

Senate Resolution 131

By: Senators Summers of the 13th, Hickman of the 4th, Beach of the 21st and Anderson of the 24th

## A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Georgia so as to authorize the  
 2 Georgia General Assembly to provide by law for the operation and regulation of sports  
 3 betting and casino gambling activities in this state; to provide for the regulation and taxation  
 4 of such activities; to provide for the allocation of revenues derived from such activities; to  
 5 provide for related matters; to provide for the submission of this amendment for ratification  
 6 or rejection; and for other purposes.

7 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

### 8 SECTION 1.

9 Article I, Section II of the Constitution is amended in Paragraph VIII, relating to lotteries and  
 10 nonprofit bingo games, by revising the caption and subparagraph (a) and by adding a new  
 11 subparagraph to read as follows:

12 "Paragraph VIII. ***Lotteries, and nonprofit bingo games, raffles by nonprofit***  
 13 ***organizations, betting, and casino gambling.*** (a) Except as herein specifically provided  
 14 in this Paragraph VIII, all lotteries, and the sale of lottery tickets, and all forms of sports  
 15 betting, pari-mutuel betting, and casino gambling are hereby prohibited; and this  
 16 prohibition shall be enforced by penal laws."

17 "(e)(1) The General Assembly may by law provide for the operation and regulation of  
18 sports betting and casino gambling activities in this state.

19 (2) For the purpose of taxation and regulation of the sports betting and casino gambling  
20 activities authorized by this subparagraph (e), the General Assembly shall create a  
21 gaming commission and provide such commission with such powers and duties as  
22 necessary to provide appropriate regulation of such sports betting and casino gambling  
23 activities and to tax such activities.

24 (3) All casino gambling activities authorized by this subparagraph (e) shall take place  
25 at a casino facility owned and operated by an individual or entity that has been issued a  
26 casino gaming license in this state, as no off-site casino gambling activities shall be  
27 permitted or authorized in this state. The General Assembly shall provide by law for the  
28 issuance of at least eight casino gaming licenses by the gaming commission and each  
29 such casino gaming license shall authorize the licensee to create and operate a single  
30 casino facility within this state; provided, however, that no individual or entity shall be  
31 issued more than one casino gaming license in this state and no individual or entity shall  
32 own an interest in more than one entity that has been issued a casino gaming license in  
33 this state.

34 (4) The General Assembly shall provide by law for the taxation of the sports betting  
35 and casino gambling activities authorized by this subparagraph (e) at a rate of 20 percent  
36 of the gross income of such activities less any operating expenses allowed by law,  
37 amounts paid out as winnings, and amounts permitted by law to be held in reserve. The  
38 proceeds derived from such taxation of the sports betting and casino gambling activities  
39 authorized by this subparagraph (e) shall be paid into and dedicated to a special trust fund  
40 to be created by the General Assembly and designated as the 'Georgia Gaming Proceeds  
41 Fund,' from which funds shall be disbursed in accordance with the provisions of  
42 subparagraph (e)(5) of this Paragraph. All other proceeds derived from the regulation of  
43 such sports betting and casino gambling activities shall, notwithstanding the provisions

44 of Article VII, Section III, Paragraph II(a) and without any appropriation required by law,  
45 be used to pay the operating expenses of the gaming commission and, as may be provided  
46 by law, fund any operating reserves relating to the regulation of such sports betting and  
47 casino gambling activities, except that the net proceeds after payment of such operating  
48 expenses and the funding of such operating reserves shall be paid into the Georgia  
49 Gaming Proceeds Fund.

50 (5) All proceeds derived from the sports betting and casino gambling activities  
51 authorized by this subparagraph (e) that are required to be paid into the Georgia Gaming  
52 Proceeds Fund shall not be subject to the provisions of Article III, Section IX, Paragraph  
53 VI, relating to the allocation of proceeds, or Article VII, Section III, Paragraph II(a),  
54 relating to payment into the general fund of the state treasury, and shall be separately  
55 accounted for and specifically identified by the Governor in his or her annual budget  
56 presented to the General Assembly as a separate budget category entitled 'Gaming  
57 Commission Proceeds.' The first \$2 billion of such proceeds that are paid into the  
58 Georgia Gaming Proceeds Fund shall be evenly appropriated by the General Assembly  
59 to the governing authorities of each county in this state. Thereafter, all such additional  
60 proceeds that are paid into the Georgia Gaming Proceeds Fund shall be appropriated by  
61 the General Assembly for any purpose; provided, however, that:

62 (A) The first \$500 million of such additional proceeds paid into the Georgia Gaming  
63 Proceeds Fund each fiscal year shall be evenly appropriated by the General Assembly  
64 to the governing authorities of each county in this state until a total of at least \$5 billion  
65 has been appropriated to the governing authorities of such counties under this  
66 subparagraph; and

67 (B) At least 5 percent of such additional proceeds beyond any proceeds required to  
68 be appropriated by the General Assembly to the governing authorities of each county  
69 of this state pursuant to subparagraph (e)(5)(A) of this Paragraph shall be appropriated  
70 by the General Assembly for programs and services that seek to prevent individuals

71 from experiencing, and providing assistance to individuals who experience, addiction  
 72 or other problems relating to betting or gambling.

73 (6) The appropriation of such proceeds derived from the sports betting and casino  
 74 gambling activities authorized by this subparagraph (e) that are made pursuant to  
 75 subparagraph (e)(5) of this Paragraph shall not be subject to the provisions of Article III,  
 76 Section IX, Paragraph IV(c), relating to the lapsing of funds.

77 **SECTION 2.**

78 The above proposed amendment to the Constitution shall be published and submitted as  
 79 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
 80 above proposed amendment shall have written or printed thereon the following:

81 "( ) YES Shall the Constitution of Georgia be amended so as to authorize the General  
 82 ( ) NO Assembly to provide by law for the operation and regulation of sports  
 83 betting and casino gambling activities in this state?"

84 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

85 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
 86 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
 87 become a part of the Constitution of this state.