

The House Committee on Economic Development and Tourism offers the following substitute to SB 142:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,
2 so as to authorize and provide for the regulation and taxation of sports betting in this state;
3 to provide for additional powers and duties of the Georgia Lottery Corporation; to change
4 certain provisions relating to the shortfall reserves maintained within the Lottery for
5 Education Account; to provide for the Georgia Lottery Corporation to engage in certain
6 activities related to sports betting; to provide for a short title; to provide for legislative
7 findings; to create a public corporation to regulate sports betting; to provide for such
8 corporation to be governed by the Georgia Sports Betting Commission; to provide for the
9 qualifications, appointment, removal, and powers of the commission and its members; to
10 provide for the appointment of a chief executive officer; to provide for the procedures,
11 limitations, requirements, and qualifications of the licensing of any person offering,
12 operating, or managing sport betting in this state; to provide for criminal background checks;
13 to regulate wagers and provide requirements for bettors; to provide for bettors to restrict
14 themselves from placing certain wagers; to provide certain resources for individuals with
15 problem gambling or a betting or gambling disorder; to provide for the collection and
16 disposition of fees; to prohibit certain conduct by commissioners, employees of the
17 commission, licensees, and other persons; to provide for certain penalties; to provide for
18 construction; to amend Title 48 of the Official Code of Georgia Annotated, relating to

19 revenue and taxation, so as to exempt wagers placed as part of sports betting; to provide for
20 related matters; to provide for a contingent effective date and automatic repeal; to repeal
21 conflicting laws; and for other purposes.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

25 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
26 in Code Section 50-27-9, relating to general powers of the Georgia Lottery Corporation, by
27 revising paragraphs (18) and (19) of subsection (a) and adding a new paragraph to read as
28 follows:

29 "(18) To act as a retailer, to conduct promotions which involve the dispensing of lottery
30 tickets or shares, and to establish and operate a sales facility to sell lottery tickets or
31 shares and any related merchandise; ~~and~~
32 (19) To perform any actions and carry out any responsibilities provided for in Article 4
33 of this chapter and Chapter 28 of this title; and
34 ~~(19)~~(20) To adopt and amend such regulations, policies, and procedures as necessary to
35 carry out and implement its powers and duties, organize and operate the corporation,
36 regulate the conduct of lottery games in general, and any other matters necessary or
37 desirable for the efficient and effective operation of the lottery or the convenience of the
38 public. The promulgation of any such regulations, policies, and procedures shall be
39 exempt from the requirements of Chapter 13 of this title, the 'Georgia Administrative
40 Procedure Act.'"

41 **SECTION 1-2.**

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

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

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

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

63 **SECTION 1-3.**

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

66

"ARTICLE 467 50-27-120.68 As used in this article, the term:69 (1) 'Online sports betting' shall have the same meaning as provided in Code Section
70 50-28-3.71 (2) 'Online sports betting services provider' shall have the same meaning as provided in
72 Code Section 50-28-3.73 (3) 'Type 1 sports betting licensee' shall the same meaning as provided in Code Section
74 50-28-3.75 50-27-121.76 The corporation as a Type 1 sports betting licensee as provided in Code Section 50-28-43
77 may, through a public procurement process to be established by the corporation, select up
78 to nine online sports betting services providers with which to enter into contracts to provide
79 online sports betting in this state as governed under Chapter 28 of this title. The board
80 shall develop and adopt procedures for such public procurement process. The corporation
81 may administer such public procurement process in accordance with the board's procedures
82 on its own or it may choose to utilize the services of the Department of Administrative
83 Services or other state agency or subdivision thereof to administer such process."

84

PART II

85

SECTION 2-1.

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

87 "CHAPTER 28

88 ARTICLE 1

89 Part 1

90 50-28-1.

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

92 50-28-2.

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

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

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

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

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

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

108 50-28-3.

109 As used in this chapter, the term:

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

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

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

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

142 (12.1) 'Institutional investor' means:

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

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

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

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

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

150 (F) A pension investment board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

196 (A) Based in this state;

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

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

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

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

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

210 (32) 'Sporting event' means any:

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

213 (B) Collegiate sporting event;

- 214 (C) Olympic sporting or athletic event;
215 (D) Sporting or athletic event sanctioned by a national or international organization or
216 association;
217 (E) Sporting or athletic event conducted or organized by a sporting events operator;
218 (F) Esports event; or
219 (G) Other event authorized by the commission.

220 Such term shall not include a nonprofessional or non-Olympic sporting or athletic event
221 if the majority of the participants are under the age of 18.

222 (33) 'Sporting events operator' means a person that conducts or organizes a sporting
223 event for athletes or other participants that is not held or sanctioned as an official sporting
224 event of a sports governing body.

225 (34) 'Sports betting' means placing one or more wagers for a sporting event.

226 (35) 'Sports betting equipment' means any of the following that directly relate to or
227 affect, or are used in, the operation of sports betting:

228 (A) Any mechanical, electronic, or other device, mechanism, or equipment, including
229 a self-service or clerk operated sports betting terminal;

230 (B) Any software, application, components, or other goods; or

231 (C) Anything to be installed or used on a patron's personal electronic device.

232 (36) 'Sports betting license' means any of the licenses issued under this chapter.

233 (37) 'Sports betting licensee' means a person who holds a valid sports betting license
234 issued by the commission.

235 (38)(A) 'Sports betting supplier' means a person that provides sports betting equipment
236 necessary for the creation of sports betting markets and the determination of bet
237 outcomes, directly or indirectly, to any sports events operator or applicant involved in
238 the acceptance of bets, including any of the following:

239 (i) Providers of data feeds and odds services;

240 (ii) Providers of Type 2 sports betting machines;

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

268 (C) The owner of a facility in this state that has held an annual invitational golf
269 tournament for professional and amateur golfers for at least 30 years;

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

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

277 (F) The Georgia Lottery Corporation.

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

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

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

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

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

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

293 (49) 'Type 2 sports betting platform licensee' means a sports betting platform operator
294 licensed or authorized by the commission to offer retail sports betting on behalf of the

295 commission at a Type 2 sports betting retail licensee's place of business through Type 2
296 sports betting machines owned by a Type 2 sports betting distributor licensee.

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

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

305 50-28-4.

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

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

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

315 50-28-5.

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

317 (1) Three members appointed by the Governor;

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

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

- 320 (b) The terms of office of the members of the commission shall be four years, except that:
321 (1)(A) The initial term of office of the three gubernatorial appointees shall be one, two
322 and three years, respectively, and when making such appointments, the Governor shall
323 make such appointments on or before January 3, 2023, and shall specify the length of
324 such initial term for each of the three appointments;
325 (B) The initial term of office of the two members appointed by the Lieutenant
326 Governor shall be two and four years, respectively, and when making such
327 appointments the Lieutenant Governor shall make such appointments on or before
328 January 3, 2023, and shall specify the length of such initial term for each of the two
329 appointments; and
330 (C) The initial term of office of the two members appointed by the Speaker of the
331 House of Representatives shall be one and three years, respectively, and when making
332 such appointments the Speaker of the House of Representatives shall make such
333 appointments on or before January 3, 2023, and shall specify the length of such initial
334 term for each of the two appointments;
335 (2) All successors shall be appointed in the same manner as the original appointments;
336 (3) Vacancies in office shall be filled in the same manner as the original appointments.
337 An appointment to fill a vacancy shall be for the remainder of the unexpired term; and
338 (4) No member may serve more than two full consecutive terms; provided, however, that
339 an initial term of office provided for under paragraph (1) of this subsection that is less
340 than three years shall not constitute a full term for purposes of this paragraph; and
341 provided, further, that a member appointed to fill a vacancy as provided for under
342 paragraph (3) of this subsection may serve two full terms following the expiration of the
343 term related to the vacancy.
344 (b) The appointing authorities should consider the following criteria when making
345 appointments to the commission:

- 346 (1) At least one member that has at least ten years of experience in law enforcement and
347 criminal investigations;
- 348 (2) At least one member that is a certified public accountant licensed in this state with
349 at least ten years of experience in accounting and auditing; and
- 350 (3) At least one member shall be an attorney admitted and authorized to practice law in
351 this state for at least ten years preceding such appointment.
- 352 (c) To be considered for appointment to the commission, the person shall have obtained
353 a certificate of fitness for sports betting affiliation pursuant to Code Section 50-28-30.
- 354 (d) A person shall be ineligible for appointment to the commission, if he or she:
- 355 (1) For a period of one year immediately preceding the date of appointment:
- 356 (A) Held a license issued under this chapter, Chapter 27 of this title, or a gaming
357 license issued by any other jurisdiction;
- 358 (B) Was an officer, official, or employee of a licensee;
- 359 (C) Held 5 percent or more, whether directly or indirectly, of a beneficial ownership
360 of a licensee;
- 361 (D) Was a registered lobbyist for the executive or legislative branch, except while a
362 commissioner or employee of the commission when officially representing the
363 commission; or
- 364 (E) Was an employee or member of the Georgia Lottery Corporation;
- 365 (2) Has had a license issued under this chapter, Chapter 27 of this title, or a gaming
366 license issued by any other jurisdiction denied, suspended, or revoked;
- 367 (3) Acquired any direct or indirect interest in an applicant or a licensee;
- 368 (4) Had any direct or indirect business association, partnership, or financial relationship
369 with an applicant or licensee; or
- 370 (5) Is a relative of any person who is an applicant or licensee.

371 50-28-6.

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

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

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

377 50-28-7.

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

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

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

387 50-28-8.

388 (a) The commission shall appoint a person who is not a member of the commission to
389 serve as the executive director of the commission. Such person shall also serve as the chief
390 executive officer. No person shall be appointed as executive director unless he or she has
391 been issued a certificate of fitness for sport betting affiliation pursuant to Code Section
392 50-28-30.

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

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

397 50-28-9.

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

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

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

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

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

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

421 (4) To enter upon, investigate, and have free access to all places of business of any
422 licensee under this chapter and to compel the production of any books, ledgers,
423 documents, records, memoranda, or other information of any licensee to ensure such
424 licensee's compliance with the rules and regulations promulgated by the commission
425 pursuant to this chapter;

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

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

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

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

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

- 447 (10) To order such audits, in addition to those otherwise required by this chapter, as the
448 commission deems necessary and desirable;
- 449 (11) Upon the receipt of a complaint of an alleged criminal violation of this chapter, to
450 immediately report such complaint to the appropriate law enforcement agency with
451 jurisdiction to investigate criminal activity;
- 452 (12) To provide for the reporting of the applicable amount of state and federal income
453 tax of persons claiming a prize or payoff for a winning wager;
- 454 (13) To establish and administer a program for providing assistance to compulsive
455 gamblers, including, but not limited to, requiring the posting of signs or notifications on
456 the online sports betting platform that bear a toll-free number for an organization that
457 provides assistance to compulsive gamblers be posted on online sports betting platforms;
- 458 (14) To eject or exclude from the sports betting facility or any part thereof any
459 individual, whether licensed or not, whose conduct or reputation is such that his or her
460 presence may, in the opinion of the commission or the designated employees of the
461 commission, reflect adversely on the honesty and integrity of the sports betting or
462 interfere with the orderly conduct of the sports betting;
- 463 (15) To keep a true and full record of all proceedings of the commission under this
464 chapter and preserve at the commission's general office all books, documents, and papers
465 of the commission; and
- 466 (16) To adopt rules and regulations specific to the manner in which a licensee may
467 advertise its business operations as authorized by this chapter.
- 468 (b) The commission shall not have the power to prescribe a licensee's maximum or
469 minimum payout or hold percentage.
- 470 (c) The commission shall not have the power to issue or award and shall not issue or award
471 any licenses provided for in this chapter prior to September 1, 2023.

472 50-28-10.

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

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

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

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

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

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

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

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

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

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

489 (5) Is a relative of any person who is an applicant or licensee; or

490 (6) Was dismissed from prior employment for gross misconduct or incompetence.

491 (b) A person who is ineligible for employment with the commission under paragraph (5)
492 of subsection (a) of this Code section may submit a waiver request to the commission for
493 consideration of employment eligibility. The commission shall consider waiver requests
494 on a case-by-case basis and shall issue the final approval or denial of each request. If the
495 commission approves the request, the person shall not be ineligible for employment with
496 the commission based upon paragraph (5) of subsection (a) of this Code section.

497 50-28-11.

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

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

506 Part 2

507 50-28-20.

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

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

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

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

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

519 50-28-21.

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

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

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

540 (d) A commissioner shall not:

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

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

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

- 546 (4) Engage on behalf of any candidate for public office in the solicitation of votes or
547 other activities on behalf of such candidacy; or
- 548 (5) Become a candidate for election to any public office without first resigning from
549 office.
- 550 (e) A commissioner, during his or her term of office, may not make any public comment
551 regarding the merits of any proceeding currently pending before the commission.
- 552 (f) A commissioner or an employee of the commission shall not act in an unprofessional
553 manner at any time during the performance of his or her official duties.
- 554 (g) A commissioner or an employee of the commission shall avoid impropriety in all
555 activities and must act at all times in a manner that promotes public confidence in the
556 integrity and impartiality of the commission.
- 557 (h) A commissioner or an employee of the commission shall not, directly or indirectly,
558 through staff or other means, solicit anything of value from any person regulated by the
559 commission, or from any business entity that, whether directly or indirectly, is an affiliate
560 or a subsidiary of any person regulated by the commission, or from any party appearing in
561 a proceeding considered by the commission in the preceding one year.
- 562 (i) A commissioner shall not personally represent another person or entity for
563 compensation before the executive or legislative branch or any county or municipal
564 government or governmental agency except to represent the commission in an official
565 capacity.
- 566 (j) The Georgia Government Transparency and Campaign Finance Commission shall
567 accept and investigate any alleged violations of this Code section. For any investigation
568 of alleged violations the Georgia Government Transparency and Campaign Finance
569 Commission shall provide the Governor, the Lieutenant Governor, and the Speaker of the
570 House of Representatives with a report of its findings and recommendations. The
571 Governor is authorized to enforce recommendations of the Georgia Government
572 Transparency and Campaign Finance Commission. A commissioner or an employee of the

573 commission may request an advisory opinion from the Georgia Government Transparency
574 and Campaign Finance Commission regarding the standards of conduct or prohibitions set
575 forth in this Code section.

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

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

587 50-28-22.

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

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

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

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

618 ARTICLE 2

619 Part 1

620 50-28-30.

- 621 (a) Each person required under this chapter to have a certificate of fitness for sports betting
622 affiliation shall submit to the Department of Revenue an application for such certification.

623 Prior to issuing a certificate of fitness for sports betting affiliation, the department shall be
624 furnished with satisfactory evidence that the applicant has satisfactory results from a
625 fingerprint record check report conducted by the Georgia Crime Information Center and
626 the Federal Bureau of Investigation, as determined by the department. Application for a
627 such certification under this Code section shall constitute express consent and authorization
628 for the department or its representative to perform a criminal background check. Each
629 applicant who submits an application to the department for licensure agrees to provide the
630 department with any and all information necessary to run a criminal background check,
631 including, but not limited to, classifiable sets of fingerprints. The applicant shall be
632 responsible for all fees associated with the performance of such background check.
633 (b) The department shall not issue a certificate of fitness for sports betting affiliation to
634 any person who has been convicted of, found guilty of, or has pled nolo contendere to,
635 regardless of adjudication and in any jurisdiction, any misdemeanor that is directly related
636 to gambling, dishonesty, theft, or fraud or any felony.

637 50-28-31.

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

641 50-28-32.

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

647 (c) If a commissioner knowingly receives an ex parte communication relative to a
648 proceeding to which the commissioner is assigned, the commissioner shall place on the
649 record of the proceeding copies of all written communications received, all written
650 responses to the communications, and a memorandum stating the substance of all oral
651 communications received and all oral responses made, and shall give written notice to all
652 parties to the communication that such matters have been placed on the record. Any party
653 that desires to respond to an ex parte communication may do so and the response shall be
654 received by the commission within ten days after receiving notice that the ex parte
655 communication has been placed on the record. The commissioner may, if deemed by such
656 commissioner to be necessary to eliminate the effect of an ex parte communication,
657 withdraw from the proceeding, in which case the chairperson shall substitute another
658 commissioner for the proceeding.

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

666 (e) Any commissioner who knowingly fails to place on the record any such
667 communications in violation of this Code section within 15 days after the date of such
668 communication is subject to removal and may be assessed a civil penalty not to exceed
669 \$5,000.00.

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

673 (2) The Georgia Government Transparency and Campaign Finance Commission shall
674 accept and investigate any alleged violations of this Code section. For any investigation
675 of alleged violations, the Georgia Government Transparency and Campaign Finance
676 Commission shall provide the Governor, the Lieutenant Governor, and the Speaker of the
677 House of Representatives with a report of its findings and recommendations. The
678 Governor is authorized to enforce recommendations of the Georgia Government
679 Transparency and Campaign Finance Commission, and to remove from office any
680 commissioner who is found by the Georgia Government Transparency and Campaign
681 Finance Commission to have willfully and knowingly violated this Code section. The
682 Governor shall remove from office any commissioner who is found by the Georgia
683 Government Transparency and Campaign Finance Commission to have willfully and
684 knowingly violated this Code section after a previous finding by the Georgia Government
685 Transparency and Campaign Finance Commission that the commissioner willfully and
686 knowingly violated this Code section in a separate matter.

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

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

700

Part 2701 50-28-40.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

786 50-28-41.

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

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

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

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

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

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

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

812 50-28-42.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

852 50-28-43.

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

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

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

861 (2) One Type 1 sports betting license shall be reserved for each of the Type 1 eligible
862 entities defined in subparagraphs (B) through (E) of paragraph (44) of Code Section
863 50-28-3; and

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

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

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

875 50-28-44.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

921 50-28-45.

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

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

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

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

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

941 50-28-46.

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

949 Part 3

950 50-28-60.

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

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

954 (2) Any insurance requirements for a licensee;

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

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

970 Part 4

971 50-28-70.

972 (a) In addition to any other taxes as may be provided by law and except as provided in
973 paragraph (55) of Code Section 48-8-3, there shall be imposed an annual privilege tax of
974 20 percent of the adjusted gross income derived from online sports betting in accordance
975 with this Code section.

976 (b) The privilege tax described in subsection (a) of this Code section shall be paid by the
977 online sports betting services provider.

978 (c) The privilege tax imposed under this Code section shall be paid monthly by the online
979 sports betting services provider based on its monthly adjusted gross income for the
980 immediately preceding calendar month. The privilege tax shall be paid to the commission
981 in accordance with rules and regulations promulgated by the commission. If the online

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

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

988 50-28-71.

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

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

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

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

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

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

1000 (2) The acquisition by any person of 10 percent or more of any class of corporate stock.

1001 (c) With respect to information reported under subsection (b) of this Code section, a
1002 licensee shall include with such report a statement of any conflict of interest that may exist
1003 as a result of such election or acquisition.

1004 (d) Upon receiving a report under this Code section or subsection (b) of Code
1005 Section 50-28-111, the commission may conduct a hearing in accordance with Code
1006 Section 50-28-120 to determine whether the licensee remains in compliance with this
1007 chapter.

1008 ARTICLE 3

1009 Part 1

1010 50-28-80.

1011 (a) A licensee shall not knowingly:

1012 (1) Allow a minor to place a wager;

1013 (2) Offer, accept, or extend credit to a bettor; provided, however, that promotions and
1014 promotional credits shall be permitted to be offered and extended to bettors;

1015 (3) Target minors in advertising or promotions for sports betting;

1016 (4) Offer or accept a wager on any event, outcome, or occurrence other than a sporting
1017 event, including, without limitation, a high school sporting event offered, sponsored, or
1018 played in connection with a public or private institution that offers education at the
1019 secondary level; or

1020 (5) Accept a wager from an individual who is on the registry created and maintained by
1021 the commission under Code Section 50-28-82.

1022 (b) A person that knowingly violates this Code section:

1023 (1) For a first offense, shall be guilty of a misdemeanor; and

1024 (2) For a second or subsequent offense, shall be guilty of a misdemeanor of a high and
1025 aggravated nature.

1026 50-28-81.

1027 (a) Except for those individuals ineligible to place bets under Code Section 50-28-82, an
1028 individual who is 21 years of age or older and who is physically located in this state may
1029 place a wager in the manner authorized under this chapter and the rules and regulations of
1030 the commission.

1031 (b) A licensee shall ensure that all wagers accepted in this state are from qualified bettors
1032 and in accordance with this chapter and the rules and regulations of the commission.

1033 50-28-82.

1034 (a) The following individuals and categories of individuals shall not, directly or indirectly,
1035 place a wager on sporting events or online sports betting platforms in this state:

1036 (1) A member, officer, or employee of the commission shall not place a wager on any
1037 sporting event or platform.

1038 (2) A member, officer, or employee of the Georgia Lottery Corporation shall not place
1039 a wager on any sporting event or platform.

1040 (3) A commission vendor shall not place a wager on any sporting event or platform.

1041 (4) A licensee or principal owner, partner, member of the board of directors, officer, or
1042 supervisory employee of a licensee shall not place a wager on the licensee's platform.

1043 (5) A vendor of a licensee or any principal owner, partner, member of the board of
1044 directors, officer, or supervisory employee of a vendor shall not place a wager on the
1045 licensee's platform.

1046 (6) A contractor, subcontractor, or consultant or any officer or employee of a contractor,
1047 subcontractor, or consultant of a licensee shall not place a wager on the licensee's
1048 platform, if such individual is directly involved in the licensee's operation of sports
1049 betting or the processing of sports betting claims or payments through the licensee's
1050 platform.

1051 (7) An individual subject to a contract with the commission shall not place a wager on
1052 any platform, if the contract contains a provision prohibiting the individual from
1053 participating in sports betting.

1054 (8) An individual with access to material nonpublic information that is known
1055 exclusively by an individual who is prohibited from placing a wager in this state under
1056 this Code section shall not use any such information to place a wager on any sporting
1057 event or platform.

1058 (9) An amateur or Olympic athlete shall not place a wager on any sporting event in
1059 which the athlete participates.

1060 (10) A professional athlete shall not place a wager on any sporting event overseen by
1061 such athlete's sports governing body or sporting events operator.

1062 (11) An owner or employee of a team, player, umpire, or sports union personnel, or
1063 employee, referee, coach, or official of a sports governing body or sporting events
1064 operator shall not place a wager on any sporting event, if the wager is based on a sporting
1065 event overseen by the individual's sports governing body or sporting events operator.

1066 (12) An individual having the ability to directly affect the outcome of a sporting event
1067 shall not place a wager on such sporting event.

1068 (13) A trustee or regent of a governing board of a public or private institution of higher
1069 education shall not place a wager on a collegiate sporting event.

1070 (14) An individual prohibited by the rules or regulations of a sports governing body or
1071 sporting events operator of a collegiate sports, team, league, or association from
1072 participating in sports betting shall not place a wager on any sporting event to which such
1073 prohibition applies.

1074 (15) A student or an employee of a public or private institution of higher education who
1075 has access to material nonpublic information concerning a student athlete or a sports team
1076 shall be prohibited from placing a wager on a collegiate sporting event if such
1077 information is relevant to the outcome of such event.

1078 (b) The commission may prescribe by rules and regulations additional individuals and
1079 categories of individuals who are prohibited from placing a wager on specified sporting
1080 events or online sports betting platforms in this state.

1081 (c) The commission shall issue rules and regulations that require periodic reports from
1082 licensees and the information to be contained therein so that the commission can develop
1083 and maintain a confidential registry of a consolidated list of individuals and categories of
1084 individuals who are ineligible to place a wager in this state and shall provide the registry
1085 to each licensee in this state. The commission shall provide each updated registry to the
1086 licensees as soon as practicable. Each licensee shall maintain the registry provided by the

1087 commission confidentially. Such registry shall not be considered a record open to the
1088 public pursuant to Article 4 of Chapter 18 of this title and shall be exempt from such
1089 provisions.

1090 (d) Any individual who places a wager in violation of this Code section:

1091 (1) For a first offense, shall be guilty of a misdemeanor;

1092 (2) For a second offense, shall be guilty of a misdemeanor and shall be fined not less
1093 than \$500.00 nor more than \$1,000.00 or shall be imprisoned for not less than one month
1094 nor more than five months, or both; and

1095 (3) For a third or subsequent offense, shall be guilty of a misdemeanor of a high and
1096 aggravated nature and shall be fined not less than \$750.00 or shall be imprisoned for not
1097 less than three months, or both.

1098 50-28-83.

1099 (a) The commission shall by rules and regulations prohibit betting on injuries, penalties,
1100 or the outcome of player discipline rulings or replay reviews under this chapter that are
1101 contrary to public policy or unfair to bettors.

1102 (b)(1) A sports governing body or sporting events operator may submit to the
1103 commission in writing, by providing notice in such form and manner as the commission
1104 may require, a request to restrict, limit, or prohibit a certain type, form, or category of
1105 sports betting with respect to sporting events of such sports governing body or sporting
1106 events operator, if the sports governing body or sporting events operator believes that
1107 such type, form, or category of sports betting with respect to sporting events of such
1108 sports governing body or sporting events operator may undermine the integrity or
1109 perceived integrity of such sports governing body or sporting events operator or sporting
1110 events of such sports governing body or sporting events operator. The commission shall
1111 request comments from sports betting licensees on all such requests it receives.

1112 (2) After giving due consideration to all comments received, the commission shall, upon
1113 demonstration of good cause from the requestor that such type, form, or category of
1114 sports betting is likely to undermine the integrity or perceived integrity of such sports
1115 governing body or sporting events operator or sporting events of such sports governing
1116 body or sporting events operator, grant the request. The commission shall respond to a
1117 request concerning a particular event before the start of the event, or if it is not feasible
1118 to respond before then, no later than seven days after the request is made. If the
1119 commission determines that the requestor is more likely than not to prevail in
1120 successfully demonstrating good cause for its request, the commission may provisionally
1121 grant the request of the sports governing body or sporting events operator until the
1122 commission makes a final determination as to whether the requestor has demonstrated
1123 good cause. Absent such a provisional grant by the commission, sports betting licensees
1124 may continue to offer sports betting on sporting events that are the subject of such a
1125 request during the pendency of the commission's consideration of the applicable request.

1126 Part 2

1127 50-28-90.

1128 (a) Prior to placing a wager with a licensee via online sports betting, a bettor shall register
1129 and establish a player account with the licensee remotely and attest that the bettor meets
1130 the requirements to place a wager with a licensee in this state. Prior to verification of a
1131 bettor's identity in accordance with this Code section, a licensee shall not allow the bettor
1132 to engage in sports betting, make a deposit, or process a withdrawal via online sports
1133 betting. A licensee shall implement commercially and technologically reasonable
1134 procedures to prevent access to sports betting by minors on its online sports betting
1135 platforms. A licensee may use information obtained from third parties to verify that an

1136 individual is authorized to open an account, place wagers, and make deposits and
1137 withdrawals.

1138 (b) Each online sports betting services provider licensee shall adopt a registration policy
1139 to ensure that all bettors utilizing online sports betting are authorized to place a wager with
1140 a licensee within this state. Such policy shall include, without limitation, commercially
1141 reasonable mechanisms which shall:

1142 (1) Verify the name and age of the registrant;

1143 (2) Verify that the registrant is not knowingly prohibited from placing a wager under
1144 Code Section 50-28-82; and

1145 (3) Obtain the following information from the registrant:

1146 (A) Legal name;

1147 (B) Date of birth;

1148 (C) Physical address other than a post office box;

1149 (D) Phone number;

1150 (E) A unique username; and

1151 (F) An active email account.

1152 (c) Each online sports betting services provider licensee may in its discretion require a
1153 bettor to provide the licensee with a signed and notarized document attesting that the bettor
1154 is qualified to engage in sports betting under this chapter as part of the registration policy
1155 of the licensee.

1156 (d) A bettor shall not register more than one account with a licensee, and each licensee
1157 shall use commercially and technologically reasonable means to ensure that each bettor is
1158 limited to one account.

1159 (e) Each online sports betting services provider licensee, in addition to complying with
1160 state and federal law pertaining to the protection of the private, personal information of
1161 registered bettors, shall use all other commercially and technologically reasonable means
1162 to protect such information consistent with industry standards.

- 1163 (f) When a bettor's account is created, a bettor may fund the account through:
1164 (1) Electronic bank transfer of funds, including such transfers through third parties;
1165 (2) Cash;
1166 (3) Debit cards;
1167 (4) Online and mobile payment systems that support online money transfers; and
1168 (5) Any other method approved by rules and regulations of the commission.
1169 (g)(1) Licensees shall not allow bets to be placed until first verifying the identity of the
1170 bettor pursuant to this Code section and by rules promulgated by the commission.
1171 Further, and pursuant to rules promulgated by the commission, licensees shall establish
1172 safeguards, including, but not limited to, access notifications and similar security
1173 safeguards, to protect each bettor's account.
1174 (2) If a licensee determines that the information provided by a bettor to make a deposit
1175 or process a withdrawal is inaccurate or incapable of verification or violates the policies
1176 and procedures of the licensee, the licensee shall, within ten days, require the submission
1177 of additional information that can be used to verify the identity of such bettor.
1178 (3) If such information is not provided or does not result in verification of the bettor's
1179 identity, the licensee shall:
1180 (A) Immediately suspend the bettor's account and shall not allow the bettor to place
1181 wagers;
1182 (B) Retain any winnings attributable to the bettor;
1183 (C) Refund the balance of deposits made to the account to the source of such deposit
1184 or by issuance of a check; and
1185 (D) Suspend the account.
1186 (h) A licensee shall utilize geofencing technology to ensure that online sports betting is
1187 available only to bettors who are physically located in this state. A licensee shall maintain
1188 in this state the servers it uses to accept wagers on a sporting event placed by bettors
1189 located in this state.

1190 (i) Each online sports betting services provider licensee shall clearly and conspicuously
1191 display on its website a statement indicating that it is illegal for a person under 21 years of
1192 age to engage in sports betting in this state.

1193 (j) The commission shall promulgate rules and regulations for purposes of regulating
1194 sports betting via online sports betting.

1195 50-28-91.

1196 (a) Licensees shall allow bettors to restrict themselves from placing wagers with the
1197 licensee, including limits on the amounts wagered, and take reasonable steps to prevent
1198 those bettors from placing such wagers. At the request of a bettor, a licensee may share the
1199 request with the commission for the sole purpose of disseminating the request to other
1200 licensees.

1201 (b) The commission shall promulgate rules and regulations that require a licensee to
1202 implement responsible sports betting programs that include comprehensive training on
1203 responding to circumstances in which individuals present signs of problem gambling or a
1204 betting or gambling disorder.

1205 (c) The commission shall work with national and local organizations to provide services
1206 for individuals with problem gambling or a betting or gambling disorder and to establish
1207 prevention initiatives to reduce the number of individuals with problem gambling or a
1208 betting or gambling disorder, including, but not limited to, utilizing currently established
1209 programs for problem gambling or betting or gambling disorders.

1210 (d) The commission shall annually generate a report outlining activities with respect to
1211 problem gambling and betting or gambling disorders, including, but not limited to,
1212 descriptions of programs, grants, and other resources made available; the number of
1213 individuals seeking assistance; the number of individuals who reported completing
1214 programs and therapies; and the rate of recidivism, if known to the commission. The
1215 commission shall file the annual report with the Governor, the Lieutenant Governor, and

1216 the Speaker of the House of Representatives and shall publish such report on its website
1217 no later than January 1 of each year.

1218 50-28-92.

1219 (a) Each licensee shall adopt and adhere to a written, comprehensive policy outlining its
1220 rules governing the acceptance of wagers and payouts. Such policy and rules must be
1221 approved by the commission prior to the acceptance of a wager by a licensee. Such policy
1222 and rules must be readily available to a bettor on the licensee's website.

1223 (b) The commission shall promulgate rules and regulations regarding:

1224 (1) The manner in which a licensee accepts wagers from and issues payouts to bettors,
1225 including payouts in excess of \$10,000.00; and

1226 (2) Requirements for reporting suspicious wagers.

1227 Part 3

1228 50-28-100.

1229 (a) Except as provided in subsection (b) of this Code section, a licensee may use any data
1230 source for determining the results of any tier 1 sports wager or tier 2 sports wager.

1231 (b)(1) A sports governing body or sporting events operator with headquarters located in
1232 the United States may notify the commission that it desires licensees to use official league
1233 data or official event data, respectively, for determining the results of tier 2 sports wagers.

1234 A notification under this subsection shall be made in the form and manner as the
1235 commission shall require through rules and regulations. The commission shall notify
1236 each licensee within five days after receipt of such notification from a sports governing
1237 body or sporting events operator. If a sports governing body or sporting events operator
1238 does not notify the commission of its desire to supply official league data or official event
1239 data, a licensee may use any data source approved by the commission for determining the

1240 results of any tier 2 wagers on sporting events of that sports governing body or sporting
1241 events operator.

1242 (2) Within 60 days after the commission notifies each licensee of the desire of a sports
1243 governing body or sporting events operator to require official league data or official event
1244 data as provided under paragraph (1) of this subsection, each such licensee shall be
1245 required to use only official league data or official event data, as applicable, to determine
1246 the results of tier 2 sports wagers on sporting events sanctioned by such sports governing
1247 body or sporting events operator, except when:

1248 (A) The sports governing body or sporting events operator, or a designee of such sports
1249 governing body or sporting events operator, is unable to provide a feed of official
1250 league data or official event data to determine the results of a particular type of tier 2
1251 sports wager, in which case licensees may use any data source for determining the
1252 results of the applicable tier 2 sports wager until the data feed becomes available on
1253 commercially reasonable terms; or

1254 (B) A licensee is able to demonstrate to the commission that the sports governing body
1255 or sporting events operator, or a designee of such sports governing body or sporting
1256 events operator, will not provide a feed of official league data or official event data to
1257 the licensee on commercially reasonable terms.

1258 (3) The commission may consider the following factors in evaluating whether official
1259 league data or official event data is being provided by the sports governing body or
1260 sporting events operator on commercially reasonable terms:

1261 (A) The availability of official league data of a sports governing body or the official
1262 event data of a sporting events operator on tier 2 sports wagers to a licensee from more
1263 than one authorized source;

1264 (B) Market information regarding the purchase of comparable data by licensees for the
1265 purpose of settling sports wagers, for use in this state or other jurisdictions;

1266 (C) The nature and quantity of data, including the quality and complexity of the
1267 process used for collecting such data; and

1268 (D) The extent to which sports governing bodies or sporting events operators, or
1269 designees of sports governing bodies or sporting events operators, have made available
1270 to licensees the data used to determine the results of tier 2 sports wagers.

1271 (4) While the commission is determining whether a feed of official league data or official
1272 event data has been provided on commercially reasonable terms pursuant to paragraph (3)
1273 of this subsection, a licensee may use any data source for determining the results of any
1274 tier 2 sports wagers.

1275 (5) The commission shall make a determination under paragraph (3) of this subsection
1276 within 120 days after the licensee notifies the commission that it desires to demonstrate
1277 that the sports governing body or sporting events operator, or a designee of such sports
1278 governing body or sporting events operator, will not provide a feed of official league data
1279 or official event data to such licensee on commercially reasonable terms.

1280 ARTICLE 4

1281 Part 1

1282 50-28-110.

1283 Members of the commission or designated employees thereof may, during normal business
1284 hours, enter the premises of any facility of a licensee, or a third party utilized by the
1285 licensee to operate and conduct business in accordance with this chapter, for the purpose
1286 of inspecting books and records kept as required by this chapter to ensure that the licensee
1287 is in compliance with this chapter or to make any other inspection of the premises
1288 necessary to protect the public interests of this state and its consumers.

1289 50-28-111.

1290 (a) The commission, licensees, commission vendors, and vendors shall use commercially
1291 reasonable efforts to cooperate with investigations conducted by any sports governing
1292 body, any sporting events operator, and law enforcement agencies, including, but not
1293 limited to, using commercially reasonable efforts to provide or facilitate the provision of
1294 anonymized account level betting information and audio or video files relating to
1295 individuals placing wagers. All disclosures under this Code section shall be subject to the
1296 obligation of a sports betting licensee to comply with all federal, state, and local laws and
1297 rules and regulations relating to privacy and personally identifiable information.

1298 (b) Licensees shall promptly report to the commission any information relating to:

1299 (1) Criminal or disciplinary proceedings commenced against the licensee in connection
1300 with its operations;

1301 (2) Abnormal betting activity or patterns that may indicate a concern with the integrity
1302 of a sporting event;

1303 (3) Any potential breach of the internal rules and codes of conduct of a sports governing
1304 body or sporting events operator pertaining to sports betting to the extent that such rules
1305 or codes of conduct are provided to the licensee by the sports governing body or sporting
1306 events operator or are otherwise known to the licensee;

1307 (4) Conduct that corrupts the betting outcome of a sporting event for purposes of
1308 financial gain, including match fixing; and

1309 (5) Suspicious or illegal betting activities, including cheating, use of funds derived from
1310 illegal activity, wagers to conceal or launder funds derived from illegal activity, use of
1311 agents to place wagers, and use of false identification.

1312 (c) Licensees shall as soon as is practicable report any information relating to conduct
1313 described in paragraphs (2) through (4) of subsection (b) of this Code section to the
1314 commission.

1315 (d) Licensees shall use commercially reasonable efforts to maintain, in real time and at the
1316 account level, anonymized information regarding a bettor; the amount and type of bet; the
1317 time the bet was placed; the location of the bet, including the internet protocol address if
1318 applicable; the outcome of the bet; and records of abnormal betting activity. The
1319 commission may request such information in the form and manner as required by rules and
1320 regulations of the commission. For purposes of this subsection, the term 'real time' means
1321 on a commercially reasonable periodic interval.

1322 (e) All records, documents, and information received by the commission pursuant to this
1323 Code section shall be considered investigative records of a law enforcement agency, shall
1324 not be subject to Article 4 of Chapter 18 of this title, and shall not be released under any
1325 condition without the permission of the person providing such records, documents, or
1326 information.

1327 (f) Nothing in this Code section shall require a sports betting licensee to provide any
1328 information that is prohibited by federal, state, or local laws or rules and regulations,
1329 including, without limitation, laws and rules and regulations relating to privacy and
1330 personally identifiable information.

1331 (g) If a sports governing body or sporting events operator has notified the commission that
1332 real-time information sharing for wagers placed on its sporting events is necessary and
1333 desirable and the commission determines it is necessary so as to further the goals of this
1334 chapter, licensees shall share the same information with the sports governing body or
1335 sporting events operator, or a designee of such sports governing body or sporting events
1336 operator, with respect to wagers on its sporting events. A sports governing body or
1337 sporting events operator, or a designee, shall only use information received under this
1338 subsection for integrity-monitoring purposes and shall not use such information for any
1339 other purpose. Nothing in this subsection shall require a licensee to provide any
1340 information that is prohibited by federal, state, or local laws, rules, or regulations.

1341 including, but not limited to laws, rules, or regulations relating to privacy and personally
1342 identifiable information.

1343 50-28-112.

1344 The commission shall assist in any investigations by law enforcement to determine
1345 whether:

1346 (1) A licensee is accepting wagers from minors or other persons ineligible to place
1347 wagers in this state; and

1348 (2) An individual is unlawfully accepting wagers from another individual without a
1349 license or at a location in violation of this chapter.

1350 Part 2

1351 50-28-120.

1352 (a) The commission may investigate and conduct a hearing with respect to a licensee upon
1353 information and belief that the licensee has violated this chapter or upon the receipt of a
1354 credible complaint from any person that a licensee has violated this chapter. The
1355 commission shall conduct investigations and hearings in accordance with rules and
1356 regulations adopted by the commission.

1357 (b) If the commission determines that a licensee has violated any provision of this chapter
1358 or any rules and regulations of the commission, the commission may suspend, revoke, or
1359 refuse to renew a license; impose an administrative fine not to exceed \$25,000.00 per
1360 violation; or both.

1361 (c) The commission shall promulgate rules and regulations establishing a schedule of
1362 administrative fines that may be assessed in accordance with subsection (b) of this Code
1363 section for each violation of this chapter; provided, however, if the commission finds that:

- 1364 (1) A licensee is accepting wagers from minors or other persons ineligible to place
1365 wagers in this state, the commission shall impose a fine against the licensee as follows:
1366 (A) For a first offense, \$1,000.00;
1367 (B) For a second offense, \$2,000.00; and
1368 (C) For a third or subsequent offense, \$5,000.00; or
1369 (2) An individual is unlawfully accepting wagers from another individual without a
1370 license, the commission shall impose a fine against the individual as follows:
1371 (A) For a first offense, \$10,000.00;
1372 (B) For a second offense, \$15,000.00; and
1373 (C) For a third or subsequent offense, \$25,000.00.
1374 (d) The commission may refer conduct that it reasonably believes is a violation of
1375 Article 2 of Chapter 12 of Title 16 to the appropriate law enforcement agency.

1376 50-28-121.

- 1377 (a) Fines assessed under this chapter shall be accounted for separately for use by the
1378 commission in a manner consistent with rules and regulations of the commission.
1379 (b) The commission may issue subpoenas to compel the attendance of witnesses and the
1380 production of relevant books, accounts, records, and documents for purposes of carrying
1381 out its duties under this chapter.

1382 50-28-122.

- 1383 (a) A licensee or other individual aggrieved by a final decision or action of the commission
1384 may appeal such decision or action to the Superior Court of Fulton County.
1385 (b) The Superior Court of Fulton County shall hear appeals from decisions or actions of
1386 the commission and, based upon the record of the proceedings before the commission, may
1387 reverse the decision or action of the commission only if the appellant proves the decision
1388 or action to be:

1413 (c) Costs shall not be taxed against the commission or this state for actions brought under
1414 this chapter. Reserved."

1415 **PART III**
1416 **SECTION 3-1.**

1417 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
1418 amended by revising paragraph (55) of Code Section 48-8-3, relating to exemptions from
1419 state sales and use tax, as follows:

1420 "(55) The sale of lottery tickets authorized by Chapter 27 of Title 50 or wagers
1421 authorized by Chapter 28 of Title 50;"

1422 **PART IV**
1423 **SECTION 4-1.**

1424 This Act shall become effective on January 1, 2023, following the ratification of an
1425 amendment to the Constitution of Georgia providing for lotteries, bingo games, raffles, sports
1426 betting, and other forms of betting and gambling; provided, however, to the extent this Act
1427 conflicts with law in effect at the time of ratification, this Act and such amendment shall
1428 control, and to the extent such law is not in conflict, the law in effect at the time of
1429 ratification shall control and shall remain in full force and effect. If such amendment is not
1430 so ratified, then this Act shall stand automatically repealed.

1431 **SECTION 4-2.**
1432 All laws and parts of laws in conflict with this Act are repealed.