

The House Committee on Regulated Industries offers the following substitute to HB 570:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,  
2 so as to provide for pari-mutuel wagering on horse racing, casino gaming, and sports betting  
3 in this state under certain conditions; to provide for definitions; to provide for the creation  
4 of Georgia Gaming Commission and Georgia Gaming Control Board; to provide for their  
5 respective memberships, powers, duties, and responsibilities; to provide for the Pari-mutuel  
6 Betting, Casino Gambling, and Sports Betting Proceeds Account; to provide for legislative  
7 intent; to provide for procedures, limitations, requirements, qualifications, and licensing; to  
8 provide for violations and penalties; to provide for related matters; to provide for a  
9 contingent effective date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 style="text-align:center">**SECTION 1.**

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

14 style="text-align:center">"CHAPTER 41  
15 style="text-align:center">ARTICLE 1

16 50-41-1.

17 Horse racing with pari-mutuel betting and casino gaming as licensed and regulated by the  
18 Georgia Gaming Commission shall be legal in the State of Georgia as provided in this  
19 chapter. Except as provided for the Georgia Lottery Corporation in Chapter 27 of this title,  
20 sports betting shall be legal only for those entities licensed and regulated by the Georgia  
21 Gaming Commission.

22 50-41-2.

23 Unless another meaning is required by the context, as used in this chapter, the term:

- 24 (1) 'Board' means the Georgia Gaming Control Board.
- 25 (2) 'Commission' means the Georgia Gaming Commission.
- 26 (3) 'Drug' means:
- 27 (A) Articles or substances recognized in the official United States Pharmacopoeia,
- 28 official National Formulary, the official Homeopathic Pharmacopoeia of the United
- 29 States, or any supplement to any such titles;
- 30 (B) Articles or substances intended for use in the diagnosis, cure, mitigation, treatment,
- 31 or prevention of disease in humans or animals;
- 32 (C) Articles or substances, other than food, intended to affect the structure or any
- 33 function of the body of humans or animals; or
- 34 (D) Articles or substances intended for use as a component of any article or substance
- 35 specified in subparagraph (A), (B), or (C) of this paragraph.
- 36 Such term shall not include devices or their components, parts, or accessories. The
- 37 commission shall by regulation define and designate those drugs the use of which is
- 38 prohibited or restricted.
- 39 (4) 'Horse racing' or 'horse race' means a competition on a set course involving a race
- 40 between horses on which pari-mutuel wagering is permitted.
- 41 (5) 'Pari-mutuel wagering' means the system of wagering on horse races in which those
- 42 who wager on horses that finish in the position or positions for which wagers are taken
- 43 share in the total amounts wagered, plus any amounts provided by an unlimited licensee,
- 44 less deductions required or permitted by law, and includes pari-mutuel wagering on
- 45 simulcast horse racing originating within the State of Georgia or from any other
- 46 jurisdiction.
- 47 (6) 'Person' means any individual, group of individuals, firm, company, corporation,
- 48 partnership, business, trust, association, or other legal entity.
- 49 (7) 'Racetrack' or 'track' means an outdoor course located in the State of Georgia which
- 50 is laid out for horse racing and is licensed by the commission.
- 51 (8) 'Satellite facility' means all areas of the property at which simulcast horse racing is
- 52 received for the purposes of pari-mutuel wagering and shall also include any additional
- 53 areas designated by the commission.
- 54 (9) 'Simulcast horse racing' means the simultaneous transmission of the audio or video
- 55 portion, or both, of horse races from a licensed horse racetrack or satellite facility to
- 56 another licensed horse racetrack or satellite facility, regardless of state of licensure,
- 57 whether such races originate within the State of Georgia or any other jurisdiction, by
- 58 satellite communication devices, television cables, telephone lines, or any other means
- 59 for the purposes of conducting pari-mutuel wagering.

60 50-41-3.

61 (a) There is hereby created the Georgia Gaming Commission. The commission shall be  
62 composed of five commissioners appointed in accordance with this Code section. Each  
63 commissioner shall be a citizen of the United States, shall have been a legal resident of this  
64 state for at least three years immediately preceding the date of his or her nomination, and  
65 shall remain a legal resident of this state throughout his or her tenure as a commissioner.  
66 A commissioner shall not own any interest whatsoever in any entity licensed or regulated  
67 by the commission nor shall a commissioner be employed by or perform any work for any  
68 entity licensed or regulated by the commission. A commissioner shall not hold any  
69 appointed or elected office of the state or any of its political subdivisions and a  
70 commissioner shall not be an officer of any political party or body.

71 (b) Three commissioners shall be nominated by the Governor and confirmed by majority  
72 vote of both houses of the General Assembly. One commissioner shall be nominated by  
73 the Speaker of the House of Representatives and confirmed by a majority vote of the  
74 Senate. One commissioner shall be nominated by the President of the Senate and  
75 confirmed by a majority vote of the House of Representatives. Except for the initial  
76 appointments under this Code section, each commissioner shall serve a term of six years  
77 and until his or her respective successor is nominated and confirmed. In making his or her  
78 initial nominations, the Governor shall designate the terms of the nominees. One nominee  
79 of the Governor shall be for a term of office beginning July 1, 2021, and ending  
80 June 30, 2023, and upon the nomination and confirmation of his or her successor,  
81 whichever is later. One nominee of the Governor shall be for a term of office beginning  
82 July 1, 2021, and ending June 30, 2025, and upon the nomination and confirmation of his  
83 or her successor, whichever is later. One nominee of the Governor shall be for a term of  
84 office beginning July 1, 2021, and ending June 30, 2027, and upon the nomination and  
85 confirmation of his or her successor, whichever is later. The initial nominee of the Speaker  
86 of the House of Representatives shall be for a term of office beginning July 1, 2021, and  
87 ending June 30, 2027, and upon the nomination and confirmation of his or her successor,  
88 whichever is later. The initial nominee of the President of the Senate shall be for a term  
89 of office beginning July 1, 2021, and ending June 30, 2025, and upon the nomination and  
90 confirmation of his or her successor, whichever is later. All successors to such initial  
91 appointees shall serve terms of six years and until their respective successors are nominated  
92 and confirmed. A commissioner shall be eligible to serve only two consecutive terms of  
93 office. A partial term of office of three years or more shall constitute a term of office under  
94 this subsection. A partial term of office of less than three years shall not count as a term  
95 of office.

96 (c) A commissioner may resign at any time by submitting his or her resignation to the  
97 officer by which he or she was nominated. Vacancies shall be filled for the unexpired term  
98 of office by nomination by the officer by whom the original commissioner was nominated  
99 and conformed by the same body which confirmed the original commissioner. If the  
100 General Assembly is in session at the time of the nomination, the nomination shall be  
101 immediately submitted to the appropriate body for confirmation. In the event that the  
102 General Assembly is not in session at the time of the nomination, the nominee may serve  
103 temporarily until the adjournment of the next session of the General Assembly, whether  
104 regular or extraordinary. If the nominee is not confirmed at that session, such nominee's  
105 term shall end upon the adjournment of the General Assembly session and the nominating  
106 authority shall nominate some other person to fill such vacancy who may serve temporarily  
107 in accordance with the provisions of this subsection. If the nominee is confirmed, the  
108 nominee shall serve out the unexpired term of the commissioner whose vacancy is being  
109 filled. No vacancy in the membership of the commission shall impair the right of the  
110 members to exercise all of the powers and platform all the duties of the commission.

111 (d) Each commissioner shall receive the same daily expense allowance as members of the  
112 General Assembly as provided in subsection (b) of Code Section 45-7-21 for each day or  
113 part thereof spent in the performance of his or her duties on the commission and in addition  
114 shall be reimbursed for his or her reasonable expenses incurred therein.

115 (e) The commission shall elect from among its members at its first meeting following  
116 July 1 of each year a chairperson and vice chairperson. The chairperson shall preside over  
117 all meetings of the commission and shall sign all documents on behalf of the commission.  
118 The vice chairperson shall act as chairperson in the absence of the chairperson.

119 (f) The commission shall establish and maintain a general business office within this state  
120 for the transaction of the commission's business at a place and location selected by the  
121 commission. The commission shall meet at such times and places within the state as the  
122 commission shall determine. A majority of the commissioners shall constitute a quorum  
123 for the convening of a meeting and the transaction of business; provided, however, that the  
124 performance of any duty or the exercise of any power by the commission shall require a  
125 majority vote of the entire commission. The commission shall be authorized to meet by  
126 teleconference as provided in Code Section 50-1-5.

127 50-41-4.

128 The Georgia Gaming Commission and the Georgia Gaming Control Board and their  
129 respective members and employees in their official capacities shall be represented in all  
130 legal matters by the Attorney General.

131 50-41-5.

132 (a) No commissioner or employee of the Georgia Gaming Commission or the Georgia  
133 Gaming Control Board and no spouse or immediate family member of a commissioner,  
134 board member, or employee of the commission or board shall have any financial interest,  
135 direct or indirect, in any entity licensed or regulated by the commission, in any horse  
136 participating in a race at any facility owned or operated by an entity licensed or regulated  
137 by the commission, or in the operation of any wagering authorized by this chapter. For the  
138 purposes of this Code section, the term 'immediate family member' shall mean any spouse,  
139 parent, child, stepchild, sibling, stepsibling, grandparent, grandchild, cousin, niece,  
140 nephew, son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law,  
141 sister-in-law, aunt, or uncle of the individual.

142 (b) No commissioner or employee of the Georgia Gaming Commission or the Georgia  
143 Gaming Control Board and no spouse of immediate family member of a commissioner,  
144 board member, or employee of the commission or board shall make any contribution to a  
145 candidate for office or officeholders at the state or local level or cause a contribution to be  
146 made on his or her behalf.

147 50-41-6.

148 The Georgia Gaming Commission shall have all powers and duties necessary to carry out  
149 the provisions of this chapter and to exercise the control of pari-mutuel wagering on horse  
150 racing, casino gaming, and sports betting in this state as authorized and allowed by this  
151 chapter. Such powers and duties shall include, but shall not be limited to, the following:

152 (1) The commission shall be vested with the jurisdiction and supervision over all horse  
153 racing with pari-mutuel betting, casino gaming, and sports betting, except sports betting  
154 as otherwise authorized for the Georgia Lottery Corporation, authorized and permitted  
155 under this chapter;

156 (2) The commission shall be vested with the jurisdiction and supervision of all persons  
157 conducting, participating in, or attending any horse race with pari-mutuel betting and  
158 shall, through the Georgia Gaming Control Board, employ such persons as necessary to  
159 be present at such races to ensure that such races are conducted with order and the highest  
160 degree of integrity. Such employees shall be authorized to eject or exclude from the  
161 racing facility or any part thereof any person, whether licensed or not, who conduct or  
162 reputation is such that his or her presence may, in the opinion of the Georgia Gaming  
163 Commission, the Georgia Gaming Control Board, or the designated employees of the  
164 commission, reflect adversely on the honest and integrity of the race or interfere with the  
165 orderly conduct of the race;

166 (3) The commission shall be vested with the jurisdiction and supervision of all persons  
167 conducting, participating in, or attending any facility with casino gaming and shall,  
168 through the Georgia Gaming Control Board, employ such persons as necessary to be  
169 present at such races to ensure that such gaming is conducted with order and the highest  
170 degree of integrity. Such employees shall be authorized to eject or exclude from the  
171 gaming facility or any part thereof any person, whether licensed or not, who conduct or  
172 reputation is such that his or her presence may, in the opinion of the Georgia Gaming  
173 Commission, the Georgia Gaming Control Board, or the designated employees of the  
174 commission, reflect adversely on the honest and integrity of the casino gaming or  
175 interfere with the orderly conduct of the casino gaming;

176 (4) Except as otherwise provided for the Georgia Lottery Corporation, the commission  
177 shall be vested with the jurisdiction and supervision of all persons conducting,  
178 participating in, or attending any facility with sports betting and shall, through the  
179 Georgia Gaming Control Board, employ such persons as necessary to ensure that such  
180 sports betting is conducted with order and the highest degree of integrity. Such  
181 employees shall be authorized to eject or exclude from the sports betting facility or any  
182 part thereof any person, whether licensed or not, who conduct or reputation is such that  
183 his or her presence may, in the opinion of the Georgia Gaming Commission, the Georgia  
184 Gaming Control Board, or the designated employees of the commission, reflect adversely  
185 on the honest and integrity of the sports betting or interfere with the orderly conduct of  
186 the sports betting;

187 (5) The commission and its representatives and employees shall visit, investigate, and  
188 have free access to the office, racetrack, casino, facility, satellite facility, and all places  
189 of business of any license or permit holder under this chapter and may compel the  
190 production of any of books, ledgers, documents, records, memoranda, or other  
191 information of any licensee or permit holder for the purpose of satisfying itself that this  
192 chapter and its rules and regulations are being complied with strictly. In addition, the  
193 commission may require the production of an annual balance sheet and operating  
194 statement of any person licensed or granted a permit pursuant to this chapter and may  
195 require the production of any contract to which such person is or may be a party;

196 (6) The commission shall promulgate such rules and regulations as it deems necessary  
197 and proper pursuant to Chapter 13 of this title, the 'Georgia Administrative Procedure  
198 Act,' to administer the provisions of this chapter;

199 (7) The commission may issue subpoenas for the attendance of witnesses before it,  
200 administer oaths, and compel production of records or other documents and testimony of  
201 witnesses whenever, in the judgment of the commission, it is necessary to do so for the  
202 effectual discharge of its duties;

203 (8) The commission may compel any person licensed or permitted by the commission  
204 to file with the commission such data as shall appear to the commission to be necessary  
205 for the performance of the duties of the commission, including, but not limited to,  
206 financial statements and information relative to stockholders and all others with a  
207 pecuniary interest in such person;

208 (9) The commission may prescribe the manner in which books and records of persons  
209 licensed or permitted by the commission shall be kept;

210 (10) The commission may enter into arrangements with any foreign or domestic  
211 government or governmental agency for the purposes of exchanging information or  
212 performing any other act to better ensure the proper conduct of wagering or gaming under  
213 this chapter;

214 (11) The commission shall annually on or before January 1 of each year report to the  
215 Governor, the President of the Senate, and the Speaker of the House of Representatives  
216 on its operations and include a financial statement of the operation of the commission;

217 (12) The commission shall order such audits, in addition to those otherwise required by  
218 this chapter, as it deems necessary and desirable;

219 (13) The commission shall upon the receipt of a complaint of an alleged criminal  
220 violation of this chapter immediately report the complaint to the Attorney General for  
221 appropriate action;

222 (14) The commission shall provide for the withholding of the applicable amount of state  
223 and federal income tax of persons claiming a prize or payoff for a winning wager and  
224 shall establish the thresholds for such withholdings;

225 (15) The commission shall establish and administer a program for providing assistance  
226 to compulsive gamblers, including, but not limited to, requiring the posting in  
227 conspicuous places in facilities at which wagering is conducted a sign which bears a  
228 toll-free number for Gamblers Anonymous or any other organization which provides  
229 assistance to compulsive gamblers;

230 (16) The commission and its representatives and employees may, during regular or usual  
231 business hours within any facility at which wagering or gaming takes place or within any  
232 facility at which horse races are conducted or any facility related to the conduct of horse  
233 racing, subject:

234 (A) Any licensee or permit holder under this chapter to personal inspections, including  
235 alcohol and drug testing for illegal drugs, inspection of personal property, and  
236 inspections of other property or premises under the control of such licensee or permit  
237 holder; and

238 (B) Any horse eligible to race at a race meeting licensed or permitted by the  
 239 commission to testing for substances foreign to the natural horse within the racetrack  
 240 enclosure or other place where such horse is kept;

241 (17) The commission may provide for temporary licenses or permit under limited  
 242 conditions;

243 (18) The commission may review and approve, reject, or modify any conditions imposed  
 244 by local government entities on the construction, maintenance, or improvement of any  
 245 racetrack for horse racing or any facility for casino gaming;

246 (19) The commission shall appoint and employ such other employees as it deems  
 247 essential to perform its duties under this chapter who shall possess such authority and  
 248 perform such duties as the commission shall prescribe or delegate to them under the  
 249 supervision of the Georgia Gaming Control Board. Such employees may include  
 250 stewards, chemists, veterinarians, inspectors, accountants, guards, and such other  
 251 employees deemed by the commission to be necessary for the supervision and proper  
 252 conduct of the highest standard of horse racing, casino gaming, and sports betting. Such  
 253 employees shall be compensated as provided by the commission;

254 (20) The commission shall keep a true and full record of all proceedings of the  
 255 commission and preserve at the commission's general office all books, documents, and  
 256 papers of the commission; and

257 (21) The employees of the commission under the supervision and control of the Georgia  
 258 Gaming Control Board acting as racing officials to oversee the conduct of horse racing  
 259 at licensed racetracks and simulcast horse racing at satellite facilities shall enforce the  
 260 commission's rules and regulations and the provisions of this chapter and shall have  
 261 authority to interpret the commission's regulations and to decide all questions of racing  
 262 not specifically covered by the rules and regulations of the commission. Nothing in this  
 263 subsection shall limit the authority of the commission to carry out the provisions of this  
 264 chapter and to exercise control of horse racing, casino gaming, and sports betting,  
 265 including the power to review all decisions and rulings of such employees.

266 50-41-7.

267 (a) There is created the Georgia Gaming Control Board. The board shall be composed of  
 268 three members appointed in accordance with this Code section. Each board member shall  
 269 be a citizen of the United States, shall have been a legal resident of this state for at least  
 270 three years immediately preceding the date of his or her nomination, and shall remain a  
 271 legal resident of this state throughout his or her tenure as a board member. A board  
 272 member shall not own any interest whatsoever in any entity licensed or regulated by the  
 273 commission nor can a board member be employed by or perform any work for any entity



274 licensed or regulated by the commission. A board member shall not hold any appointed  
275 or elected office of the state or any of its political subdivisions and a board member shall  
276 not be an officer of any political party or body. One board member shall be an active  
277 member in good standing of the State Bar of Georgia, one board member shall be a  
278 certified public accountant, and one board member shall be a person with at least five years'  
279 experience in the field of investigation, law enforcement, or gaming.

280 (b) The three board members shall be nominated by the Governor and confirmed by  
281 majority vote of both houses of the General Assembly. Except for the initial appointments  
282 under this Code section, each board member shall serve a term of six years and until his or  
283 her respective successor is nominated and confirmed. In making his or her initial  
284 nominations, the Governor shall designate the terms of the nominees. One nominee of the  
285 Governor shall be for a term of office beginning July 1, 2021, and ending June 30, 2023,  
286 and upon the nomination and confirmation of his or her successor, whichever is later. One  
287 nominee of the Governor shall be for a term of office beginning July 1, 2021, and ending  
288 June 30, 2025, and upon the nomination and confirmation of his or her successor,  
289 whichever is later. One nominee of the Governor shall be for a term of office beginning  
290 July 1, 2021, and ending June 30, 2027, and upon the nomination and confirmation of his  
291 or her successor, whichever is later. All successors to such initial appointees shall serve  
292 terms of six years and until their respective successors are nominated and confirmed. A  
293 board member shall be eligible to serve only two consecutive terms of office. A partial  
294 term of office of three years or more shall constitute a term of office under this subsection.  
295 A partial term of office of less than three years shall not count as a term of office.

296 (c) A board member may resign at any time by submitting his or her resignation to the  
297 Governor. Vacancies shall be filled for the unexpired term of office by nomination by the  
298 Governor and confirmed by both houses of the General Assembly. If the General  
299 Assembly is in session at the time of the nomination, the nomination shall be immediately  
300 submitted to the appropriate body for confirmation. In the event that the General Assembly  
301 is not in session at the time of the nomination, the nominee may serve temporarily until the  
302 adjournment of the next session of the General Assembly, whether regular or extraordinary.  
303 If the nominee is not confirmed at that session, such nominee's term shall end upon the  
304 adjournment of the General Assembly session and the Governor shall nominate some other  
305 person to fill such vacancy who may serve temporarily in accordance with the provisions  
306 of this subsection. If the nominee is confirmed, the nominee shall serve out the unexpired  
307 term of the board member whose vacancy is being filled.

308 (d) Each board member shall receive a salary in an amount set by the Georgia Gaming  
309 Commission. In addition, each board member shall be reimbursed for his or her reasonable  
310 expenses incurred in the performance of his or her duties.

311 (e) The board shall elect from among its members at its first meeting following July 1 of  
312 each year a chairperson and vice chairperson. The chairperson shall preside over all  
313 meetings of the board and shall sign all documents on behalf of the board. The vice  
314 chairperson shall act as chairperson in the absence of the chairperson.

315 (f) The board shall establish and maintain a general business office within this state for the  
316 transaction of the board's business at a place and location selected by the Georgia Gaming  
317 Commission. The board shall meet at such times and places within the state as the board  
318 shall determine. A majority of the board shall constitute a quorum for the convening of a  
319 meeting and the transaction of business; provided, however, that the performance of any  
320 duty or the exercise of any power by the board shall require a majority vote of the entire  
321 board.

322 50-41-8.

323 The Georgia Gaming Control Board shall have all powers and duties necessary to  
324 implement and administer on a day-to-day basis the provisions of this chapter and the  
325 policies and rules and procedures of the Georgia Gaming Commission.

326 50-41-9.

327 (a)(1) All application fees, licensing fees, and tax proceeds provided for in this chapter  
328 shall be collected by the commission through the board and its employees.

329 (2) From application fees, licensing fees, and tax proceeds, the commission shall pay the  
330 operating expenses of the commission and the board in performing their duties under this  
331 chapter.

332 (b)(1) The state treasurer shall separately account for net proceeds by establishing and  
333 maintaining a Pari-mutuel Betting, Casino Gambling, and Sports Betting Proceeds  
334 Account within the state treasury. On or before the fifteenth day of each quarter, the  
335 commission shall transfer to the general fund of the state treasury, for credit to  
336 Pari-mutuel Betting, Casino Gambling, and Sports Betting Proceeds Account for the  
337 preceding quarter, the amount of the proceeds of all fees and taxes collected during the  
338 preceding quarter over and above the operating expenses of the commission and the  
339 board in performing their duties under this chapter.

340 (2) Upon their deposit into the state treasury, such moneys shall then become the  
341 unencumbered property of the State of Georgia and shall be invested by the state treasurer  
342 in accordance with state investment practices. All earnings attributable to such  
343 investments shall likewise be the unencumbered property of the state and shall accrue to  
344 the credit of the Pari-mutuel Betting, Casino Gambling, and Sports Betting Proceeds  
345 Account.

346 (c)(1) In the budget report to the General Assembly, as a separate budget category  
 347 entitled 'Pari-mutuel Betting, Casino Gambling, and Sports Betting Proceeds,' the  
 348 Governor shall estimate the amount of net proceeds and treasury earnings thereon to be  
 349 credited to the Pari-mutuel Betting, Casino Gambling, and Sports Betting Proceeds  
 350 Account during the fiscal year and the amount of unappropriated surplus estimated to be  
 351 accrued in the account at the beginning of the fiscal year. The sum of estimated net  
 352 proceeds, treasury earnings thereon, and unappropriated surplus shall be designated  
 353 pari-mutuel betting, casino gambling, and sports betting proceeds.

354 (2) In the budget report, the Governor shall further make specific recommendations as  
 355 to the health care services and health insurance coverage to which such net proceeds shall  
 356 be appropriated. The General Assembly shall appropriate from the Pari-mutuel Betting,  
 357 Casino Gambling, and Sports Betting Proceeds Account by specific reference to it, or by  
 358 reference to 'Pari-mutuel Betting, Casino Gambling, and Sports Betting Proceeds  
 359 Account.' All appropriations of such proceeds to any particular budget unit shall be made  
 360 together in a separate part entitled, identified, administered, and accounted for separately  
 361 as a distinct budget unit for such proceeds. Such appropriations shall otherwise be made  
 362 in the manner required by law for appropriations.

363 (3) It is the intent of the General Assembly that appropriations from the Pari-mutuel  
 364 Betting, Casino Gambling, and Sports Betting Proceeds Account shall be for health care  
 365 services and health insurance purposes and projects only.

366 (4) If, for any health care services or health insurance purpose or program, less is  
 367 appropriated in or during the fiscal year than is authorized, the excess shall be available  
 368 for appropriation the following fiscal year and shall not retain its character as funds for  
 369 the particular purpose.

370 (d) Appropriations for health care services and health insurance purposes and programs  
 371 from the account not committed during the fiscal year shall lapse to the general fund and  
 372 shall be credited to the Pari-mutuel Betting, Casino Gambling, and Sports Betting Proceeds  
 373 Account.

374 (e) Except as qualified by this chapter, appropriations from the Pari-mutuel Betting,  
 375 Casino Gambling, and Sports Betting Proceeds Account shall be subject to Part 1 of  
 376 Article 4 of Chapter 12 of Title 45, the 'Budget Act.'

377 ARTICLE 2

378 50-41-20.

379 (a) No racetrack for horse racing with pari-mutuel wagering or facility for casino gaming  
 380 shall be constructed, established, operated, or licensed under this chapter until a referendum

381 approving pari-mutuel wagering or casino gaming, or both, is held in the county in which  
 382 such racetrack or casino is to be located . Such referendum shall be called and conducted  
 383 by either of the following methods:

384 (1)(A) A petition signed by 5 percent or 5,000, whichever is less, of the qualified  
 385 electors of such county shall be filed with the election superintendent of such county  
 386 requesting that a referendum be held on either or both of the following questions:

387 (i) Whether pari-mutuel wagering shall be permitted at a licensed racetrack in such  
 388 county on horse racing on such days as may be approved by the commission in  
 389 accordance with this chapter; or

390 (ii) Whether casino gaming shall be permitted in such county in accordance with this  
 391 chapter.

392 (B) Such petition shall be in the form specified by the rules and regulations of the  
 393 Georgia Gaming Commission. Each person signing a nomination petition shall declare  
 394 therein that he or she is a duly qualified and registered elector of the county and shall  
 395 in addition to his or her signature add his or her residence address, giving municipality,  
 396 if any, and county, with street and number, if any, and shall be urged to add his or her  
 397 date of birth which shall be used for verification purposes only. No person shall sign  
 398 the same petition more than once. The petition shall also contain at the top of each  
 399 page a statement of the question or questions proposed to be submitted to the electors  
 400 in accordance with this Code section. Each page shall bear on the bottom or back  
 401 thereof the affidavit of the circulator of such page, which shall be subscribed and sworn  
 402 to by such circulator before a notary public and shall set forth:

403 (i) His or her residence address, giving municipality with street and number, if any;

404 (ii) That each signer manually signed his or her own name with full knowledge of the  
 405 contents of the petition; and

406 (iii) That, to the best of the affiant's knowledge and belief, the signers are registered  
 407 electors of the county qualified to sign the petition, that their respective residences are  
 408 correctly stated in the petition, and that they all reside in the county stated on the  
 409 petition.

410 No notary public may notarize a petition which such notary signed as an elector or  
 411 served as a circulator. Any and all pages of a petition that have the circulator's affidavit  
 412 notarized by a notary public who also served as a circulator of one or more pages of the  
 413 petition or who signed one of the pages of the petition as an elector shall be disqualified  
 414 and rejected;

415 (C) Following the filing of such petition, the election superintendent shall verify such  
 416 petition within 90 days following its submission for verification. If such petition is  
 417 found to contain a sufficient number of valid signatures of the qualified electors of the

418 jurisdiction, the election superintendent shall call and conduct a special election in  
 419 accordance with Chapter 2 of Title 21 to submit the referendum question or questions  
 420 to the electors of the jurisdiction. Such election shall be held on the next available day  
 421 under Code Section 21-2-540 that is at least 60 days after the date on which the petition  
 422 is verified but shall not be later than the next general election unless such general  
 423 election is within 60 days of the date on which the petition is verified; or

424 (2) The governing authority by resolution of a majority of the members of the governing  
 425 authority filed with the election superintendent of such county requests that a referendum  
 426 be held on either or both of the following questions:

427 (A) Whether pari-mutuel wagering shall be permitted at a licensed racetrack in such  
 428 county on horse racing on such days as may be approved by the commission in  
 429 accordance with this chapter; or

430 (B) Whether casino gaming shall be permitted in such county in accordance with this  
 431 chapter.

432 (b) The election superintendent of such county, upon verifying the petition required in  
 433 paragraph (1) of subsection (a) of this Code section or upon receipt of the resolution of the  
 434 county governing authority under paragraph (2) of subsection (a) of this Code section, shall  
 435 publish notice of such election in the legal organ of the county once a week for three  
 436 consecutive weeks immediately prior to such election notifying the electors of the county  
 437 of the date and purpose of such special election.

438 (c) Each ballot in such referendum shall contain one or both of the following questions as  
 439 requested in the petition:

440 '( ) YES            Shall pari-mutuel wagering be permitted at a licensed racetrack in

441 ( ) NO             [name of county] on horse racing?'

442 '( ) YES            Shall casino gaming be permitted in [name of county]?

443 ( ) NO'

444 All persons desiring to vote for approval of a question shall vote 'Yes,' and all persons  
 445 desiring to vote for rejection of a question shall vote 'No.' If more than one-half of the  
 446 votes cast on a question are for approval, then such question shall be approved and the  
 447 type of wagering or gaming provided for in such question may be conducted in such  
 448 county. If the question or questions are not so approved or if the election is not  
 449 conducted as provided in this Code section, such question or questions shall not be  
 450 approved. The expense of such election shall be borne by the county. It shall be the  
 451 election superintendent's duty to certify the result thereof to the Secretary of State. No  
 452 such referendum shall be held more often than every three years in the same county. A  
 453 subsequent referendum shall be required if a license for the type of wagering or gaming

454 approved has not been granted for such county by the Georgia Gaming Commission  
455 within five years of the certification of the special election approving such wagering or  
456 gaming.

457 ARTICLE 3

458 50-41-40.

459 (a) Pari-mutuel wagering on horse racing shall be authorized at racetracks and associated  
460 facilities on the same premises in those counties which have approved such wagering in a  
461 referendum conducted pursuant to Article 2 of this chapter and which are licensed by the  
462 Georgia Gaming Commission in accordance with this chapter and the rules and regulations  
463 of the commission.

464 (b) Any person desiring to construct, establish, operate, or own a racetrack facility at  
465 which pari-mutuel wagering on horse racing is to be conducted shall apply to the Georgia  
466 Gaming Commission for a license for such facility.

467 (c) The application for a license shall be in the form prescribed by the commission and  
468 shall not be accepted by the commission unless and until it is complete with all supporting  
469 documentation and information required by the commission by rule and regulation. The  
470 application shall be accompanied by an application fee of \$250,000.00 which shall be  
471 nonrefundable.

472 (d) The commission shall review the application and make a determination of whether to  
473 issue the racetrack facility license within 120 days following the acceptance of the  
474 completed application.

475 (e) A license for a racetrack facility issued by the commission shall be valid for one year  
476 from the date of issuance and may be renewed annually thereafter. The license for a  
477 racetrack facility shall not be issued or renewed until the payment of the annual licensing  
478 fee of \$50,000.00 is received by the commission. The commission shall provide for  
479 appropriate renewal forms for renewal of such licenses.

480 (f) The issuance of a racetrack facility license shall authorize the licensee to conduct  
481 pari-mutuel wagering on horse racing as provided in this article and sports betting as  
482 provided under Article 5 of this chapter. No casino gaming shall be allowed at such facility  
483 unless the facility has a separate casino gaming license issued pursuant to Article 4 of this  
484 chapter.

485 (g) Pari-mutuel wagering on horse racing conducted at such racetrack facility may be done  
486 on live races at such facility or on simulcast horse-racing events from other horse-racing  
487 venues; provided, however, that such facility shall be required to conduct a minimum of  
488 40 race days of live horse racing each year at such facility.

489 50-41-41.

490 (a) The commission shall license all persons who:

491 (1) Have an ownership interest in any horse entered to race in this state;

492 (2) Act as the trainer, jockey, or driver of any horse entered to race in this state;

493 (3) Take part in any horse racing subject to the jurisdiction of the commission or in the  
 494 conduct of a race or pari-mutuel wagering thereon, including, but not limited to, a horse  
 495 owner, trainer, jockey, driver, groom, stable foreman, valet, veterinarian, agent,  
 496 pari-mutuel employee, concessionaire or employee thereof, security officer, and track  
 497 employee; and

498 (4) Any other position the commission deems necessary to regulate and ensure the  
 499 integrity of horse racing and pari-mutuel wagering in Georgia.

500 (b) Such licenses shall be valid for one year from the date of issuance and may be renewed  
 501 annually thereafter. The commission shall establish appropriate fees for the issuance and  
 502 renewal of such licenses.

503 (c) The commission may establish procedures by which licenses or permits from other  
 504 states in which pari-mutuel wagering on horse racing is authorized may be recognized in  
 505 Georgia if the commission in its discretion finds that the laws or requirements of the  
 506 licensing state for background investigations and fingerprinting are substantially the same  
 507 as those in this state.

508 50-41-42.

509 (a) The commission shall impose and collect a tax on pari-mutuel wagering on horse  
 510 racing in this state equal to 10 percent of the adjusted sales amount of pari-mutuel wagers  
 511 at each licensed horse-racing racetrack facility operating in this state. The adjusted sales  
 512 amount shall be the total amount of pari-mutuel wagers sold at such facility minus any  
 513 refunds or cancellations.

514 (b) Such tax shall be remitted quarterly to the commission with such information and  
 515 documentation as the commission shall prescribe.

516 (c) Pari-mutuel wagers shall be exempt from all sales and use taxes in this state.

517 50-41-43.

518 (a) Persons constructing, establishing, operating, or owning racetrack facilities for  
 519 pari-mutuel wagering on horse racing may enter into agreements with local governments  
 520 to make certain infrastructure improvements and donations to certain nonprofit  
 521 organizations that qualify as federal tax exempt organizations under Section 501(c)(3) of  
 522 the federal Internal Revenue Code; provided, however, that any such arrangements are

523 approved by the commission. No other funds may be required from such persons by local  
524 governments without the permission of the commission.

525 (b) No local government shall offer or allow tax abatements or other incentives for a  
526 racetrack facility for pari-mutuel wagering on horse racing to locate, expand, renovate, or  
527 relocate in its jurisdiction.

528 ARTICLE 4

529 50-41-60.

530 (a) Casino gaming shall be authorized at facilities in those counties which have approved  
531 such gaming in a referendum conducted pursuant to Article 2 of this chapter and which are  
532 licensed by the Georgia Gaming Commission in accordance with this chapter and the rules  
533 and regulations of the commission.

534 (b) Any person desiring to construct, establish, operate, or own a facility or casino at  
535 which casino gaming is to be conducted shall apply to the Georgia Gaming Commission  
536 for a license for such facility.

537 (c) The application for a license shall be in the form prescribed by the commission and  
538 shall not be accepted by the commission unless and until it is complete with all supporting  
539 documentation and information required by the commission by rule and regulation. The  
540 application shall be accompanied by an application fee of \$250,000.00 which shall be  
541 nonrefundable.

542 (d) The commission shall review the application and make a determination of whether to  
543 issue the casino gaming license within 120 days following the acceptance of the completed  
544 application.

545 (e) A license for a casino gaming facility issued by the commission shall be valid for one  
546 year from the date of issuance and may be renewed annually thereafter. The license for a  
547 casino gaming facility shall not be issued or renewed until the payment of the annual  
548 licensing fee of \$250,000.00 is received by the commission. The commission shall provide  
549 for appropriate renewal forms for renewal of such licenses.

550 (f) The issuance of a casino gaming license shall authorize the licensee to conduct casino  
551 gaming on the premises as provided in this article and sports betting as provided under  
552 Article 5 of this chapter. No pari-mutuel wagering on horse racing shall be allowed at such  
553 facility unless the facility has a separate pari-mutuel wagering license issued pursuant to  
554 Article 3 of this chapter.

555 50-41-61.

556 (a) The commission shall license all persons who:



557 (1) Have an ownership interest in any casino gaming facility in this state;  
 558 (2) Take part in the conduct or operation of casino gaming, including, but not limited to,  
 559 a dealer, concessionaire or employee thereof, security officer, accounting or internal  
 560 auditing employee, box person, cashier, counting room staff person, machine mechanic,  
 561 casino host, floor person, odds maker or line setter, keno runner or writer, shift or pit  
 562 boss, shill, casino supervisor or manager, ticket writer, and similar individuals involved  
 563 in the conduct or operation of casino gaming, provided that bartenders, cocktail servers,  
 564 waiters and waitresses, and similar food and beverage service employees shall not be  
 565 subject to licensure unless such person is involved with the conduct or operation of casino  
 566 gaming in addition to food and beverage preparation and service; and  
 567 (3) Any other position the commission deems necessary to regulate and ensure the  
 568 integrity of casino gaming in Georgia.

569 (b) Such licenses shall be valid for one year from the date of issuance and may be renewed  
 570 annually thereafter. The commission shall establish appropriate fees for the issuance and  
 571 renewal of such licenses.

572 (c) The commission may establish procedures by which licenses or permits from other  
 573 states in which casino gaming is authorized may be recognized in Georgia if the  
 574 commission in its discretion finds that the laws or requirements of the licensing state for  
 575 background investigations and fingerprinting are substantially the same as those in this  
 576 state.

577 50-41-62.

578 (a) The commission shall impose and collect a tax on casino gaming in this state equal  
 579 to 19 percent of the adjusted gross revenue derived from casino gaming at each licensed  
 580 casino gaming facility operating in this state. The adjusted gross revenue shall be all funds  
 581 received as bets or wagers on casino gaming minus any funds paid out for successful bets  
 582 or wagers.

583 (b) Such tax shall be remitted quarterly to the commission with such information and  
 584 documentation as the commission shall prescribe.

585 (c) Casino gaming wagers and bets shall be exempt from all sales and use taxes in this  
 586 state.

587 50-41-63.

588 (a) Persons constructing, establishing, operating, or owning facilities for casino gaming  
 589 may enter into agreements with local governments to make certain infrastructure  
 590 improvements and donations to certain nonprofit organizations that qualify as federal tax  
 591 exempt organizations under Section 501(c)(3) of the federal Internal Revenue Code;

592 provided, however, that any such arrangements are approved by the commission. No other  
 593 funds may be required from such persons by local governments without the permission of  
 594 the commission.

595 (b) No local government shall offer or allow tax abatements or other incentives for a  
 596 casino gaming facility to locate, expand, renovate, or relocate in its jurisdiction.

597 (c) Except as otherwise provided by local ordinance, no local government shall provide  
 598 for or permit any casino gaming facility to have different treatment from other business  
 599 establishments within the jurisdiction of the local government with regard to conditions  
 600 with respect to the regulation of alcohol sales and use and smoking on the premises,  
 601 including hours of permitted activities.

602 50-41-64.

603 (a) No license shall be issued or renewed for a casino gaming facility unless such casino  
 604 gaming facility is a part of a mixed use development consisting of a combination of various  
 605 tourism amenities and facilities, such as, but not limited to, hotels, spas, villas, restaurants,  
 606 gaming facilities, convention and meeting facilities, attractions, entertainment facilities,  
 607 service centers, residential developments, and shopping centers.

608 (b) No license shall be issued or renewed for a casino gaming facility unless the applicant  
 609 can demonstrate to the satisfaction of the commission that the facility shall:

610 (1) Be not less than 100 acres in size or be located on a lake of not less than 2,500 acres;

611 (2) Where required, have zoning which is appropriate to the planned uses and plans  
 612 which are consistent with other land use regulations; and

613 (3) Provide for at least three of the following criteria:

614 (A) Include one or more regulation 18 hole golf courses, with a clubhouse providing  
 615 food service, or have a commercial boat marina of not less than 300 boat slips, with a  
 616 facility providing food service;

617 (B) Include a full-service restaurant with minimum seating for 75 or more persons;

618 (C) Include at least 100 residential units;

619 (D) Include at least 200 rooms for overnight stays; or

620 (E) Include conference facilities with capacity for 150 participants.

621 (c) No license shall be issued or renewed for a casino gaming facility unless the applicant  
 622 can demonstrate to the satisfaction of the commission that more than 50 percent of its  
 623 revenue is or will be derived from noncasino gaming sources.

624 (d) No casino gaming facility licensed under this article shall enter into or require any  
 625 contract with any independent contractor which contains a non-competition or similar  
 626 provision. This prohibition shall include, but shall not be limited to, contracts with  
 627 entertainers and performers which would limit or prohibit such entertainers or performers

628 from performing within a certain distance of the casino gaming facility for a particular  
629 period of time.

630 ARTICLE 5

631 50-41-80.

632 (a) Persons licensed under this chapter to operate racetrack facilities for horse racing with  
633 pari-mutuel wagering or to operate facilities for casino gaming shall be authorized to offer  
634 sports betting at such facilities either electronically or in person on the premises; provided,  
635 however, that racetrack facilities for horse racing with pari-mutuel wagering may allow  
636 such sports betting only if such racetrack facility has at least 40 race days per year for live  
637 horse racing at such facility.

638 (b) Sports betting shall be limited to bets or wagers on athletic contests which are to  
639 happen in the future and not on past events.

640 50-41-81.

641 (a) Any person desiring to conduct sports betting at a qualifying racetrack facility or casino  
642 gaming facility shall apply to the Georgia Gaming Commission for a license for such  
643 activity.

644 (b) The application for a license shall be in the form prescribed by the commission and  
645 shall not be accepted by the commission unless and until it is complete with all supporting  
646 documentation and information required by the commission by rule and regulation. The  
647 application shall be accompanied by an application fee of \$250,000.00 which shall be  
648 nonrefundable.

649 (c) The commission shall review the application and make a determination of whether to  
650 issue the sports-betting license within 120 days following the acceptance of the completed  
651 application.

652 (d) A license for sports betting issued by the commission shall be valid for one year from  
653 the date of issuance and may be renewed annually thereafter. The license for sports betting  
654 shall not be issued or renewed until the payment of the annual licensing fee of \$250,000.00  
655 is received by the commission. The commission shall provide for appropriate renewal  
656 forms for renewal of such licenses.

657 (e) The issuance of a sports-betting license shall authorize the licensee to conduct sports  
658 betting in accordance with Article 4 of this chapter.

659 50-41-82.

660 (a) The commission shall license all persons who:

- 661 (1) Have an ownership interest in the conduct of sports betting as provided in this article  
 662 in this state;  
 663 (2) Take part in the conduct or operation of sports betting, including, but not limited to,  
 664 a concessionaire or employee thereof, security officer, accounting or internal auditing  
 665 employee, cashier, counting room staff person, machine mechanic, host, odds maker or  
 666 line setter, supervisor or manager, ticket writer, and similar individuals involved in the  
 667 conduct or operation of sports betting, provided that bartenders, cocktail servers, waiters  
 668 and waitresses, and similar food and beverage service employees shall not be subject to  
 669 licensure unless such person is involved with the conduct or operation of sports betting  
 670 in addition to food and beverage preparation and service; and  
 671 (3) Any other position the commission deems necessary to regulate and ensure the  
 672 integrity of sports betting in Georgia.  
 673 (b) Such licenses shall be valid for one year from the date of issuance and may be renewed  
 674 annually thereafter. The commission shall establish appropriate fees for the issuance and  
 675 renewal of such licenses.

676 50-41-83.

- 677 (a) The commission shall impose and collect a tax on sports betting pursuant to this article  
 678 in this state equal to 19 percent of the adjusted gross revenue derived by the licensee from  
 679 sports betting in this state. The adjusted gross revenue shall be all funds received as bets  
 680 or wagers on sports betting minus any funds paid out for successful bets or wagers.  
 681 (b) Such tax shall be remitted quarterly to the commission with such information and  
 682 documentation as the commission shall prescribe.  
 683 (c) Sports-betting wagers and bets shall be exempt from all sales and use taxes in this state.

684 ARTICLE 6

685 50-41-100.

686 As used in this article, the term 'cheat' means to alter the elements of chance, method of  
 687 selection, or criteria which determine:

- 688 (1) The result of a game of chance;  
 689 (2) The amount or frequency of payment in a game of chance;  
 690 (3) The value of a bet or wagering instrument; or  
 691 (4) The value of a bet or wagering credit.

692 50-41-101.

- 693 (a) It shall be unlawful for any person to:

- 694 (1) Alter or misrepresent the outcome of a game or other event on which bets or wagers  
695 have been made after the outcome is made sure but before it is revealed to the players;  
696 (2) Place, increase, or decrease a bet or to determine the course of play after acquiring  
697 knowledge, not available to all players, of the outcome of the game or any event that  
698 affects the outcome of the game or which is the subject of the bet or wager or to aid  
699 anyone in acquiring such knowledge for the purpose of placing, increasing, or decreasing  
700 a bet or wager or determining the course of play contingent upon that event or outcome;  
701 (3) Claim, collect, or take, or attempt to claim, collect, or take, money or anything of  
702 value in or from a casino game, with intent to defraud, without having made a bet or  
703 wager contingent thereon, or to claim, collect, or take an amount greater than the amount  
704 won;  
705 (4) Knowingly to entice or induce another to go to any place where a gambling game is  
706 being conducted or operated in violation of the provisions of this chapter, with the intent  
707 that the other person play or participate in that gambling game;  
708 (5) Place or increase a bet or wager after acquiring knowledge of the outcome of the  
709 game or other event which is the subject of the bet or wager, including past-posting and  
710 pressing bets;  
711 (6) Reduce the amount bet or wagered or cancel the bet or wager after acquiring  
712 knowledge of the outcome of the game or other event which is the subject of the bet or  
713 wager, including pinching bets;  
714 (7) Manipulate, with the intent to cheat, any component of a gaming device in a manner  
715 contrary to the designed and normal operational purpose for the component, including,  
716 but not limited to, varying the pull of the handle of a slot machine, with knowledge that  
717 the manipulation affects the outcome of the game or with knowledge of any event that  
718 affects the outcome of the game;  
719 (8) Offer, promise, or give anything of value to anyone for the purpose of influencing the  
720 outcome of a race, sporting event, contest, or game upon which a bet or wager may be  
721 made, or to place, increase, or decrease a bet or wager after acquiring knowledge, not  
722 available to the general public, that anyone has been offered, promised, or given anything  
723 of value for the purpose of influencing the outcome of the race, sporting event, contest,  
724 or game upon which the bet or wager is placed, increased or decreased; or  
725 (9) Change or alter the normal outcome of any game played on an interactive gaming  
726 system or a mobile gaming system or the way in which the outcome is reported to any  
727 participant in the game.  
728 (b) A person who violates the provisions of this Code section shall be guilty of a felony  
729 and, upon conviction, shall be punished by imprisonment for not less than one nor more  
730 than ten years, a fine not to exceed \$25,000.00, or both.

731 50-41-102.

732 (a) It shall be unlawful for any person to use, possess with the intent to use, or assist  
 733 another person in using or possessing with the intent to use any computerized, electronic,  
 734 electrical, or mechanical device, or any software or hardware, or any combination thereof,  
 735 which is designed, constructed, altered, or programmed to obtain an advantage at playing  
 736 any game in a licensed casino gaming establishment or licensed racetrack facility for  
 737 pari-mutuel wagering on horse racing, or on any game that is offered by such a licensee,  
 738 including, without limitation, a device that:

739 (1) Projects the outcome of the game;

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

741 (3) Analyzes the probability of the occurrence of an event relating to the game; or

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

743 except as may be made available as part of an approved game or otherwise permitted by  
 744 the commission.

745 (b) A person who violates the provisions of this Code section shall be guilty of a felony  
 746 and, upon conviction, shall be punished by imprisonment for not less than one nor more  
 747 than ten years, a fine not to exceed \$25,000.00, or both.

748 50-41-103.

749 (a) It shall be unlawful for any licensee, employee, or other person, who is not a duly  
 750 authorized employee of a licensee acting in furtherance of his or her employment within  
 751 a licensed facility under this chapter, to possess, use, sell, or manufacture counterfeit chips,  
 752 counterfeit debit instruments, or other counterfeit wagering instruments in a casino  
 753 gambling game, in associated equipment, or in a cashless betting or wagering system.

754 (b) It shall be unlawful for any licensee, employee, or other person, who is not a duly  
 755 authorized employee of a licensee acting in furtherance of his or her employment within  
 756 a licensed facility under this chapter, to possess, use, sell, or manufacture any counterfeit  
 757 instruments, counterfeit tickets, or other counterfeit items that are used to determine the  
 758 outcome of any contest or promotional activity conducted by or on behalf of any licensee  
 759 under this chapter.

760 (c) It shall be unlawful for any person in playing or using any casino gambling game,  
 761 associated equipment, or cashless betting or wagering system designed to be played with,  
 762 to receive, or be operated by chips, tokens, betting or wagering credits, or other betting or  
 763 wagering instruments approved by the commission or by lawful coin of the United States  
 764 of America to:

765 (1) Knowingly use chips, tokens, betting or wagering credits, or other wagering  
 766 instruments other than those approved by the commission or lawful coin or legal tender

767 of the United States of America, or to use coin or tokens not of the same denomination  
 768 as the coin or tokens intended to be used in that casino gambling game, associated  
 769 equipment, or cashless betting wagering system; or

770 (2) Use any device or means to violate the provisions of this chapter.

771 (d) It shall be unlawful for any individual, who is not a duly authorized employee of a  
 772 licensee acting in furtherance of such employment within a facility licensed under this  
 773 chapter, to have on his or her person or in his or her possession on or off the premises of  
 774 any facility licensed under this chapter any device intended to be used to violate the  
 775 provisions of this chapter.

776 (e) It shall be unlawful for any individual, who is not a duly authorized employee of a  
 777 licensee acting in furtherance of such employment within a facility licensed under this  
 778 chapter, to have on his or her person or in his or her possession on or off the premises of  
 779 any facility licensed under this chapter any key or device known to have been designed for  
 780 the purpose of and suitable for opening, entering, or affecting the operation of any casino  
 781 gambling game, cashless betting or wagering system or drop box, or any electronic or  
 782 mechanical device connected thereto, or for removing money or other contents therefrom.

783 (f) It shall be unlawful for any individual, who is not a duly authorized employee of a  
 784 licensee acting in furtherance of such employment within a facility licensed under this  
 785 chapter, to have on his or her person or in his or her possession any paraphernalia for  
 786 manufacturing slugs. As used in this subsection, the term 'paraphernalia for manufacturing  
 787 slugs' means the equipment, products, and materials that are intended for use or designed  
 788 for use in manufacturing, producing, fabricating, preparing, testing, analyzing, packaging,  
 789 storing, or concealing a counterfeit facsimile of the chips, tokens, debit instruments, or  
 790 other betting or wagering instruments approved by the commission or a lawful coin of the  
 791 United States, the use of which is unlawful pursuant to subsection (c) of this Code section.  
 792 Such term includes, but is not limited to:

793 (1) Lead or lead alloys;

794 (2) Molds, forms, or similar equipment capable of producing a likeness of a gaming  
 795 token or United States coin;

796 (3) Melting pots or other receptacles;

797 (4) Torches;

798 (5) Tongs, trimming tools or other similar equipment; and

799 (6) Equipment which can be reasonably demonstrated to manufacture facsimiles of debit  
 800 instruments or betting or wagering instruments approved by the commission.

801 (g) Possession of more than one of the devices, equipment, products, or materials  
 802 described in this Code section shall create a rebuttable inference that the possessor intends  
 803 or intended to use them for cheating.

804 (h) A person who violates the provisions of this Code section shall be guilty of a felony  
 805 and, upon conviction, shall be punished by imprisonment for not less than one nor more  
 806 than ten years, a fine not to exceed \$25,000.00, or both.

807 50-41-104.

808 (a) It shall be unlawful for any individual, whether the individual is an owner or employee  
 809 of or a player in a facility licensed under this chapter to cheat at any gambling game.

810 (b) A person who violates the provisions of this Code section shall be guilty of a felony  
 811 and, upon conviction, shall be punished by imprisonment for not less than one nor more  
 812 than five years, a fine not to exceed \$25,000.00, or both.

813 50-41-105.

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

816 (b) It shall be unlawful to mark, alter, or otherwise modify any casino gaming device or  
 817 associated equipment in a manner that:

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

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

821 (c) It shall be unlawful for any person to instruct another in cheating or in the use of any  
 822 device for the purpose of cheating, with the knowledge or intent that the information or use  
 823 so conveyed may be employed to violate any provision of this chapter.

824 (d) A person who violates the provisions of this Code section shall be guilty of a felony  
 825 and, upon conviction, shall be punished by imprisonment for not less than one nor more  
 826 than five years, a fine not to exceed \$10,000.00, or both.

827 50-41-106.

828 (a) Except as otherwise provided by law, it shall be unlawful for an individual to receive,  
 829 directly or indirectly, any compensation or reward, or any percentage or share of the money  
 830 or property played, for accepting any bet or wager upon the result of any event held at a  
 831 track involving a horse, sporting event, or other event, as defined by regulations adopted  
 832 by the commission, without having first procured, and thereafter maintaining in effect, all  
 833 federal and state gaming licenses required by this chapter.

834 (b) Except as otherwise provided by law, it shall be unlawful for an individual to:

835 (1) Accept or facilitate any bet or wager that is placed with a person described in  
 836 subsection (a) of this Code section; or



837 (2) Transmit or deliver anything of value resulting from a bet or wager to a person who  
 838 has placed a bet or wager with an individual described in subsection (a) of this Code  
 839 section.

840 (c) The provisions of this Code section shall not make it unlawful for a person licensed  
 841 under this chapter, without knowledge, to accept a bet or wager from or pay a winning bet  
 842 or wager to a person described in subsection (a) or (b) of this Code section.

843 (d) A person who violates the provisions of this Code section shall be guilty of a  
 844 misdemeanor of a high and aggravated nature.

845 50-41-107.

846 (a) It shall be unlawful for an individual who is under 21 years of age to place or offer to  
 847 place a bet or wager with any licensed individual under this chapter.

848 (b) It shall be unlawful for an individual who is under 21 years of age to enter or remain  
 849 in a room at a facility licensed under this chapter where casino gaming is being conducted.

850 (c) It shall be unlawful for any person licensed under this chapter to accept or offer to  
 851 accept a bet or wager from an individual that such licensee knows is under 21 years of age.

852 (d) It shall be unlawful for any person licensed under this chapter to allow or offer to allow  
 853 any individual that such licensee knows is under 21 years of age to enter or remain in a  
 854 room at a facility licensed under this chapter where casino gaming is being conducted.

855 (e) A person who violates the provisions of this Code section shall be guilty of a  
 856 misdemeanor of a high and aggravated nature.

857 50-41-108.

858 (a) It shall be unlawful for any person to knowingly violate any provision of this chapter  
 859 or any rule and regulation of the commission.

860 (b) Except as otherwise provided in this article, a person who violates the provisions of  
 861 this Code section shall be guilty of a misdemeanor of a high and aggravated nature."

862 **SECTION 2.**

863 This Act shall become effective on July 1, 2021, provided that an amendment to the  
 864 Constitution of Georgia authorizing the legalization of pari-mutuel wagering on horse racing,  
 865 casino gaming, and sports betting in this state is passed by the General Assembly and is  
 866 ratified by the electors at the 2020 general election. Otherwise, this Act shall not become  
 867 effective and shall be repealed by operation of law on January 1, 2021.

868 **SECTION 3.**

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