

Senate Bill 543

By: Senators Brass of the 28th and Hodges of the 3rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 2 of Chapter 12 of Title 16 of the Official Code of Georgia
2 Annotated, relating to bingo, so as to change certain provisions relating to bingo games
3 operated by nonprofit, tax-exempt organizations; to remove certain limitations regarding
4 premises on which such bingo games may be held; to change certain provisions relating to
5 the prizes and proceeds of such bingo games; to provide for related matters; to provide for
6 effective dates; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 2 of Article 2 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated,
10 relating to bingo, is amended by revising Code Section 16-12-57, relating to restrictions as
11 to ownership of premises utilized, as follows:

12 "16-12-57.

13 Bingo games shall be operated only on premises owned by the nonprofit, tax-exempt
14 organization operating the bingo game, on property leased by the nonprofit, tax-exempt
15 organization and used regularly by that organization for purposes other than the operation

16 of a bingo game, or on property leased by the nonprofit, tax-exempt organization operating
17 the bingo game from another nonprofit, tax-exempt organization."

18 **SECTION 2.**

19 Said part is further amended by revising Code Section 16-12-60, relating to rules and
20 regulations, as follows:

21 "16-12-60.

22 (a) A licensee that conducts or operates a bingo session shall maintain the following
23 records for at least three years from the date on which the bingo session is conducted:

24 (1) An itemized list of the gross receipts for each session;

25 (2) An itemized list of all expenses other than prizes that are incurred in the conducting
26 of the bingo session as well as the name of each person to whom the expenses are paid
27 and a receipt for all of the expenses;

28 (3) A list of all prizes awarded during the bingo session and the name and address of all
29 persons who are winners of prizes of \$50.00 or more in value;

30 (4) An itemized list of the recipients other than the licensee of the proceeds of the bingo
31 game, including the name and address of each recipient to whom such funds are
32 distributed; and

33 (5) A record of the number of persons who participate in any bingo session conducted
34 by the licensee.

35 (b) A licensee shall:

36 (1) Own all the equipment used to conduct a bingo game or lease such equipment;

37 (2) Display its bingo license conspicuously at the location where the bingo game is
38 conducted;

39 (3) Conduct bingo games only at the ~~single~~ location or locations specified in the
40 licensee's application; and

41 (4) Not conduct more than ~~one~~ three bingo session sessions during any one calendar day,
42 which provided that each session shall not exceed five hours.

43 ~~(c) No nonprofit, tax-exempt organization shall enter into any contract with any individual,~~
44 ~~firm, association, or corporation to have such individual, firm, association, or corporation~~
45 ~~operate bingo games or concessions on behalf of the nonprofit, tax-exempt organization.~~

46 ~~(d)~~ A nonprofit, tax-exempt organization shall not lend its name nor allow its identity to
47 be used by any individual, firm, association, or corporation in the operating or advertising
48 of a bingo game in which said nonprofit, tax-exempt organization is not directly and solely
49 operating the bingo game.

50 ~~(e) It shall be unlawful for two or more nonprofit, tax-exempt organizations which are~~
51 ~~properly licensed pursuant to this part to operate bingo games jointly or to operate bingo~~
52 ~~games upon the same premises during any 18 hour period.~~

53 ~~(f)~~(d) It shall be unlawful to award prizes in excess of ~~\$3,000.00~~ \$6,000.00 in cash or gifts
54 of equivalent value during any calendar week. It shall be unlawful to exceed such
55 limitation at any combination of locations operated by a single licensee or such licensee's
56 agents or employees. It shall be unlawful for two or more licensees to pyramid the
57 valuation of prizes in such manner as to exceed the limitation contained in this Code
58 section. The term 'equivalent value' shall mean the fair market value of the gift on the date
59 the gift is given as the prize in a bingo game.

60 ~~(g)~~(e) No person or organization by whatever name or composition thereof shall ~~take any~~
61 ~~salary, expense money, or fees for the operation of any bingo game, except that not more~~
62 ~~than \$30.00 per day may be paid to one or more individuals for assisting in the conduct of~~
63 ~~such games on such day~~ receive any of the proceeds of a bingo game; provided, however,
64 that a commercially reasonable amount may be paid for the skill and tasks required for
65 operating a bingo game; provided, further, that such amount is a fixed sum or fixed hourly
66 rate agreed upon in advance and not determined as a percentage of the proceeds.

67 ~~(h)(f)~~ No person shall pay consulting fees to any person for any services performed in
68 relation to the operation or conduct of a bingo game.

69 ~~(i)(g)~~ A person who is a member of more than one nonprofit, tax-exempt organization
70 shall be permitted to participate in the bingo operations of only two organizations of which
71 such person is a member; provided, however, that such person shall not receive ~~more than~~
72 ~~\$30.00 per day~~ any payment or proceeds in violation of subsection (e) of this Code section
73 for assisting in the conduct of bingo games regardless of whether such person assists both
74 organizations in the same day."

75 **SECTION 3.**

76 For purposes of proposing rules and regulations, this Act shall become effective upon its
77 approval by the Governor or upon its becoming law without such approval. For all other
78 purposes, this Act shall become effective on July 1, 2024.

79 **SECTION 4.**

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