system within this state;  
55 provided, however, that a public road or highway leading to an educational facility shall  
56 not be considered an educational facility.

57 (11) 'Educational purposes and programs' means capital outlay projects for educational  
58 facilities; tuition grants, scholarships, or loans to citizens of this state to enable such  
59 citizens to attend colleges and universities located within this state, regardless of whether  
60 such colleges and universities are owned or operated by the board of regents or to attend  
61 institutions operated under the authority of the Technical College System of Georgia;  
62 costs of providing to teachers at accredited public institutions who teach levels K-12,  
63 personnel at public postsecondary technical institutes under the authority of the Technical  
64 College System of Georgia, and professors and instructors within the University System  
65 of Georgia the necessary training in the use and application of computers and advanced  
66 electronic instructional technology to implement interactive learning environments in the  
67 classroom and to access the state-wide distance learning network; costs associated with

68 repairing and maintaining advanced electronic instructional technology; voluntary  
69 pre-kindergarten; and an education shortfall reserve.

70 (12) 'Interested party' means any individual or entity that has notified the corporation of  
71 his or her interest in the prize or is a party to a civil matter adverse to the assignor,  
72 including actions for alimony and child support.

73 (13) 'Lottery,' 'lotteries,' 'lottery game,' or 'lottery games' means any game of chance  
74 approved by the board and operated pursuant to this chapter, including, but not limited  
75 to, instant tickets, ~~on-line~~ online games, and games using mechanical or electronic  
76 devices, including, but not limited to, online sports wagering platforms as such term is  
77 defined in Code Section 50-27-122 but excluding pari-mutuel betting and casino  
78 gambling as defined in this Code section.

79 (14) 'Major procurement contract' means any gaming product or service costing in excess  
80 of \$75,000.00, including, but not limited to, major advertising contracts, annuity  
81 contracts, prize payment agreements, consulting services, equipment, tickets, and other  
82 products and services unique to the Georgia lottery, but not including materials, supplies,  
83 equipment, and services common to the ordinary operations of a corporation.

84 (15) 'Member' or 'members' means a director or directors of the board of directors of the  
85 Georgia Lottery Corporation.

86 (16) 'Member of a minority' means an individual who is a member of a race which  
87 comprises less than 50 percent of the total population of the state.

88 (17) 'Minority business' means any business which is owned by:

89 (A) An individual who is a member of a minority who reports as his or her personal  
90 income for Georgia income tax purposes the income of such business;

91 (B) A partnership in which a majority of the ownership interest is owned by one or  
92 more members of a minority who report as their personal income for Georgia income  
93 tax purposes more than 50 percent of the income of the partnership; or

94 (C) A corporation organized under the laws of this state in which a majority of the  
95 common stock is owned by one or more members of a minority who report as their  
96 personal income for Georgia income tax purposes more than 50 percent of the  
97 distributed earnings of the corporation.

98 (18) 'Net proceeds' means all revenue derived from the sale of lottery tickets or shares  
99 and all other moneys derived from the lottery less operating expenses.

100 (19) 'Operating expenses' means all costs of doing business, including, but not limited  
101 to, prizes, commissions, and other compensation paid to retailers, advertising and  
102 marketing costs, personnel costs, capital costs, depreciation of property and equipment,  
103 funds for compulsive gambling education and treatment, amounts held in or paid from  
104 a fidelity fund pursuant to Code Section 50-27-19, and other operating costs.

105 (20) 'Pari-mutuel betting' means a method or system of wagering on actual races  
106 involving horses or dogs at tracks which involves the distribution of winnings by pools.  
107 Such term shall not mean lottery games which may be predicated on a horse racing or dog  
108 racing scheme that does not involve actual track events. Such term shall not mean the  
109 lottery game of sports wagering as defined in Code Section 50-27-122 or traditional  
110 lottery games which may involve the distribution of winnings by pools.

111 (21) 'Person' means any individual, corporation, partnership, unincorporated association,  
112 or other legal entity.

113 (22) 'Retailer' means a person who sells lottery tickets or shares on behalf of the  
114 corporation pursuant to a contract.

115 (23) 'Share' means any intangible evidence of participation in a lottery game.

116 (24) 'Ticket' means any tangible evidence issued by the lottery to provide participation  
117 in a lottery game.

118 (25) 'Vendor' means a person who provides or proposes to provide goods or services to  
119 the corporation pursuant to a major procurement contract, but does not include an  
120 employee of the corporation, a retailer, or a state agency or instrumentality thereof. Such

121 term does not include any corporation whose shares are publicly traded and which is the  
122 parent company of the contracting party in a major procurement contract."

123 **SECTION 1-2.**

124 Said chapter is further amended by revising Code Section 50-27-9, relating to general powers  
125 of the Georgia Lottery Corporation, as follows:

126 "50-27-9.

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

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

133 (2) To adopt and alter a seal;

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

141 (4) To procure or to provide insurance;

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

144 (6) To initiate, supervise, and administer the operation of the lottery in accordance with  
145 the provisions of this chapter and regulations, policies, and procedures adopted pursuant  
146 thereto;

- 147 (7) To enter into written agreements with one or more other states or sovereigns for the  
148 operation, participation in marketing, and promotion of a joint lottery or joint lottery  
149 games;
- 150 (8) To conduct such market research as is necessary or appropriate, which may include  
151 an analysis of the demographic characteristics of the players of each lottery game and an  
152 analysis of advertising, promotion, public relations, incentives, and other aspects of  
153 communication;
- 154 (9) To acquire or lease real property and make improvements thereon and acquire by  
155 lease or by purchase personal property, including, but not limited to, computers;  
156 mechanical, electronic, and ~~on-line~~ online equipment and terminals; and intangible  
157 property, including, but not limited to, computer programs, systems, and software;
- 158 (10) To enter into contracts to incur debt in its own name and enter into financing  
159 agreements with the state, agencies or instrumentalities of the state, or with any  
160 commercial bank or credit provider; provided, however, that any such debt must be  
161 approved by the Georgia State Financing and Investment Commission;
- 162 (11) To be authorized to administer oaths, take depositions, issue subpoenas, and compel  
163 the attendance of witnesses and the production of books, papers, documents, and other  
164 evidence relative to any investigation or proceeding conducted by the corporation;
- 165 (12) To appoint and select officers, agents, and employees, including professional and  
166 administrative staff and personnel and hearing officers to conduct hearings required by  
167 this chapter, and to fix their compensation, pay their expenses, and provide a benefit  
168 program, including, but not limited to, a retirement plan and a group insurance plan;
- 169 (13) To select and contract with vendors and retailers;
- 170 (14) To enter into contracts or agreements with state or local law enforcement agencies,  
171 including the Department of Revenue, for the performance of law enforcement,  
172 background investigations, security checks, and auditing and enforcement of license  
173 requirements required by ~~Article 3 of~~ under this chapter;

- 174 (15) To enter into contracts of any and all types on such terms and conditions as the  
 175 corporation may determine;
- 176 (16) To establish and maintain banking relationships, including, but not limited to,  
 177 establishment of checking and savings accounts and lines of credit;
- 178 (17) To advertise and promote ~~the lottery and~~ lottery games;
- 179 (18) To act as a retailer, to conduct promotions which involve the dispensing of lottery  
 180 tickets or shares, and to establish and operate a sales facility to sell lottery tickets or  
 181 shares and any related merchandise; ~~and~~
- 182 (19) To offer the lottery game of sports wagering and to regulate sports wagering in this  
 183 state; and
- 184 ~~(19)~~(20) To adopt and amend such regulations, policies, and procedures as necessary to  
 185 carry out and implement its powers and duties, organize and operate the corporation,  
 186 regulate the conduct of lottery games in general, and any other matters necessary or  
 187 desirable for the efficient and effective operation of the lottery or the convenience of the  
 188 public. The promulgation of any such regulations, policies, and procedures shall be  
 189 exempt from the requirements of Chapter 13 of this title, the 'Georgia Administrative  
 190 Procedure Act.'
- 191 (b) The powers enumerated in subsection (a) of this Code section are cumulative of and  
 192 in addition to those powers enumerated elsewhere in this chapter, and no such powers limit  
 193 or restrict any other powers of the corporation."

194

**PART II**

195

**SECTION 2-1.**

196 Said chapter is further amended by adding a new article to read as follows:

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197 "ARTICLE 4

198 Part 1

199 50-27-120.

200 This article shall be known and may be cited as the 'Georgia Lottery Mobile Sports  
201 Wagering Integrity Act.'

202 50-27-121.

203 It is found and declared by the General Assembly that:

204 (1) Sports wagering is a lottery game and as such shall be operated and managed by the  
205 Georgia Lottery Corporation in a manner which provides continuing entertainment to the  
206 public, maximizes revenues, and ensures that the lottery is operated with integrity and  
207 dignity and free of political influence;

208 (2) The Georgia Lottery Corporation shall be accountable to the General Assembly and  
209 to the public for the operation and management of sports wagering in this state through  
210 a system of audits and reports;

211 (3) Net proceeds of lottery games conducted pursuant to this article shall be used to  
212 support improvements and enhancements for educational purposes and programs and that  
213 such net proceeds shall be used to supplement, not supplant, existing resources for such  
214 educational purposes and programs;

215 (4) The ability to offer the lottery game of sports wagering in this state under a license  
216 issued in accordance with this article constitutes a taxable privilege and not a right; and

217 (5) The lottery game of sports wagering can be conducted in a manner to safeguard the  
218 fiscal soundness of the state, enhance public welfare, and support the need to educate  
219 Georgia's children through the HOPE scholarship program and pre-kindergarten funding  
220 authorized by Article I, Section II, Paragraph VIII of the Constitution.

221 50-27-122.

222 Unless another meaning is required by the context, as used in this article, the term:

223 (1) 'Adjusted gross income' means the total of all moneys paid to a licensee as bets,  
224 excluding free bets and promotional credits, minus federal excise taxes and the total  
225 amount paid out to winning bettors over a specified period of time, including the cash  
226 equivalent of any merchandise or thing of value awarded as a prize.

227 (2) 'Applicant' means any person that applies for a license under this article.

228 (3) 'Bettor' means an individual who is:

229 (A) Twenty-one years of age or older;

230 (B) Physically present in this state when placing a wager with a licensee; and

231 (C) Not prohibited from placing a wager or bet under Code Section 50-27-151.

232 (4) 'Bond' means a bond held in escrow for the purpose of maintaining adequate reserves  
233 to account for losses suffered by a licensee and owed to bettors.

234 (5) 'Cheating' means improving the chances of winning or altering the outcome by  
235 deception, interference, or manipulation of a sporting event or of any equipment,  
236 including software pertaining to or used in relation to the equipment, used for or in  
237 connection with the sporting event on which wagers are placed or invited, including  
238 attempts and conspiracy to cheat.

239 (6) 'Collegiate sporting event' means a sporting or athletics event involving a sports or  
240 athletics team of a public or private institution of higher education. Each game of a  
241 tournament or playoff shall be considered a separate collegiate sporting event.

242 (7) 'Corporation vendor' means a contractor, subcontractor, or independent contractor  
243 hired by or contracted with the corporation or a licensee for the purpose of facilitating the  
244 business of the corporation or licensee under this article.

245 (8) 'E-sport' means any multiplayer video game played competitively for spectators,  
246 either in-person or via remote connection, in which success principally depends upon the  
247 superior knowledge, training, experience, and adroitness of the players.

248 (8.1) 'Fantasy or simulated contest' means a game or event in which players compete  
249 against each other and winning outcomes reflect the relative knowledge and skill of the  
250 players and are determined predominately by accumulated statistical results of the  
251 performance of individuals, which may include, but shall not be limited to, athletes in  
252 sporting events.

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

255 (10) 'Future bet' means a wager made on the occurrence of an event in the future relating  
256 to a sporting event.

257 (11) 'Interactive sports wagering' means placing a wager on a sporting event via the  
258 internet, a mobile device, or any other telecommunications technologies.

259 (12) 'License' means a license to accept wagers from bettors on sporting events issued  
260 under Code Section 50-27-140.

261 (13) 'Licensee' means a person that holds a license issued under Code Section 50-27-140.

262 (14) 'Live betting' means a type of wager that is placed after the sporting event being  
263 wagered on has commenced and whose odds on events occurring are adjusted in real  
264 time.

265 (15) 'Material nonpublic information' means information that has not been disseminated  
266 publicly concerning an athlete, contestant, prospective contestant, or athletic team,  
267 including, without limitation, confidential information related to medical conditions or  
268 treatment, physical or mental health or conditioning, physical therapy or recovery,  
269 discipline, sanctions, academic status, education records, eligibility, playbooks, signals,  
270 schemes, techniques, game plans, practices, strategies, assessments, systems, drills, or  
271 recordings of practices or other athletic activities.

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

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

275 (18) 'Official league data' means statistics, results, outcomes, and other data related to  
276 a sporting event obtained pursuant to an agreement with the relevant:

277 (A) Sports governing body whose corporate headquarters are based in the United States  
278 or an entity expressly authorized by such sports governing body to provide such  
279 information to licensees for purposes of live betting; or

280 (B) Sporting events operator whose corporate headquarters are based in the United  
281 States or an entity expressly authorized by such sporting events operator to provide  
282 such information to licensees for purposes of live betting.

283 (19) 'Online sports wagering platform' or 'platform' means the combination of hardware,  
284 software, and data networks used to manage, administer, or control sports wagering and  
285 any associated wagers accessible by any electronic means, including mobile applications  
286 and internet websites accessed via a mobile device or computer.

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

289 (20.1) 'Permitted collegiate sporting event' means any collegiate sporting event that is  
290 not a prohibited collegiate sporting event.

291 (20.2) 'Principal owner' means a person that owns an interest of 10 percent or more of  
292 the entity.

293 (20.3) 'Prohibited collegiate sporting event' is any collegiate sporting event in which a  
294 sports or athletics team of a public or private institution of higher education located in  
295 Georgia participates regardless of where the event takes place and whether it takes place  
296 during regular season or during a tournament or playoff.

297 (21) 'Professional sports team' means a major or minor league professional baseball,  
298 football, basketball, soccer, or hockey franchise or a professional motor sport.

299 (22) 'Proposition bet' means a wager made regarding the occurrence or nonoccurrence  
300 during a sporting event of an event that does not directly affect the final outcome of the  
301 sporting event.

302 (22.1) 'Regular season' means a series of collegiate sporting events that occur as  
303 scheduled by the sports governing body that does not include playoff games,  
304 tournaments, or bowl games that occur in postseason.

305 (23) 'Sporting event' means any:

306 (A) Professional sporting or professional athletic event, including motor sports and  
307 e-sports, sanctioned by a national or international organization or association;

308 (B) Permitted collegiate sporting or athletic event;

309 (C) Olympic sporting or athletic event;

310 (D) Sporting or athletic event sanctioned by a national or international organization or  
311 association; or

312 (E) Other event authorized by the corporation.

313 Such term shall not include horse racing or a fantasy or simulated contest.

314 (24) 'Sporting events operator' means a person that conducts or organizes a sporting  
315 event for athletes or other participants that is not held or sanctioned as an official sporting  
316 event of a sports governing body.

317 (25) 'Sports betting' or 'sports wagering' means placing one or more wagers for a sporting  
318 event.

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

322 (27) 'Spread' means the predicted scoring differential between two persons or teams  
323 engaged in a sporting event.

324 (28) 'Supervisory employee' means a principal owner or employee having the authority  
325 to act on behalf of a licensee or whose judgment is relied upon to manage and advance  
326 the business operations of a licensee.

327 (29) 'Wager' or 'bet' means a sum of money that is risked by a bettor on the unknown  
328 outcome of one or more sporting events, including, but not limited to, the form of  
329 fixed-odds betting, a future bet, live betting, a money line bet, pari-mutuel betting, a  
330 parlay bet, pools, a proposition bet, or a spread bet or any other form as authorized by  
331 rules and regulations of the corporation. Such term shall not include entry fees paid to  
332 participate in a fantasy or simulated contest. For purposes of this paragraph, the term  
333 'pari-mutuel betting' means a type of bet in which all wagers on a particular occurrence  
334 are pooled and winnings are paid in accordance with the size of the pool and the number  
335 of winners.

336 Part 2

337 50-27-130.

338 (a) In addition to the powers and duties otherwise specified in this chapter, the corporation  
339 shall have all powers and duties necessary to carry out the provisions of this article and to  
340 exercise the control of sports betting in this state as authorized by this article. Such powers  
341 and duties shall include, but shall not be limited to, the following:

342 (1) To have jurisdiction and supervision of the lottery game of sports betting;

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

345 (3) To employ such persons as necessary to ensure that such sports betting is conducted  
346 with order and the highest degree of integrity. The corporation and such employees of  
347 the corporation shall be authorized to eject or exclude from the sports betting facility or  
348 any part thereof any individual, whether licensed or not, whose conduct or reputation is

349 such that his or her presence may, in the opinion of the corporation or the designated  
350 employees of the corporation, reflect adversely on the honesty and integrity of the sports  
351 betting or interfere with the orderly conduct of the sports betting;

352 (4) To enter upon, investigate, and have free access to all places of business of any  
353 licensee under this article and to compel the production of any books, ledgers, documents,  
354 records, memoranda, or other information of any licensee to ensure that this article and  
355 the rules and regulations promulgated by the corporation pursuant to this article are  
356 complied with;

357 (5) To promulgate any rules and regulations as the corporation deems necessary and  
358 proper pursuant to Chapter 13 of this title, the 'Georgia Administrative Procedure Act,'  
359 to administer the provisions of this article; provided, however, that the initial rules and  
360 regulations governing sports betting shall be promulgated and adopted by the corporation  
361 within 90 days of the effective date of this article after an opportunity has been provided  
362 for public comment. The promulgation and adoption of such initial rules and regulations  
363 shall not be subject to Chapter 13 of this title;

364 (6) To issue subpoenas for the attendance of witnesses before the corporation, administer  
365 oaths, and compel production of records or other documents and testimony of witnesses  
366 whenever, in the judgment of the corporation, it is necessary to do so for the effectual  
367 discharge of the duties of the corporation;

368 (7) To compel any person licensed by the corporation to file with the corporation such  
369 data, documents, and information as shall appear to the corporation to be necessary for  
370 the performance of the duties of the corporation, including, but not limited to, financial  
371 statements and information relative to stockholders and all others with a pecuniary  
372 interest in such person;

373 (8) To prescribe the manner in which books and records of persons licensed or permitted  
374 by the corporation shall be kept;

- 375 (9) To enter into arrangements with any foreign or domestic government or  
376 governmental agency for the purposes of exchanging information or performing any other  
377 act to better ensure the proper conduct of wagering under this article;
- 378 (10) To order such audits, in addition to those otherwise required by this article, as the  
379 corporation deems necessary and desirable;
- 380 (11) Upon the receipt of a complaint of an alleged criminal violation of this article, to  
381 immediately report the complaint to the Attorney General for appropriate action;
- 382 (12) To provide for the reporting of the applicable amount of state and federal income  
383 tax of persons claiming a prize or payoff for a winning wager;
- 384 (13) To establish and administer a program for providing assistance to compulsive  
385 gamblers, including, but not limited to, requiring that signs or notifications which bear  
386 a toll-free number for an organization which provides assistance to compulsive gamblers  
387 be posted in a conspicuous place in facilities at which sports wagering is conducted and  
388 on online sports wagering platforms;
- 389 (14) To appoint and employ such other employees as the corporation deems essential to  
390 perform its duties under this article who shall possess such authority and perform such  
391 duties as the corporation shall prescribe or delegate to them. Such employees may  
392 include stewards, chemists, physicians, inspectors, accountants, attorneys, security  
393 officers, and such other employees deemed by the corporation to be necessary for the  
394 supervision and proper conduct of the highest standard of sports betting. Such employees  
395 shall be compensated as provided by the corporation;
- 396 (15) To keep a true and full record of all proceedings of the corporation under this article  
397 and preserve at the corporation's general office all books, documents, and papers of the  
398 corporation; and
- 399 (16) To adopt rules and regulations specific to the manner in which a licensee may  
400 advertise its business operations as authorized by this article.



401 (b) The corporation shall not have the power to prescribe a licensee's maximum or  
402 minimum payout of hold percentage.

403 (c) The corporation may authorize through rules and regulations for master license holders  
404 and location owners or location operators to offer for sporting events approved by the  
405 corporation the lottery game of sports wagering as an online sports wagering platform  
406 through a system similar to the bona fide coin operated amusement machines that are  
407 licensed under this chapter to operate in retail locations and that are connected to an  
408 accounting terminal linked by a communications network approved by the corporation.  
409 Such master license holders and affiliated retailers shall be subject to the provisions of this  
410 article applicable to other online sports wagering platforms as may be specified through  
411 rules and regulations of the corporation, in addition to any other conditions the corporation  
412 may establish in such rules and regulations. For purposes of this subsection, the terms 'bona  
413 fide coin operated amusement machine,' 'location owner or location operator,' and 'master  
414 license' shall have the same meanings as provided in Code Section 50-27-70. Such  
415 additional definitions and other information pertaining to such sports wagering platforms  
416 may be developed by the corporation through rules and regulations to provide a retail  
417 option for sports wagering.

418 Part 3

419 50-27-140.

420 (a) Any person engaging in the lottery game of sports wagering in this state shall be  
421 licensed by the corporation. A license issued by the corporation shall permit the licensee  
422 to operate an individually branded online sports wagering platform in accordance with this  
423 article.

424 (b)(1) The corporation shall issue no fewer than six licenses to qualified applicants able  
425 to meet the duties of a license holder under this article and that the corporation

426 determines will be best able to maximize tax revenue for the state; provided, however,  
427 that, if fewer than six qualified applicants seek licenses, the corporation shall issue as  
428 many licenses as there are qualified applicants, and the absence of six issued licenses  
429 shall not preclude licensees from engaging in the lottery game of sports wagering in  
430 accordance with this article. If a license is revoked, expires, or otherwise becomes  
431 ineffective, such license shall not be included in the number of licenses issued.

432 (2) Although six licenses is the minimum number of licenses the corporation shall issue,  
433 there is no maximum limitation.

434 (c) An applicant for a license shall submit an application on a form in such manner and in  
435 accordance with such requirements as may be prescribed by rules and regulations of the  
436 corporation. Such rules and regulations shall require, at a minimum, that the application  
437 include the following:

438 (1) If the applicant is an entity, identification of the applicant's principal owners, board  
439 of directors, and officers;

440 (2) Satisfactory results from a fingerprint records check conducted by the Georgia Crime  
441 Information Center and the Federal Bureau of Investigation, as determined by the  
442 corporation. Application for a license under this Code section shall constitute express  
443 consent and authorization for the corporation or its representatives to perform a criminal  
444 background check. Each applicant who submits an application to the corporation for  
445 licensure shall provide the corporation with any and all information necessary to run a  
446 criminal background check, including, but not limited to, classifiable sets of fingerprints.  
447 Applicants shall be responsible for all fees associated with the performance of such  
448 background checks. If the applicant is an entity, all individuals who are principal owners  
449 shall provide classifiable sets of fingerprints;

450 (3) Information, documentation, and assurances as may be required to establish by clear  
451 and convincing evidence the applicant's good character, honesty, and integrity. Such  
452 information may include, without limitation, information pertaining to family, habits,

453 character, reputation, criminal and arrest records, business activities, financial affairs, and  
454 business, professional, and personal associates, covering at least the ten-year period  
455 immediately preceding the filing of the application;

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

459 (5) Letters of reference from law enforcement agencies having jurisdiction of the  
460 applicant's place of residence and principal place of business. Each such letter of  
461 reference shall indicate that the law enforcement agency does not have any pertinent  
462 information concerning the applicant or, if such law enforcement agency does have  
463 information pertaining to the applicant, shall provide such information;

464 (6) If the applicant has conducted sports wagering operations in a jurisdiction which  
465 permits such activity, a letter of reference from the regulatory body that governs sports  
466 wagering that specifies the standing of the applicant with the regulatory body; provided,  
467 however, that, if no such letter is received within 60 days of the request therefor, the  
468 applicant may submit a statement under oath that the applicant is or was, during the  
469 period such activities were conducted, in good standing with the regulatory body;

470 (7) Information, documentation, and assurances concerning financial background and  
471 resources as may be required to establish by clear and convincing evidence the financial  
472 stability, integrity, and responsibility of the applicant, including, but not limited to, bank  
473 references, business and personal income and disbursement schedules, tax returns and  
474 other reports filed with governmental agencies, and business and personal accounting and  
475 check records and ledgers. Each applicant shall, in writing, authorize the examination of  
476 all bank accounts and records as may be deemed necessary by the corporation. The  
477 corporation may consider any relevant evidence of financial stability. The applicant is  
478 presumed to be financially stable if the applicant establishes by clear and convincing  
479 evidence the ability to:

480 (A) Assure the financial integrity of sports wagering operations by the maintenance of  
481 a bankroll or equivalent provisions adequate to pay winning wagers to bettors when  
482 due. An applicant is presumed to have met this standard if the applicant maintains, on  
483 a daily basis, a bankroll and equivalent provisions, in an amount which is at least equal  
484 to the average daily minimum bankroll or equivalent provisions, calculated on a  
485 monthly basis, for the corresponding month in the previous year;  
486 (B) Meet ongoing operating expenses which are essential to the maintenance of  
487 continuous and stable sports wagering operations; and  
488 (C) Pay, as and when due, all state and federal taxes;  
489 (8) Information, documentation, and assurances as may be required to establish by clear  
490 and convincing evidence that the applicant has sufficient business ability and sports  
491 wagering experience to establish the likelihood of the creation and maintenance of  
492 successful, efficient sports wagering operations in this state;  
493 (9) Information, as required by rules and regulations of the corporation, regarding the  
494 financial standing of the applicant, including, without limitation, each person or entity  
495 that has provided loans or financing to the applicant;  
496 (10) A nonrefundable application fee in the amount of \$50,000.00 and an annual  
497 licensing fee in the amount of \$900,000.00; and  
498 (11) Any additional information required by rules and regulations of the corporation.  
499 (d) The corporation shall review and approve or deny an application for a license not more  
500 than 90 days after receipt of an application.  
501 (e) A licensee may renew its license by submitting an application on a form in such  
502 manner and in accordance with such requirements as may be prescribed by rules and  
503 regulations of the corporation. A licensee shall submit the nonrefundable annual licensing  
504 and application fees prescribed under paragraph (10) of subsection (c) of this Code section  
505 with its application for license renewal.

506 (f) For each application for licensure or renewal of a license approved under this Code  
507 section, the amount of the application fee must be credited toward the licensee's annual  
508 licensing fee and the licensee shall remit the balance of the annual fee to the corporation  
509 upon approval of a license. The fees collected from licensees under this Code section shall  
510 be used by the corporation to pay the actual operating and administrative expenses incurred  
511 pursuant to this article.

512 (g) Except as provided in subsection (f) of this Code section, annual licensing and  
513 application fees collected by the corporation shall be distributed to the general fund of the  
514 state treasury for deposit into the Lottery for Education Account established pursuant to  
515 Code Section 50-27-13.

516 (h) Each licensee shall have a continuing duty to promptly inform the corporation of any  
517 change in status relating to any information that may disqualify the licensee from holding  
518 a license.

519 (i)(1) A person that holds a license or permit to engage in sports wagering issued by  
520 another jurisdiction may submit a request to the corporation for a temporary license for  
521 such person to immediately commence engagement in this state in the lottery game of  
522 sports wagering. Such request shall include the licensing fee required under  
523 paragraph (10) of subsection (c) of this Code section.

524 (2) Upon receiving a request for a temporary license, the chief executive officer shall  
525 review the request. If the chief executive officer determines that the person requesting  
526 the temporary license holds a license or permit issued by another jurisdiction to engage  
527 in sports wagering and has paid the required licensing fee, the chief executive officer  
528 shall authorize such person to engage in sports wagering pursuant to this article under a  
529 temporary license for a period of two years or until a final determination on such person's  
530 application is made.

531 (j) Any sports governing body or sporting events operator on whose sporting event the  
532 corporation has authorized wagering may also enter into commercial agreements with

533 sports wagering operators or other entities that provide for such sports governing body or  
534 sporting events operator to share in the amount bet from sports wagering on sporting events  
535 of such sports governing body or sporting events operator. A sports governing body or  
536 sporting events operator shall not be required to obtain a license or any other approval from  
537 the corporation to enter into such commercial agreements.

538 50-27-141.

539 (a) The following persons shall not be eligible to apply for or obtain a license:

540 (1) A member or employee of the corporation or a vendor or corporation vendor;

541 (2) An employee of a professional sports team;

542 (3) An individual or entity that has an ownership interest of 25 percent or more in a  
543 professional sports team on which the applicant offers sports wagering or an employee  
544 of such individual or entity;

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

547 (5) An individual who is a member or employee of any sports governing body or  
548 sporting events operator or an entity that has an affiliation with any sports governing  
549 body or sporting events operator;

550 (6) An individual or entity with an owner, officer, or director who has been convicted of  
551 a crime as specified in rules and regulations promulgated by the corporation;

552 (7) A person having the ability to directly affect the outcome of a sporting event upon  
553 which the applicant offers sports wagering; and

554 (8) Any other category of persons, established by rules and regulations of the  
555 corporation, that, if licensed, would affect the integrity of sports wagering in this state.

556 (b) A person listed in paragraphs (2) through (8) of subsection (a) of this Code section may  
557 hold an ownership interest in an applicant or licensee without disqualifying the applicant  
558 or licensee from obtaining or holding a license; provided, however, that such an ownership

559 interest of 25 percent or more shall require approval from the corporation. In determining  
560 whether such an ownership interest shall be the basis of disqualification, the corporation  
561 shall consider whether such interest would affect the integrity of sports wagering in this  
562 state and any other factors the corporation shall deem relevant.

563 50-27-142.

564 (a) A licensee shall not knowingly:

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

566 (2) Offer, accept, or extend credit to a bettor;

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

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

572 (5) Accept a wager from an individual who is on the registry created and maintained by  
573 the corporation under Code Section 50-27-151.

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

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

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

578 50-27-143.

579 The corporation may adopt rules and regulations prescribing the manner in which a license  
580 may be transferred and a fee for a license transfer.

581 50-27-144.

582 (a) The corporation shall prescribe by rules and regulations:

- 583 (1) The amount of a bond in escrow, letter of credit, or cash that shall be kept on hand  
584 by licensees to ensure that adequate reserves exist by licensees to pay off bettors;  
585 (2) Any insurance requirements for a licensee;  
586 (3) Minimum requirements by which each licensee shall exercise effective control over  
587 its internal fiscal affairs, including, without limitation, requirements for:  
588 (A) Safeguarding assets and revenues, including evidence of indebtedness;  
589 (B) Maintaining reliable records relating to accounts, transactions, profits and losses,  
590 operations, and events; and  
591 (C) Global risk management;  
592 (4) Requirements for internal and independent audits of licensees;  
593 (5) The manner in which periodic financial reports shall be submitted to the corporation  
594 from each licensee, including the financial information to be included in the reports;  
595 (6) The type of information deemed to be confidential financial or proprietary  
596 information that is not subject to any reporting requirements under this article;  
597 (7) Policies, procedures, and processes designed to mitigate the risk of cheating and  
598 money laundering; and  
599 (8) Any post-employment restrictions necessary to maintain the integrity of sports  
600 wagering in this state.  
601 (b) The licensee may maintain the bond, letter of credit, or cash reserve at any bank  
602 lawfully operating in this state, and the licensee shall be the beneficiary of any interest  
603 accrued thereon.

604 Part 4

605 50-27-150.

- 606 (a) Except for those individuals ineligible to place bets under Code Section 50-27-151, an  
607 individual who is 21 years of age or older and who is physically located in this state may



608 place a wager in the manner authorized under this article and the rules and regulations of  
609 the corporation.

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

612 50-27-151.

613 (a)(1) Certain individuals and categories of individuals shall not, directly or indirectly,  
614 place a wager on sporting events or online sports wagering platforms in this state as  
615 specified in this Code section.

616 (2) A member, officer, or employee of the corporation shall not place a wager on any  
617 sporting event or platform.

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

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

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

624 (6) A contractor, subcontractor, or consultant or any officer or employee of a contractor,  
625 subcontractor, or consultant of a licensee shall not place a wager on the licensee's  
626 platform, if such individual is directly involved in the licensee's operation of sports  
627 wagering or the processing of sports wagering claims or payments through the licensee's  
628 platform.

629 (7) An individual subject to a contract with the corporation shall not place a wager on  
630 any platform, if the contract contains a provision prohibiting the individual from  
631 participating in sports wagering.

632 (8) A individual with access to material nonpublic information that is known exclusively  
633 by an individual who is prohibited from placing a wager in this state under this Code

634 section shall not use any such information to place a wager on any sporting event or  
635 platform.

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

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

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

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

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

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

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

656 (b) The corporation may prescribe by rules and regulations additional categories of  
657 individuals who are prohibited from placing a wager on specified sporting events or online  
658 sports wagering platforms in this state.

659 (c) The corporation shall maintain a confidential registry of individuals and categories of  
660 individuals who are ineligible to place a wager in this state and shall provide the registry

661 to each licensee in this state. The corporation shall provide each updated registry to the  
662 licensees as soon as practicable. Each licensee shall maintain the registry provided by the  
663 corporation confidentially. Such registry shall not be considered a record open to the  
664 public pursuant to Article 4 of Chapter 18 of this title and shall be exempt from such  
665 provisions.

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

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

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

671 (3) For a third or subsequent offense, shall be guilty of a misdemeanor of a high and  
672 aggravated nature.

673 50-27-152.

674 Notwithstanding any other provision of law, each wager placed with a licensee in  
675 accordance with this article shall be:

676 (1) Deemed to be an enforceable contract; and

677 (2) Exempt from Chapter 13 of this title.

678 50-27-153.

679 (a) The corporation shall by rules and regulations prohibit wagering on injuries, penalties,  
680 and other types or forms of wagering under this article that are contrary to public policy or  
681 unfair to bettors.

682 (b)(1) A sports governing body or sporting events operator may submit to the corporation  
683 in writing, by providing notice in such form and manner as the corporation may require,  
684 a request to restrict, limit, or prohibit a certain type, form, or category of sports wagering  
685 with respect to sporting events of such sports governing body or sporting events operator,

686 if the sports governing body or sporting events operator believes that such type, form, or  
687 category of sports wagering with respect to sporting events of such sports governing body  
688 or sporting events operator may undermine the integrity or perceived integrity of such  
689 sports governing body or sporting events operator or sporting events of such sports  
690 governing body or sporting events operator. The corporation shall request comments  
691 from sports wagering operators on all such requests it receives.

692 (2) After giving due consideration to all comments received, the corporation shall, upon  
693 a demonstration of good cause from the requestor that such type, form, or category of  
694 sports wagering is likely to undermine the integrity or perceived integrity of such sports  
695 governing body or sporting events operator or sporting events of such sports governing  
696 body or sporting events operator, grant the request. The corporation shall respond to a  
697 request concerning a particular event before the start of the event, or if it is not feasible  
698 to respond before then, no later than seven days after the request is made. If the  
699 corporation determines that the requestor is more likely than not to prevail in successfully  
700 demonstrating good cause for its request, the corporation may provisionally grant the  
701 request of the sports governing body or sporting events operator until the corporation  
702 makes a final determination as to whether the requestor has demonstrated good cause.  
703 Absent such a provisional grant by the corporation, sports wagering operators may  
704 continue to offer sports wagering on sporting events that are the subject of such a request  
705 during the pendency of the corporation's consideration of the applicable request.

706 50-27-154.

707 (a) Prior to placing a wager with a licensee via interactive sports wagering, a bettor shall  
708 register with the licensee remotely and attest that the bettor meets the requirements to place  
709 a wager with a licensee in this state. Prior to verification of a bettor's identity in  
710 accordance with this Code section, a licensee shall not allow the bettor to engage in sports  
711 wagering, make a deposit, or process a withdrawal via interactive sports wagering. A

712 licensee shall implement commercially and technologically reasonable procedures to  
713 prevent access to sports wagering by minors on its online sports wagering platforms. A  
714 licensee may use information obtained from third parties to verify that an individual is  
715 authorized to open an account, place wagers, and make deposits and withdrawals.

716 (b) A licensee shall adopt a registration policy to ensure that all bettors utilizing interactive  
717 sports wagering are authorized to place a wager with a licensee within this state. Such  
718 policy must include, without limitation, a mechanism which shall:

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

720 (2) Verify that the registrant is not prohibited from placing a wager under Code  
721 Section 50-27-151; and

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

723 (A) A physical address other than a post office box;

724 (B) A date of birth;

725 (C) A unique username; and

726 (D) An email account.

727 (c) A licensee may in its discretion require a bettor to provide the licensee with a signed  
728 and notarized document attesting that the bettor is qualified to engage in sports wagering  
729 under this article as part of the registration policy of the licensee.

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

733 (e) A licensee, in addition to complying with state and federal law pertaining to the  
734 protection of the private, personal information of registered bettors, shall use all other  
735 commercially and technologically reasonable means to protect such information consistent  
736 with industry standards.

737 (f) Once a bettor's account is created, a bettor may fund the account through:

738 (1) Electronic bank transfer of funds, including such transfers through third parties;

- 739 (2) Debit and credit cards;  
740 (3) Online and mobile payment systems that support online money transfers; and  
741 (4) Any other method approved by rules and regulations of the corporation.  
742 (g)(1) Each financial transaction with respect to an account between a bettor and licensee  
743 must be confirmed by email, telephone, text message, or other means agreed upon by the  
744 account holder. A licensee shall use commercially and technologically reasonable means  
745 to independently verify the identity of the bettor making a deposit or withdrawal.  
746 (2) If a licensee determines that the information provided by a bettor to make a deposit  
747 or process a withdrawal is inaccurate or incapable of verification or violates the policies  
748 and procedures of the licensee, the licensee shall, within ten days, require the submission  
749 of additional information that can be used to verify the identity of the bettor.  
750 (3) If such information is not provided or does not result in verification of the bettor's  
751 identity, the licensee shall:  
752 (A) Immediately suspend the bettor's account and not allow the bettor to place wagers;  
753 (B) Retain any winnings attributable to the bettor;  
754 (C) Refund the balance of deposits made to the account to the source of such deposit  
755 or by issuance of a check; and  
756 (D) Suspend the account.  
757 (h) A licensee shall utilize geolocation or geofencing technology to ensure that interactive  
758 sports wagering is only available to bettors who are physically located in this state. A  
759 licensee shall maintain in this state the servers it uses to transmit information for purposes  
760 of accepting wagers on a sporting event placed by bettors located in this state.  
761 (i) A licensee shall clearly and conspicuously display on its website a statement indicating  
762 that it is illegal for a person under 21 years of age to engage in sports wagering in this state.  
763 (j) The corporation shall promulgate rules and regulations for purposes of regulating sports  
764 wagering via interactive sports wagering.

765 50-27-155.

766 (a) Licensees shall allow bettors to restrict themselves from placing wagers with the  
767 licensee, including limits on the amounts wagered, and take reasonable steps to prevent  
768 those bettors from placing such wagers. At the request of a bettor, a licensee may share the  
769 request with the corporation for the sole purpose of disseminating the request to other  
770 licensees.

771 (b) The corporation shall promulgate rules and regulations that require a licensee to  
772 implement responsible sports wagering programs that include comprehensive training on  
773 responding to circumstances in which individuals present signs of a gambling disorder.

774 (c) The Department of Behavioral Health and Developmental Disabilities shall work with  
775 national and local organizations to provide treatment services for individuals with problem  
776 gambling or a gambling disorder and to establish prevention initiatives to reduce the  
777 number of individuals with problem gambling or a gambling disorder.

778 (d) The Department of Behavioral Health and Developmental Disabilities shall annually  
779 generate a report outlining the activities of such department with respect to problem  
780 gambling and gambling disorders, including, but not limited to, descriptions of programs,  
781 therapies, grants, and other resources made available; the success and outcomes of utilizing  
782 such programs, therapies, grants, and resources; the number of individuals treated; the  
783 number of individuals who complete programs and therapies; and the rate of recidivism,  
784 if known. Such department shall file the annual report with the Governor, the Lieutenant  
785 Governor, and the Speaker of the House of Representatives and shall publish the report on  
786 its website no later than January 1 of each year.

787 50-27-156.

788 (a) Each licensee shall adopt and adhere to a written, comprehensive policy outlining its  
789 rules governing the acceptance of wagers and payouts. Such policy and rules must be

790 approved by the corporation prior to the acceptance of a wager by a licensee. Such policy  
791 and rules must be readily available to a bettor on the licensee's website.

792 (b) The corporation shall promulgate rules and regulations regarding:

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

795 (2) Reporting requirements for suspicious wagers.

796 50-27-157.

797 (a) The corporation, licensees, and vendors shall use commercially reasonable efforts to  
798 cooperate with investigations conducted by any sports governing body, any sporting events  
799 operator, and law enforcement agencies, including, but not limited to, using commercially  
800 reasonable efforts to provide or facilitate the provision of anonymized account level betting  
801 information and audio or video files relating to individuals placing wagers. All disclosures  
802 under this Code section shall be subject to the obligation of a sports wagering operator to  
803 comply with all federal, state, and local laws and rules and regulations relating to privacy  
804 and personally identifiable information.

805 (b) Licensees shall promptly report to the corporation any information relating to:

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

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

810 (3) Any potential breach of the internal rules and codes of conduct of a sports governing  
811 body or sporting events operator pertaining to sports wagering to the extent that such  
812 rules or codes of conduct are provided to the licensee by the sports governing body or  
813 sporting events operator or are otherwise known to the licensee;

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



816 (5) Suspicious or illegal wagering activities, including cheating, use of funds derived  
817 from illegal activity, wagers to conceal or launder funds derived from illegal activity, use  
818 of agents to place wagers, and use of false identification.

819 (c) Licensees shall as soon as is practicable report any information relating to conduct  
820 described in paragraphs (2) through (4) of subsection (b) of this Code section to the  
821 relevant sports governing body or sporting events operator.

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

829 (e) All records, documents, and information received by the corporation pursuant to this  
830 Code section shall be considered investigative records of a law enforcement agency, shall  
831 not be subject to Article 4 of Chapter 18 of this title, and shall not be released under any  
832 condition without the permission of the person providing such records, documents, or  
833 information.

834 (f) Nothing in this Code section shall require a sports wagering operator to provide any  
835 information that is prohibited by federal, state, or local laws or rules and regulations,  
836 including without limitation laws and rules and regulations relating to privacy and  
837 personally identifiable information.

838 (g) If a sports governing body or sporting events operator has notified the corporation that  
839 real-time information sharing for wagers placed on its sporting events is necessary and  
840 desirable, licensees shall share the same information with the sports governing body or  
841 sporting events operator, or a designee of such sports governing body or sporting events  
842 operator, with respect to wagers on sporting events of such sports governing body or

843 sporting events operator. A sports governing body or sporting events operator, or a  
844 designee of such sports governing body or sporting events operator, shall only use  
845 information received under this subsection for integrity-monitoring purposes and shall not  
846 use such information for any other purpose. Nothing in this subsection shall require a  
847 licensee to provide any information that is prohibited by federal, state, or local laws, rules,  
848 or regulations, including, but not limited to laws, rules, or regulations relating to privacy  
849 and personally identifiable information.

850 50-27-158.

851 (a) Except as provided under subsection (b) of this Code section, a licensee may use any  
852 data source for determining the results of all live betting.

853 (b)(1) A sports governing body or sporting events operator headquartered in the United  
854 States may notify the corporation that it desires licensees to use official league data for  
855 determining the results of live betting. A notification under this subsection shall be made  
856 in the form and manner as the corporation shall require. The corporation shall notify each  
857 licensee within five days after receipt of such notification from a sports governing body  
858 or sporting events operator. If a sports governing body or sporting events operator does  
859 not notify the corporation of its desire to supply official league data, a licensee may use  
860 any data source for determining the results of any live betting on athletic events of that  
861 sports governing body or sporting events operator.

862 (2) Within 60 days after the corporation notifies each licensee of the desire of a sports  
863 governing body or sporting events operator to require official league data as provided  
864 under paragraph (1) of this subsection, each such licensee shall be required to use only  
865 official league data to determine the results of live betting on sporting events sanctioned  
866 by such sports governing body or sporting events operator, except when:

867 (A) The sports governing body or sporting events operator, or a designee of such sports  
868 governing body or sporting events operator, is unable to provide a feed of official

869 league data to determine the results of a particular type of live betting, in which case  
870 licensees may use any data source for determining the results of the applicable live  
871 betting until the data feed becomes available on commercially reasonable terms; or  
872 (B) A licensee is able to demonstrate to the corporation that the sports governing body  
873 or sporting events operator, or a designee of such sports governing body or sporting  
874 events operator, will not provide a feed of official league data to the licensee on  
875 commercially reasonable terms. The corporation may consider the following factors  
876 in evaluating whether official league data is being provided by the sports governing  
877 body or sporting events operator on commercially reasonable terms:

878 (i) The availability of official league data of a sports governing body or a sporting  
879 events operator on live betting to a licensee from more than one authorized source;

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

882 (iii) The nature and quantity of data, including the quality and complexity of the  
883 process used for collecting such data;

884 (iv) The extent to which sports governing bodies or sporting events operators, or  
885 designees of sports governing bodies or sporting events operators, have made data  
886 used to determine the results of live betting available to licensees; and

887 (v) Any other factors considered by the corporation to be relevant and proper to its  
888 determination.

889 (3) While the corporation is determining whether a feed of official league data has been  
890 provided on commercially reasonable terms pursuant to paragraph (2) of this subsection,  
891 a licensee may use any data source for determining the results of any live betting.

892 (4) The corporation shall make a determination under paragraph (2) of this subsection  
893 within 120 days after the licensee notifies the corporation that it desires to demonstrate  
894 that the sports governing body or sporting events operator, or a designee of such sports

895 governing body or sporting events operator, will not provide a feed of official league data  
896 to such licensee on commercially reasonable terms.

897 Part 5

898 50-27-170.

899 (a) Notwithstanding any other law to the contrary, a licensee shall only pay a privilege tax  
900 on its adjusted gross income in accordance with this Code section.

901 (b) There shall be imposed upon the adjusted gross income of a licensee a tax of  
902 10 percent.

903 (c) The tax imposed under this Code section shall be paid monthly by a licensee based on  
904 its monthly adjusted gross income for the immediately preceding calendar month. The tax  
905 shall be paid to the corporation in accordance with rules and regulations promulgated by  
906 the corporation. If the licensee's adjusted gross income for a month is a negative number,  
907 such licensee may carry over such negative amount to returns filed for subsequent months.

908 (d) All of the tax collected under this Code section shall be distributed by the corporation  
909 to the general fund of the state treasury for deposit into the Lottery for Education Account  
910 established pursuant to Code Section 50-27-13.

911 Part 6

912 50-27-180.

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

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

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

918 (3) Any additional information required by rules and regulations of the corporation  
919 deemed in the public interest or necessary to maintain the integrity of sports wagering in  
920 this state.

921 (b) A licensee shall promptly report to the corporation any information relating to:

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

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

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

928 (d) Upon receiving a report under this Code section or subsection (b) of Code  
929 Section 50-27-157, the corporation may conduct a hearing in accordance with Code  
930 Section 50-27-183 to determine whether the licensee remains in compliance with this  
931 article.

932 50-27-181.

933 Members of the corporation or designated employees thereof may, during normal business  
934 hours, enter the premises of any facility of a licensee or third party utilized by the licensee  
935 to operate and conduct business in accordance with this article for the purpose of inspecting  
936 books and records kept as required by this article, to ensure that the licensee is in  
937 compliance with this article, or to make any other inspection of the premises necessary to  
938 protect the public interests of this state and its consumers.

939 50-27-182.

940 (a) The corporation shall conduct investigations to determine whether:

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

943 (2) An individual is unlawfully accepting wagers from another individual without a  
944 license or at a location in violation of this article.

945 (b) After a hearing under Code Section 50-27-183, if the corporation finds that:

946 (1) A licensee is accepting wagers from minors or other persons ineligible to place  
947 wagers in this state, the corporation shall impose a fine against the licensee in the  
948 following amount:

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

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

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

952 (2) An individual is unlawfully accepting wagers from another individual without a  
953 license, the corporation shall impose a fine against the individual in the following  
954 amount:

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

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

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

958 (c) Nothing in this Code section shall prohibit the corporation from suspending, revoking,  
959 or refusing to renew the license of a licensee in accordance with Code Section 50-27-183.

960 50-27-183.

961 (a) The corporation may investigate and conduct a hearing with respect to a licensee upon  
962 information and belief that the licensee has violated this article or upon the receipt of a  
963 credible complaint from any person that a licensee has violated this article. The  
964 corporation shall conduct investigations and hearings in accordance with rules and  
965 regulations adopted by the corporation.

966 (b) If the corporation determines that a licensee has violated any provision of this article  
967 or any rules and regulations of the corporation, the corporation may:

968 (1) Suspend, revoke, or refuse to renew a license; and

969 (2) For any violation by a licensee, impose an administrative fine not to exceed  
970 \$25,000.00 per violation.

971 (c) Except as provided in Code Section 50-27-182, the corporation shall promulgate rules  
972 and regulations establishing a schedule of administrative fines that may be assessed in  
973 accordance with subsection (b) of this Code section for each violation of this article.

974 (d) Fines assessed under this Code section must be accounted for separately for use by the  
975 corporation in a manner consistent with rules and regulations of the corporation.

976 (e) The corporation may issue subpoenas to compel the attendance of witnesses and the  
977 production of relevant books, accounts, records, and documents for purposes of carrying  
978 out its duties under this article.

979 50-27-184.

980 (a) A licensee or other individual aggrieved by a final action of the corporation may appeal  
981 that decision to the Superior Court of Fulton County.

982 (b) The Superior Court of Fulton County shall hear appeals from decisions of the  
983 corporation and, based upon the record of the proceedings before the corporation, may  
984 reverse the decision of the corporation only if the appellant proves the decision to be:

985 (1) Clearly erroneous;

986 (2) Arbitrary and capricious;

987 (3) Procured by fraud;

988 (4) A result of substantial misconduct by the corporation; or

989 (5) Contrary to the United States Constitution, the Constitution of Georgia, or this article.

990 (c) The Superior Court of Fulton County may remand an appeal to the corporation to  
991 conduct further hearings.

992 50-27-185.

993 (a) It shall be unlawful for any individual or entity, directly or indirectly, to knowingly  
994 receive, supply, broadcast, display, or otherwise transmit material nonpublic information  
995 for the purpose of wagering on a sporting event or influencing another individual's or  
996 entity's wager on a sporting event.

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

999 (c) Any person that violates this Code section shall be guilty of a misdemeanor.

1000 50-27-186.

1001 (a) A licensee or other individual who violates this article shall be liable for a civil penalty  
1002 of not more than \$5,000.00 per violation, not to exceed \$50,000.00 for violations arising  
1003 out of the same transaction or occurrence, which must accrue to the corporation and may  
1004 be recovered in a civil action brought by the Attorney General in the name of the  
1005 corporation.

1006 (b) The Attorney General may seek and obtain an injunction in a court of competent  
1007 jurisdiction for purposes of enforcing this article.

1008 (c) Costs shall not be taxed against the Attorney General or this state for actions brought  
1009 under this Code section."

1010

### **PART III**

1011

#### **SECTION 3-1.**

1012 Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use  
1013 taxes, is amended by revising paragraph (55) of Code Section 48-8-3, relating to exemptions  
1014 from state sales and use taxes, as follows:

1015 "(55) The sale of lottery tickets or wagers authorized by Chapter 27 of Title 50;"



1016

**PART IV**

1017

**SECTION 4-1.**

1018 This Act shall become effective upon its approval by the Governor or upon its becoming law  
1019 without such approval.

1020

**SECTION 4-2.**

1021 All laws and parts of laws in conflict with this Act are repealed.