

# HB152 INTRODUCED



1 HB152  
2 SADN585-1  
3 By Representatives Blackshear, Whitt  
4 RFD: Economic Development and Tourism  
5 First Read: 08-Feb-24



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SYNOPSIS:

This bill would implement the constitutional amendment proposed in House Bill \_\_\_ of the 2024 Regular Session, which authorizes the regulation, taxation, and licensure of certain gaming activities in the state under the regulation of a gaming commission established by the Legislature.

This bill would establish the Alabama Gaming Commission and provide for the powers, membership, and duties of the commission.

This bill would create the Gaming Enforcement Division within the commission and provide for its powers and duties, including the power to police all gaming activities in this state and work to eradicate unlawful gaming and gaming-related activities.

This bill would establish a competitive open bidding process by which applicants would be able to apply to receive a license to operate one of seven gaming establishments where casino-style games would be authorized to be played.

This bill would levy a state tax on the net gaming revenues of casino-style gaming activities and sports wagering activities.

This bill would establish the Gaming Trust Fund, into which would be deposited the gaming taxes and



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29 license fees collected by the commission, and would  
30 provide for the administration and distribution of the  
31 funds therein through an independent supplemental  
32 appropriation bill for non-recurring non-education  
33 purposes only, including: mental health care and  
34 developmental disabilities, rural health care and the  
35 purchase of qualified health benefit plans for certain  
36 eligible individuals, capital expenditures for  
37 volunteer fire departments, development and improvement  
38 of state parks, improvement, repair and construction of  
39 roads, bridges, and infrastructure in counties and  
40 municipalities, and the establishment of deferred  
41 prosecution programs such as drug courts and veteran's  
42 courts.

43 This bill would provide for the issuance of  
44 gaming establishment licenses, sports wagering  
45 licenses, and charitable fundraising permits.

46 This bill would authorize the commission to  
47 assess civil penalties for violations and would provide  
48 a process for hearings and appeals of a violation.

49 This bill would provide criminal penalties for  
50 certain violations.

51 This bill would further provide for criminal  
52 penalties related to unlawful activity associated with  
53 gaming activities and sports wagering and would repeal  
54 certain outdated gaming provisions.

55 This bill would create a state lottery to be  
56 administered by the Alabama Lottery Corporation and



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57 would provide for the creation and operation of the  
58 corporation, including its board of directors and  
59 president.

60 This bill would establish the Lottery Proceeds  
61 Fund in the State Treasury for the purpose of receiving  
62 all monies and other revenues collected by the  
63 corporation in its operation of the state lottery.  
64 Monies in the fund would be used to provide for the  
65 operating expenditures of the corporation and the  
66 payment of prize money to lottery game winners.  
67 Remaining proceeds would be transferred to the Lottery  
68 for Education Fund, which would be annually  
69 appropriated through an independent supplemental  
70 appropriation bill for non-recurring education purposes  
71 only, including: the establishment of two-year  
72 community and technical college scholarships, dual  
73 enrollment costs, research dollars for higher  
74 education, non-recurring capital expenditures for  
75 public K-12 schools, and the hiring of school resource  
76 officers and other school security purposes.

77 This bill would provide the Court of Civil  
78 Appeals with original jurisdiction to hear various  
79 appeals of actions of the commission and would provide  
80 for an immediate right to appeal certain rulings to the  
81 Alabama Supreme Court.

82 This bill would provide various anticorruption  
83 provisions, including campaign finance prohibitions on  
84 gaming-related interests.



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85                   This bill would amend various criminal laws  
86 relating to gaming activities to make conforming  
87 changes and would also increase penalties for a  
88 violation and further increase the penalties on a  
89 subsequent violation.

90                   This bill would become repealed in the event the  
91 constitutional amendment proposed in House Bill \_\_\_ of  
92 the 2024 Regular Session fails to be ratified in the  
93 November 2024 General Election.

94                   Section 111.05 of the Constitution of Alabama of  
95 2022, prohibits a general law whose purpose or effect  
96 would be to require a new or increased expenditure of  
97 local funds from becoming effective with regard to a  
98 local governmental entity without enactment by a 2/3  
99 vote unless: it comes within one of a number of  
100 specified exceptions; it is approved by the affected  
101 entity; or the Legislature appropriates funds, or  
102 provides a local source of revenue, to the entity for  
103 the purpose.

104                   The purpose or effect of this bill would be to  
105 require a new or increased expenditure of local funds  
106 within the meaning of the section. However, the bill  
107 does not require approval of a local governmental  
108 entity or enactment by a 2/3 vote to become effective  
109 because it comes within one of the specified exceptions  
110 contained in the section.

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113 A BILL  
114 TO BE ENTITLED  
115 AN ACT

116  
117 Relating to gaming activities; to establish the Alabama  
118 Gaming Control Act; to add Chapter 30 to Title 41, Code of  
119 Alabama 1975, to implement the constitutional amendment  
120 proposed in House Bill \_\_\_ of the 2024 Regular Session, to  
121 provide legislative intent; to provide definitions; to  
122 establish and provide for the powers, membership, and duties  
123 of the Alabama Gaming Commission; to provide for the personnel  
124 of the commission; to create an enforcement division within  
125 the commission and provide for the duties thereof; to provide  
126 for representation of the commission by the Attorney General;  
127 to provide for the licensure and regulation of casino-style  
128 gaming activities; to provide for the licensure and regulation  
129 of sports wagering activities; to provide for the regulation  
130 and permitting of certain charitable gaming activities; to  
131 provide certain license fees and the distribution of the fees;  
132 to establish the Gaming Trust Fund and provide for the  
133 distribution of funds therein; to provide for the assessment  
134 of civil penalties imposed by the commission; to provide for  
135 criminal penalties for certain violations; to provide for a  
136 hearing and appeals process; to provide the commission with  
137 rulemaking authority; to provide for certain reporting  
138 requirements by the commission; to levy a state tax on certain  
139 casino-style gaming and sports wagering revenues; to provide  
140 various anticorruption prohibitions and a criminal penalty for



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141 a violation; to create a state lottery to be administered by  
142 the Alabama Lottery Corporation and to provide for the  
143 creation and operation of the corporation; to provide for the  
144 governance of the corporation by a board of directors and  
145 provide for the appointment and duties of the board; to  
146 provide for the appointment of a president of the corporation  
147 and provide for the powers and duties thereof; to establish  
148 the Lottery Proceeds Fund in the State Treasury for the  
149 purpose of receiving all monies and other revenues collected  
150 by the corporation; to establish the Lottery for Education  
151 Fund and provide for the distribution of funds therein through  
152 an independent supplemental appropriation bill; to provide the  
153 Court of Civil Appeals with original jurisdiction to hear  
154 various appeals of actions of the commission;, to amend  
155 Sections 13A-12-20, 13A-12-21, 13A-12-22, 13A-12-23,  
156 13A-12-24, 13A-12-25, 13A-12-26, 13A-12-27, 13A-12-28,  
157 13A-12-30, Code of Alabama 1975, and Section 13A-11-9, Code of  
158 Alabama 1975, as last amended by Act 2023-245, 2023 Regular  
159 Session, to update and increase certain criminal penalties for  
160 various unlawful gaming activities; to add Sections 13A-12-32  
161 through 13A-12-39 to the Code of Alabama 1975, to prescribe  
162 certain activity relating to gaming as unlawful and to provide  
163 for criminal penalties for violations; to amend Sections  
164 8-1-150 and 8-1-151, Code of Alabama 1975, to authorize  
165 certain contracts based on lawful gaming activity; to amend  
166 Section 38-4-14, Code of Alabama 1975, to prohibit the use of  
167 public welfare monies to participate in gaming activity; to  
168 add Section 17-5-15.2 to the Code of Alabama 1975, to provide



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169 restrictions on campaign finance contributions relating to  
170 gaming activity; to repeal Section 11-47-111, Code of Alabama  
171 1975, relating to prohibition of gambling houses; to repeal  
172 Section 13A-12-29, Code of Alabama 1975, relating to lotteries  
173 drawn outside the state; to repeal Divisions 2, 3, and 4 of  
174 Article 2 of Chapter 12 of Title 13A, Code of Alabama 1975,  
175 relating to suppression of gambling places, transportation of  
176 lottery paraphernalia, and the federal waging occupational tax  
177 stamp; to provide for the repeal of the act under certain  
178 specified conditions; and in connection therewith would have  
179 as its purpose or effect the requirement of a new or increased  
180 expenditure of local funds within the meaning of Section  
181 111.05 of the Constitution of Alabama of 2022.

182 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

183           Section 1. Chapter 30 is added to Title 41, Code of  
184 Alabama 1975, to read as follows:

185           Chapter 30. Alabama Gaming Control Act.

186           Article 1. General Provisions.

187           §41-30-1. Short title.

188           This chapter shall be known and may be cited as the  
189 Alabama Gaming Control Act.

190           §41-30-2. Definitions.

191           For the purposes of this chapter, the following words  
192 have the following meanings:

193           (1) CASINO-STYLE GAME. Any commercial or house banked  
194 game that is played with cards, dice, equipment, or any other  
195 mechanical or electronic device or machine, and that is played  
196 for money, property, checks, credit, or any other





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197 representative of value.

198 a. The term includes, but is not limited to, any of the  
199 following:

200 1. Table games, including, but not limited to,  
201 blackjack, baccarat, roulette, craps, twenty-one, poker, Texas  
202 hold'em, cassino, five-card draw, three-card draw, chemin de  
203 fer (shimmy), pai gow poker, yablon (red dog), let it ride  
204 poker, caribbean stud, casino war, video poker, or any  
205 variation thereof.

206 2. Gaming machines, including, but not limited to, any  
207 slot machines as defined in 15 U.S.C. § 1171(a)(1), pachinko,  
208 video lottery terminals, and video poker.

209 3. Pari-mutuel wagering, whether electronic, simulcast,  
210 or otherwise.

211 4. Any other house banked game or game of chance in  
212 which the house takes a fee, as determined by the commission  
213 by rule.

214 b. The term does not include any non-commercial social  
215 game or charitable game operating in accordance with this  
216 chapter. The term does not include bingo, electronic bingo, or  
217 any games similar to bingo, including pull-tabs, lotto, punch  
218 boards, tip jars, or instant bingo, whether or not played with  
219 an electronic, computer, or other technological aid. The term  
220 does not include any other form of gaming activity.

221 (2) CASINO-STYLE GAMING ACTIVITY. To operate, carry on,  
222 conduct, maintain, or expose for play one or more casino-style  
223 games.

224 (3) CHARITABLE FUNDRAISER PERMIT. A permit issued by



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225 the commission to a charitable organization to conduct a  
226 charitable game in accordance with this chapter.

227 (4) CHARITABLE GAME. A traditional raffle or  
228 traditional bingo that is operated by a charitable  
229 organization in accordance with this chapter and pursuant to a  
230 permit issued by the commission. The term does not include any  
231 casino-style game or sports wagering.

232 (5) CHARITABLE ORGANIZATION. An organization to which  
233 all of the following apply:

234 a. The organization is either of the following:

235 1. Organized and operated exclusively for exempt  
236 purposes set forth under 26 U.S.C. § 501(c)(3), including  
237 charitable, religious, veterans, educational, scientific,  
238 literary, public safety, and the prevention of cruelty to  
239 children or animals.

240 2. An elementary or secondary school or nonprofit  
241 elementary or secondary school-sponsored club or organization,  
242 or any nonprofit elementary or secondary school-affiliated  
243 group, including a parent-teacher organization or booster  
244 club, whose membership may be composed of individuals other  
245 than students.

246 b. None of the organization's net proceeds or earnings  
247 inure to any private shareholder or person.

248 c. The organization does not attempt to influence  
249 legislation as a substantial part of its activities and does  
250 not participate in any campaign activity for or against  
251 political candidates.

252 (6) COMMISSION. The Alabama Gaming Commission



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253 established by this chapter.

254 (7) ENFORCEMENT DIVISION. The Gaming Enforcement  
255 Division established by this chapter.

256 (8) EXECUTIVE DIRECTOR. The Executive Director of the  
257 Alabama Gaming Commission.

258 (9) GAMING ACTIVITY. Any casino-style game, lottery  
259 game, or sports wagering activity.

260 (10) GAMING EMPLOYEE. Any employee, contractor, or  
261 other representative of a gaming establishment or sports  
262 wagering platform whose job pertains to the operation,  
263 control, or outcome of any casino-style gaming activity or  
264 sports wagering, or the access, transport, or review of any  
265 gaming revenues.

266 a. The term includes all of the following:

267 1. Accounting or internal auditing personnel who are  
268 directly involved in any recordkeeping or the examination of  
269 records associated with revenue from gaming activities.

270 2. Cage and counting room personnel.

271 3. Slot personnel.

272 4. Table games personnel.

273 5. Keno personnel.

274 6. Sports wagering platform personnel.

275 7. Pari-mutuel wagering personnel.

276 8. Individuals whose duties are directly involved with  
277 the manufacture, repair, sale, or distribution of gaming  
278 equipment.

279 9. Individuals who perform, or who supervise the  
280 performance of, the function of receiving and transmitting



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281 sports wagers.

282 10. Information technology personnel who have  
283 operational or supervisory control over information technology  
284 systems associated with any of the matters related to gaming  
285 activities or sports wagering.

286 11. Hosts or other individuals empowered to extend  
287 credit or complimentary services related to gaming activities.

288 12. Gaming machine mechanics.

289 13. Odds makers and line setters.

290 14. Gaming establishment security personnel.

291 15. Gaming establishment shift or pit bosses.

292 16. Shills.

293 17. Supervisors or managers of any individual described  
294 in this subdivision.

295 18. Any other individual as determined by the  
296 commission by rule.

297 b. The term does not include any gaming establishment  
298 employee, contractor, or other individual whose duties do not  
299 involve gaming activities; any individual engaged exclusively  
300 in preparing or serving food or beverages; or any individual  
301 involved solely in the resort or hotel functions of a licensed  
302 gaming establishment.

303 (11) GAMING EQUIPMENT. Any mechanical,  
304 electromechanical, or electronic contrivance, component, or  
305 machine used in connection with any casino-style game. The  
306 term includes, but is not limited to, a system for processing  
307 information that can alter the normal criteria of a random  
308 selection, that affects the operation of any game, or that



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309 determines the outcome of a game. The term does not include a  
310 system or device that affects a game solely by stopping its  
311 operation so that the outcome remains undetermined.

312 (12) GAMING ESTABLISHMENT. A physical location for  
313 which the commission has issued a license to authorize  
314 casino-style gaming activity to be conducted therein.

315 (13) GAMING ESTABLISHMENT LICENSE. A license issued by  
316 the commission to operate, carry on, conduct, maintain, or  
317 expose for play one or more casino-style games.

318 (14) GAMING ESTABLISHMENT LICENSEE. The holder of a  
319 gaming establishment license.

320 (15) GAMING-RELATED ACTIVITY. Any conduct, whether or  
321 not approved by the commission, to which any of the following  
322 apply:

323 a. Is ancillary to the operation of a gaming  
324 establishment.

325 b. Is subject to regulation by the commission.

326 c. Occurs on the premises of a gaming establishment.

327 (16) GAMING SERVICES. Goods or services offered to a  
328 gaming establishment licensee by a contractor, employee, or  
329 third party which directly relate to the gaming establishment  
330 or casino-style gaming activity, including, but not limited  
331 to, gaming equipment manufacturers, suppliers, and repairers;  
332 gaming management services; gaming employees; security  
333 services; and similar services ancillary to the operation of  
334 casino-style gaming activities at a licensed gaming  
335 establishment. The term does not include non-gaming auxiliary  
336 services, including, but not limited to, restaurants, bars,



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337 clubs, and other food and beverage services; spas; retail  
338 establishments; entertainment services; hotel, concierge, and  
339 valet services; laundry services; and landscaping and other  
340 non-gaming property management services.

341 (17) GAMING SERVICES CONTRACT. A contract between a  
342 gaming establishment licensee and a gaming services provider.

343 (18) GAMING SERVICES PROVIDER. A person licensed to  
344 provide gaming services to or on behalf of a gaming  
345 establishment licensee.

346 (19) HOUSE BANKED GAME. Any game of chance that is  
347 played with the house as a participant in the game; where the  
348 house takes on players, collects from losers, and pays  
349 winners; and where the house can win. The term also includes  
350 any game in which the house collects a percentage of what is  
351 at risk or collects a fee as a condition for participation.

352 (20) IN-PERSON SPORTS WAGERING LICENSE. A license  
353 issued by the commission to conduct sports wagering, subject  
354 to the policies and procedures of the commission and this  
355 chapter, through in-person on-premises play at the licensed  
356 gaming establishment.

357 (21) LOTTERY or LOTTERY GAME. A draw-based game of  
358 chance that generally involves the drawing of numbers at  
359 random for a prize. The term includes any game deemed a  
360 lottery by rule of the commission. The term may include, but  
361 is not limited to, a state lottery, instant lottery game, a  
362 multi-jurisdiction lottery, or other draw-based lottery that  
363 is approved and conducted through the Alabama Lottery  
364 Corporation. The term does not include video lottery



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365 terminals. The term does not include bingo, electronic bingo,  
366 or any game similar to bingo, including pull-tabs, lotto,  
367 punch boards, tip jars, or instant bingo, whether or not  
368 played with an electronic, computer, or other technological  
369 aid. The term does not include any other form of gaming  
370 activity.

371 (22) LOTTERY RETAILER. As defined under Section  
372 41-30-401.

373 (23) LOTTERY TICKET. Any tangible evidence of proof of  
374 participation in, or a right, privilege, or possibility of  
375 becoming a winner in, a lottery game.

376 (24) ONLINE SPORTS WAGERING LICENSE. A license to  
377 operate, carry on, conduct, maintain, or expose for play  
378 sports wagering through an online sports wagering platform.

379 (25) ONLINE SPORTS WAGERING PLATFORM. A person that,  
380 for commercial gain, offers sports wagering over the Internet,  
381 including on websites or mobile devices, or both.

382 (26) NET GAMING REVENUE. The total amount of money or  
383 value in any form received as a result of any gaming activity,  
384 whether or not approved by the commission, excluding free bets  
385 and promotional credits, less federal excise taxes, voided  
386 wagers, and the total money or value in any form paid as  
387 prizes or winnings, including the cash equivalent of any  
388 merchandise or thing of value awarded as a prize.

389 (27) PARI-MUTUEL WAGERING. A type of wagering in which  
390 bets of a particular type are placed together in a pool  
391 conducted by a person and in which the person takes a fee  
392 prior to distributing the pool among all winning bets.



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393 (28) PERSON. An individual, corporation, partnership,  
394 association, or other legal or commercial entity. The term  
395 includes any federally recognized Indian tribe.

396 (29) POARCH BAND OF CREEK INDIANS or PCI. The federally  
397 recognized Indian tribe within the State of Alabama known as  
398 the Poarch Band of Creek Indians. The term includes a wholly  
399 owned subsidiary of the tribe.

400 (30) PRINCIPAL OWNER OR INVESTOR. Any person who has or  
401 controls, whether directly or indirectly, 10 percent or more  
402 ownership, income, or profit interest in an applicant for  
403 licensure under this chapter or a gaming establishment  
404 licensee.

405 (31) SPORTING EVENT. Any sport, athletic contest, game,  
406 match, race, motor race, electronic sports event, competitive  
407 video game event, or similar competitive event, whether  
408 amateur, interscholastic, collegiate, or professional,  
409 involving two or more competitors, in which the winner is  
410 determined by score or placement. The term does not include  
411 any public or private K-12 school or other amateur youth  
412 sports or athletic event.

413 (32) SPORTS WAGERING. The acceptance of wagers that  
414 have a basis in a sporting event that has not yet occurred or  
415 is already underway, including the outcome of the sporting  
416 event or the individual performance statistics of one or more  
417 athletes in a sporting event, or a combination thereof by any  
418 system or method of wagering. The term includes, but is not  
419 limited to, any of the following that have a basis in a  
420 sporting event: Single-game bets, teaser bets, parlays,





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421 over-under, moneyline, pools, exchange wagering, in-game  
422 wagering, in-play bets, proposition bets, and straight bets.  
423 The term does not include wagers on fantasy sports contests  
424 authorized under general law. The term does not include bingo,  
425 electronic bingo, or any games similar to bingo, including  
426 pull-tabs, lotto, punch boards, tip jars, or instant bingo,  
427 whether or not played with an electronic, computer, or other  
428 technological aid. The term does not include any other form of  
429 gaming activity.

430 (33) TRADITIONAL BINGO. A game in which players provide  
431 something of value to receive a prize according to the rules  
432 of the game commonly known as bingo, which includes each of  
433 the following elements:

434 a. The game requires human interaction and skill,  
435 including attentiveness and discernment and physical, visual,  
436 auditory, and verbal interaction by and between those persons  
437 who are playing and a person, commonly known as the  
438 "announcer" or "caller," who is responsible for calling out  
439 the randomly drawn designations and allowing time between each  
440 call for the players to check their cards and to physically  
441 mark them accordingly.

442 b. The game requires the player to use actual physical  
443 cards made of cardboard, paper, or some functionally similar  
444 material that is flat and is preprinted with the grid and the  
445 designations referenced above.

446 (34) TRADITIONAL RAFFLE. A means of raising money by  
447 selling numbered paper tickets where one or more numbered  
448 paper tickets are subsequently drawn at random and the holder



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449 or holders of a matching ticket wins a prize. The term does  
450 not include bingo, electronic bingo, or any game similar to  
451 bingo, including pull-tabs, lotto, punch boards, tip jars, or  
452 instant bingo, whether or not played with an electronic,  
453 computer, or other technological aid. The term does not  
454 include any other form of gaming activity.

455 §41-30-3. Compliance with federal laws.

456 The State of Alabama, in accordance with 15 U.S.C. §  
457 1172, hereby declares that any and all lottery and gaming  
458 activity equipment, and the materials, paraphernalia, and  
459 supplies thereof, may be transported in interstate commerce  
460 into or out of the state, including Poarch Band of Creek  
461 Indians trust land, without violating that section, or any  
462 other applicable federal law, if the equipment, materials,  
463 paraphernalia, and supplies are used, to be used, or have been  
464 used in the conduct of gaming activities at licensed gaming  
465 establishments or on Poarch Band of Creek Indians trust land.

466 §41-30-4. Disclaimer.

467 Nothing in this chapter shall be deemed to apply to,  
468 authorize state or commission regulation or taxation of, or  
469 require state or commission approval of, gaming activities or  
470 sports wagering conducted on land held in trust by the United  
471 States for the Poarch Band of Creek Indians, except to the  
472 extent that the provision is expressly incorporated into a  
473 tribal-state gaming compact entered into by the State of  
474 Alabama and the Poarch Band of Creek Indians.

475 §41-30-5. No property rights awarded.

476 Any license or permit awarded under this chapter to



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477 conduct any form of gaming activity shall be deemed the  
478 granting of the privilege to conduct the activity. Nothing in  
479 this chapter shall be construed as awarding to any person any  
480 property right or interest.

481 Article 2. Alabama Gaming Commission.

482 §41-30-50. Alabama Gaming Commission created.

483 The Alabama Gaming Commission is created in the  
484 executive branch as a state agency to license and regulate the  
485 conduct of all lawful sports wagering, charitable gaming  
486 activities, lotteries, and casino-style gaming activities  
487 conducted within this state, as authorized by the Constitution  
488 of Alabama of 2022, and this chapter, and to effectively  
489 eradicate any unlawful gaming activity and unlawful  
490 gaming-related activity in this state. The commission shall be  
491 located in Montgomery County.

492 §41-30-51. Commission membership.

493 (a) The membership of the commission shall include all  
494 of the following:

495 (1) Four members of the public, appointed by the  
496 Governor.

497 (2) One member of the public, appointed by the Speaker  
498 of the House of Representatives.

499 (3) One member of the public, appointed by the  
500 President Pro Tempore of the Senate.

501 (4) One member of the public, appointed by the  
502 Lieutenant Governor.

503 (5) One member of the public, appointed by the  
504 President Pro Tempore of the Senate from a list of two



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505 nominees submitted by the Minority Leader of the Senate.

506 (6) One member of the public, appointed by the Speaker  
507 of the House of Representatives from a list of two nominees  
508 submitted by the Minority Leader of the House of  
509 Representatives.

510 (b) (1) Initial appointments of the commission shall be  
511 made no later than July 1, 2024. The initial appointees shall  
512 serve immediately upon appointment and shall continue to serve  
513 until confirmed or rejected by the Senate at the first regular  
514 or special session of the Legislature held after the initial  
515 appointments.

516 (2) The initial appointees shall hold an organizational  
517 meeting of the commission not later than October 1, 2024. At  
518 the organizational meeting, the membership of the commission  
519 shall select a chair and a vice chair, who shall serve in that  
520 position for two years. Members of the commission shall draw  
521 lots to determine which three appointees shall serve for an  
522 initial two-year term; which three appointees shall serve for  
523 an initial three-year term; and which three appointees shall  
524 serve for an initial four-year term.

525 (c) After the expiration of the initial terms, members  
526 appointed to the commission shall serve for four-year terms  
527 and shall be confirmed with the advice and consent of the  
528 Senate at the first regular or special session of the  
529 Legislature held after the appointment. Members may serve two  
530 complete terms and any portion of an initial term of less than  
531 four years or any portion of an unexpired term to which  
532 appointed.



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533 (d) All appointing authorities shall coordinate their  
534 appointments to assure the commission membership is inclusive  
535 and reflects the racial, gender, geographic, urban, rural, and  
536 economic diversity of the state.

537 (e) Each member of the commission shall satisfy all of  
538 the following qualifications:

539 (1) Shall be a citizen of the United States and a  
540 resident of the State of Alabama for at least five years  
541 immediately preceding appointment.

542 (2) Shall be 30 or more years of age.

543 (3) Shall have no conviction for any federal or state  
544 felony offense or any misdemeanor property offense, offense  
545 involving fraud, or offense involving moral turpitude as  
546 provided under Section 17-3-30.1.

547 (4) May not be the executive director of the commission  
548 or an employee of the commission.

549 (5) May not be an officer of a political party or the  
550 occupant of an official position in a political party.

551 (6) May not be a public official, as defined under  
552 Section 36-25-1.

553 (7) May not be actively engaged in the business of a  
554 gaming establishment or in the operation of casino-style  
555 gaming activities, lottery games, or sports wagering.

556 (8) May not be a supplier of devices or equipment used  
557 in gaming activities.

558 (9) May not have a financial interest greater than one  
559 percent in any of the following:

560 a. A gaming establishment licensee.



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561 b. An online sports wagering platform.

562 c. A lottery retailer or vendor.

563 d. A gaming services provider.

564 e. A contractor doing business or proposing to do  
565 business with the commission, the Alabama Lottery Corporation,  
566 or any of the entities described in paragraphs a. through d.

567 (f) Any vacancy occurring on the commission shall be  
568 filled for the unexpired term by the respective appointing  
569 authority. The appointee shall serve immediately upon  
570 appointment and shall continue to serve until confirmed or  
571 rejected by the Senate at the first regular or special session  
572 of the Legislature held after the appointment.

573 (g) Each member of the commission shall serve for the  
574 duration of the member's term and until either the member's  
575 successor is appointed and confirmed by the Senate or, if no  
576 successor is appointed, for a period of not more than 18  
577 months following the expiration of the member's term.

578 (h) Members of the commission shall be subject to the  
579 state ethics code under Chapter 25 of Title 36.

580 (i) Any member of the commission may be removed by his  
581 or her respective appointing authority.

582 §41-30-52. Commission meetings.

583 (a) The commission shall meet at least quarterly and at  
584 other times as called by the chair or a majority of the  
585 commission members.

586 (b) Meetings of the commission shall be subject to the  
587 Alabama Open Meetings Act; provided, that members of the  
588 commission may participate in a meeting of the commission in



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589 person, by means of telephone conference, video conference, or  
590 other similar communications equipment so that all individuals  
591 participating in the meeting may hear each other at the same  
592 time. Participation by such means shall constitute presence in  
593 person at a meeting for all purposes, including for purposes  
594 of establishing a quorum, and the affirmative vote of a  
595 majority of the members necessary for any action of the  
596 commission.

597 (d) (1) A majority of members shall constitute a quorum  
598 for the transaction of any business and for the exercise of  
599 any power or function of the commission.

600 (2) Action may be taken on motions and resolutions  
601 adopted by the commission at any meeting of the commission by  
602 an affirmative vote of a majority of present and voting  
603 commission members, a quorum being present.

604 (e) No vacancy in the membership of the commission  
605 shall impair the right of the members to exercise all the  
606 powers and perform all the duties of the commission.

607 §41-30-53. Compensation of members.

608 Each member of the commission shall receive annual  
609 compensation equal to one-half of that of a member of the  
610 Legislature and the same per diem and travel allowances  
611 provided for state employees.

612 §41-30-54. Identification, regulation, and taxation of  
613 current gaming activities.

614 The commission may adopt temporary continuing operation  
615 rules to implement and administer this chapter and Section  
616 65(e) of the Constitution of Alabama of 2022. These rules are



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617 exempt from the requirements of the Alabama Administrative  
618 Procedures Act and shall expire on January 1, 2027.

619 §41-30-55. Powers and duties of the commission.

620 The commission shall adopt, amend, or repeal rules in  
621 accordance with the Alabama Administrative Procedure Act and  
622 shall have all powers necessary and convenient to fulfilling  
623 its duties with respect to gaming activity, gaming-related  
624 activity, traditional raffles, and traditional bingo. These  
625 powers include:

626 (1) To issue subpoenas and compel the production of  
627 documents or items and the attendance of witnesses, to  
628 administer oaths, to require testimony under oath, and to  
629 enforce its orders.

630 (2) To appoint impartial hearing examiners who may  
631 administer oaths and receive evidence and testimony under oath  
632 and make recommendations to the commission.

633 (3) To demand access to or inspect, examine, photocopy,  
634 and audit papers, books, records, equipment, supplies, and  
635 premises necessary to carry out its duties.

636 (4) To seize and impound any equipment, supplies, or  
637 premises used in violation of laws or commission rules  
638 governing the conduct of gaming activities, subject to the  
639 procedures provided under Section 20-2-93.

640 (5) To procure goods and services as provided under the  
641 state procurement code, Article 5 of Chapter 4 of Title 41.

642 (6) To impose reasonable civil penalties on any person  
643 for violations of this chapter or violations of rules adopted  
644 by the commission.





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645 (7) To provide for the issuance of licenses for the  
646 operation of casino-style gaming activities and sports  
647 wagering and to provide for the renewal, modification,  
648 extension, suspension, revocation, transfer, or forfeiture of  
649 a license.

650 (8) To regulate and supervise the conduct and operation  
651 of gaming activities.

652 (9) To adopt rules and procedures to address the  
653 failure of a licensee to timely remit taxes, fees, and fines  
654 and penalties.

655 (10) To adopt rules related to the reasonable operation  
656 and investment level for each gaming establishment.

657 (11) To adopt rules limiting access to gaming  
658 activities by minors and other susceptible individuals,  
659 including a program of voluntary self-exclusion for  
660 individuals struggling with problem gaming.

661 §41-30-56. Audits and reports.

662 (a) To ensure the financial integrity of the operation  
663 of gaming establishments in this state, the commission shall  
664 do all of the following:

665 (1) Not later than the second legislative day of each  
666 regular session, submit an annual report to the Governor and  
667 the Legislature disclosing the total gaming revenues,  
668 operating and administrative expenses of the commission, and  
669 information relating to the number of licenses issued,  
670 suspended, revoked, or transferred during the reporting  
671 period. The annual report shall additionally describe the  
672 organizational structure of the commission and summarize the



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673 functions performed by each organizational division within the  
674 commission. The annual report shall be displayed on the  
675 website of the commission.

676 (2) Adopt a system of internal audits and audits of  
677 licensees.

678 (3) Contract with a certified public accountant or firm  
679 for an annual financial audit of the commission. The certified  
680 public accountant or firm shall have no financial interest in  
681 any vendor with whom the commission is under contract or any  
682 licensee of the commission. The certified public accountant or  
683 firm shall present an audit report not later than four months  
684 after the end of the fiscal year. The certified public  
685 accountant or firm shall evaluate the internal auditing  
686 controls in effect during the audit period. The cost of this  
687 annual financial audit shall be an operating expense of the  
688 commission.

689 (b) The Department of Examiners of Public Accounts  
690 shall perform an audit or examination of the commission on an  
691 annual basis or more frequently as deemed necessary by the  
692 Chief Examiner.

693 §41-30-57. Executive director and deputy director of  
694 the commission.

695 (a) (1) The commission shall appoint an executive  
696 director who shall direct the day-to-day operations and  
697 management of the commission and shall be vested with all  
698 powers and duties as specified by the commission and by law.  
699 The executive director shall serve at the pleasure of the  
700 commission.



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701           (2) The executive director shall meet all of the  
702 following qualifications:

703           a. Shall be a person of good moral character who has  
704 not engaged in conduct involving dishonesty, fraud, or  
705 misrepresentation.

706           b. May not have a conviction for any felony offense and  
707 may not have a conviction for any misdemeanor offense that  
708 reflects adversely on the individual's honesty or  
709 trustworthiness.

710           c. May not be an officer of a political party or the  
711 occupant of an official position in a political party.

712           d. May not be a public official, as defined under  
713 Section 36-25-1.

714           e. May not be actively engaged in the business of a  
715 gaming establishment or in the operation of casino-style  
716 gaming activities, lottery games, or sports wagering.

717           f. May not be a supplier of gaming equipment.

718           g. Shall possess any other qualifications adopted by  
719 the commission by rule.

720           (3) The executive director shall devote his or her full  
721 time and attention to the duties required under this chapter  
722 and may not hold any other office of profit or perform any  
723 other services for profit or any other gain.

724           (4) The executive director shall receive an annual  
725 salary as determined by the commission and approved pursuant  
726 to Section 36-6-6 as if he or she were an officer or employee  
727 appointed in the exempt service.

728           (b) (1) The executive director may appoint a deputy



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729 director who shall perform duties designated by the executive  
730 director.

731 (2) The deputy director shall receive an annual salary  
732 as determined by the executive director and approved pursuant  
733 to Section 36-6-6 as if he or she were an officer or employee  
734 appointed in the exempt service.

735 (c) For purposes of the Merit System Act, Article 1 of  
736 Chapter 26 of Title 36, the executive director and deputy  
737 director shall be employed in the exempt service.

738 (d) The executive director and any deputy director may  
739 not have a financial interest greater than one percent in any  
740 of the following:

741 (1) A gaming establishment licensee.

742 (2) An online sports wagering platform.

743 (3) A lottery retailer or vendor.

744 (4) A gaming services provider.

745 (5) A contractor doing business or proposing to do  
746 business with the commission, the Alabama Lottery Corporation,  
747 or any of the entities described in subdivisions (1) through  
748 (4).

749 §41-30-58. Powers and duties of the executive director.

750 (a) The executive director shall direct and supervise  
751 all administrative and technical activities in accordance with  
752 this chapter and with the rules, policies, and procedures  
753 adopted by the commission.

754 (b) The powers and duties of the executive director  
755 shall include all of the following:

756 (1) Sue and be sued on behalf of the commission.



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757 (2) Acquire real property in accordance with existing  
758 law and make improvements thereon on behalf of the commission.

759 (3) Make, execute, and effectuate agreements or  
760 contracts, including contracts for the purchase of goods and  
761 services, as are necessary for the conduct of the business of  
762 the commission.

763 (4) Employ and direct such personnel as deemed  
764 necessary.

765 (5) Employ by contract and compensate persons as deemed  
766 necessary for the operation and administration of the  
767 commission.

768 (6) Prepare a budget for the approval of the  
769 commission.

770 (7) Prepare an annual report on behalf of the  
771 commission as provided in Section 41-30-56.

772 (8) Perform other duties as necessary to implement and  
773 administer this chapter.

774 §41-30-59. Employees of the commission.

775 (a) (1) An employee of the commission may not have a  
776 financial interest greater than one percent in any of the  
777 following:

778 a. A gaming establishment licensee.

779 b. An online sports wagering platform.

780 c. A lottery retailer or vendor.

781 d. A gaming services provider.

782 e. A contractor doing business or proposing to do  
783 business with the commission, the Alabama Lottery Corporation,  
784 or any of the entities described in paragraphs a. through d.



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785           (2) An employee of the commission with decision-making  
786 authority may not participate in any decision involving a  
787 gaming establishment licensee with whom the employee has a  
788 financial interest.

789           (b) An employee of the commission who leaves the  
790 employment of the commission may not represent any vendor,  
791 gaming services provider, or gaming establishment licensee  
792 before the commission for a period of two years following  
793 termination of employment with the commission.

794           (c) An applicant for employment with the commission  
795 shall submit to the executive director, on a form sworn to by  
796 the applicant, his or her name, date of birth, Social Security  
797 number, and two complete sets of fingerprints for completion  
798 of a criminal history background check through the State  
799 Bureau of Investigation. Costs associated with conducting a  
800 criminal history background check may be paid by the  
801 commission.

802           (d) An individual who has been convicted of any federal  
803 or state felony offense or any misdemeanor property offense,  
804 offense involving fraud, or offense involving moral turpitude  
805 as provided under Section 17-3-30.1, may not be employed by  
806 the commission.

807           (e) The commission shall bond commission employees with  
808 access to commission funds in such an amount as provided by  
809 the commission and may bond other employees as deemed  
810 necessary.

811           (f) For purposes of the Merit System Act, Article 1 of  
812 Chapter 26 of Title 36, the employees of the commission shall



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813 be employed in the unclassified service and shall be entitled  
814 to insurance, retirement, and other state employees' benefits.

815 (g) Employees of the commission shall be subject to the  
816 state ethics code under Chapter 25 of Title 36.

817 §41-30-60. Employee participation prohibition.

818 (a) An employee of the commission may not engage in  
819 gaming activity at any gaming establishment except as  
820 necessary to perform their regulatory duties as an employee of  
821 the commission.

822 (b) An employee of a licensed gaming establishment may  
823 not engage in any gaming activity at any gaming establishment  
824 at which he or she is employed. This subsection does not apply  
825 to employees of a gaming establishment while operating as a  
826 dealer or while playing on behalf of the house to facilitate  
827 any gaming activity.

828 §41-30-61. Records of the commission.

829 (a) Except as provided in subsection (b) and Section  
830 41-30-105, records of the commission shall be public records  
831 for purposes of Section 36-12-40.

832 (b) The commission may determine which information and  
833 records relating to its operations are confidential and not  
834 subject to public disclosure. Confidential information, at a  
835 minimum, shall include trade secrets; security measures,  
836 systems, or procedures; security reports; employee personnel  
837 information unrelated to compensation, duties, qualifications,  
838 or responsibilities; and information obtained pursuant to  
839 investigations which is otherwise confidential. Information  
840 deemed confidential pursuant to this section shall be exempt



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841 from public disclosure.

842 §41-30-62. Minority business participation.

843 It is the intent of the Legislature that the commission  
844 encourage participation by minority businesses. Accordingly,  
845 the commission shall adopt a plan that achieves, to the  
846 greatest extent possible, a level of participation by minority  
847 businesses taking into account the total number of all gaming  
848 establishment licensees. The commission shall administer  
849 training programs and other educational activities to enable  
850 eligible minority businesses to compete for licenses on an  
851 equal basis. The commission shall monitor the results of  
852 minority business participation and shall report the results  
853 of minority business participation to the Governor and the  
854 Legislature at least on an annual basis.

855 §41-30-63. Rulemaking authority.

856 The commission may adopt rules to implement and  
857 administer this chapter, including rules to interpret the  
858 terms "casino-style game" and "sports wagering."

859 Article 3. Gaming Enforcement Division.

860 §41-30-100. Gaming Enforcement Division established.

861 The Gaming Enforcement Division within the commission  
862 is established. The enforcement division shall have  
863 independent and primary authority and jurisdiction to  
864 investigate violations of this chapter and enforce the general  
865 laws and rules of the commission. The enforcement division may  
866 take any means necessary to aid the commission in the  
867 administration and enforcement of this chapter, the gaming  
868 laws, and rules of the commission, and to effectively





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869 eradicate any unlawful gaming activity or unlawful  
870 gaming-related activity in the state.

871 §41-30-101. Director of the Gaming Enforcement  
872 Division.

873 (a) (1) The position of Gaming Enforcement Officer is  
874 created. The Gaming Enforcement Officer shall be appointed by  
875 the executive director of the commission and shall hold office  
876 at the pleasure of the executive director.

877 (2) The Gaming Enforcement Officer shall have general  
878 supervision and management of the functions and duties of the  
879 Gaming Enforcement Division, subject to approval of the  
880 executive director, including the power to change the working  
881 title of any position in the enforcement division or organize  
882 the enforcement division in a manner to efficiently administer  
883 the duties of the enforcement division.

884 (b) The Gaming Enforcement Officer shall satisfy all of  
885 the following qualifications:

886 (1) Be certified by the Alabama Peace Officers'  
887 Standards and Training Commission or become certified within  
888 one year of appointment.

889 (2) Have a bachelor's or equivalent degree from an  
890 accredited institution of higher education.

891 (3) Have a law enforcement background of at least 10  
892 years, including executive level experience with specific  
893 participation in complex investigations of financial crimes,  
894 conspiracy, racketeering, and other related crimes.

895 (c) The salary of the Gaming Enforcement Officer shall  
896 be set by the executive director. For purposes of the Merit



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897 System Act, Article 1 of Chapter 26 of Title 36, the Gaming  
898 Enforcement Officer shall be employed in the exempt service.

899 (d) For purposes of the immunity afforded in Section  
900 6-5-338, the Gaming Enforcement Officer shall be deemed a law  
901 enforcement officer.

902 (e) The Gaming Enforcement Officer shall have arrest  
903 powers.

904 (f) The Gaming Enforcement Officer may request the  
905 Attorney General or any local district attorney to issue  
906 subpoenas and compel the production of documents or items for  
907 purposes of enforcing this chapter, the gaming laws, and rules  
908 of the commission.

909 (g) The Gaming Enforcement Officer shall establish  
910 operational policy and procedures for the administration of  
911 the duties of the enforcement division.

912 §41-30-102. Personnel of the Gaming Enforcement  
913 Division.

914 (a) The Gaming Enforcement Officer shall hire all  
915 personnel necessary for the operation of the Gaming  
916 Enforcement Division, subject to approval by the executive  
917 director. Personnel shall include, but not be limited to, the  
918 following:

919 (1) Investigators.

920 (2) Auditors and forensic accountants.

921 (3) Compliance officers.

922 (4) Investigative technology experts.

923 (5) Administrative staff.

924 (6) Any other staff necessary for the operation of the



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925 division.

926 (b) To assist the executive director in carrying out  
927 his or her duties under this chapter, the Gaming Enforcement  
928 Division may employ consultants to render professional  
929 services, including, but not limited to, reviewing gaming  
930 records and other related records or items, providing expert  
931 testimony in contested cases, assisting in audits performed by  
932 the enforcement division, and conducting technology reviews  
933 and implementation. Consultants shall be compensated for  
934 professional services at rates established by the commission.

935 (c) (1) The personnel of the Gaming Enforcement Division  
936 shall serve at the pleasure of the Gaming Enforcement Officer.

937 (2) Notwithstanding any other provision of local or  
938 general law, a retired state or local law enforcement officer  
939 may be employed by the Gaming Enforcement Division without  
940 suspension or modification of his or her state or local  
941 retirement benefits.

942 (d) The personnel employed by the enforcement division  
943 who are certified by the Alabama Peace Officers' Standards and  
944 Training Commission shall have the power of arrest.

945 (e) For purposes of the Alabama Criminal Justice  
946 Information Center and the National Crime Information Center,  
947 personnel of the Gaming Enforcement Division shall be  
948 considered an originating agency identifier for the purposes  
949 of criminal background checks and access to criminal history  
950 data.

951 (f) For purposes of the immunity afforded in Section  
952 6-5-338, personnel of the Gaming Enforcement Division who are



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953 certified by the Alabama Peace Officers' Standards and  
954 Training Commission shall be deemed law enforcement officers.

955 (g) Personnel of the Gaming Enforcement Division shall  
956 comply with all initial and continuing education requirements  
957 in Section 41-30-103.

958 §41-30-103. Continuing education requirements.

959 (a) By October 1, 2025, the Alabama Peace Officers'  
960 Standards and Training Commission, in consultation with the  
961 Executive Director of the Alabama Gaming Commission and the  
962 Gaming Enforcement Officer, shall develop the following:

963 (1) An initial training curriculum for law enforcement  
964 officers relating to enforcement of gaming laws and rules,  
965 including associated activities.

966 (2) An annual continuing education curriculum to  
967 supplement the initial training curriculum relating to  
968 investigations and enforcement of gaming laws and rules of the  
969 Alabama Gaming Commission, including associated activities.

970 (b) The Alabama Peace Officers' Standards and Training  
971 Commission shall determine the number of hours necessary for  
972 the required training and shall consult with national gaming  
973 associations and other entities for inclusion of national  
974 standards relating to gaming investigations and enforcement in  
975 the training curriculum.

976 (c) The Gaming Enforcement Officer shall identify those  
977 individuals subject to the training requirements in this  
978 section and a schedule for completion of the required  
979 curriculum by division personnel.

980 §41-30-104. Duties and powers of the Gaming Enforcement



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981 Division.

982 (a) For the protection of the public and in accordance  
983 with the policy of this state, the Gaming Enforcement Officer,  
984 personnel of the Gaming Enforcement Division, and any  
985 individual operating under the direct authority of the Gaming  
986 Enforcement Division may do any of the following:

987 (1) Inspect and examine any gaming establishment,  
988 lottery retailer, or the premises of where gaming equipment is  
989 manufactured, sold, or distributed.

990 (2) Inspect all equipment and supplies on the premises  
991 of a gaming establishment or lottery retailer.

992 (3) Enforce compliance with this chapter, the gaming  
993 laws, and the rules of the commission.

994 (4) Enforce all laws of this state with respect to  
995 unlawful gaming activities and unlawful gaming-related  
996 activities.

997 (5) Have primary jurisdiction over any violation of  
998 this chapter or Article 2 of Chapter 12 of Title 13A that  
999 occurs on the property of a licensed gaming establishment.

1000 (6) Summarily seize and remove from the premises of a  
1001 gaming establishment or lottery retailer and impound any  
1002 gaming equipment or other equipment or supplies for the  
1003 purpose of examination and inspection.

1004 (7) Make arrests of violators of this chapter, the  
1005 gaming laws and rules of the commission, and any other laws of  
1006 this state.

1007 (8) Demand access to and inspect, examine, photocopy,  
1008 and audit all papers, books, and records of applicants for



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1009 licensure, licensees, and gaming service providers on their  
1010 premises or elsewhere as practicable, in the presence of the  
1011 licensee or an agent relating to the proceeds generated by any  
1012 activities regulated by the commission and all other matters  
1013 affecting the enforcement of this chapter or commission rules.

1014 (9) Make determinations and impose and enforce civil  
1015 penalties for violations of gaming laws and rules of the  
1016 commission.

1017 (10) Conduct investigations of applicants for licensure  
1018 to establish and assess suitability compliance and related  
1019 issues as provided in Section 41-30-73.

1020 (11) Take any other action deemed necessary and  
1021 appropriate by the enforcement division in the administration  
1022 of its duties under this chapter.

1023 (12) Conduct criminal investigations into any  
1024 unlicensed or otherwise unlawful gaming activity conducted in  
1025 this state and make arrests where appropriate for violations.

1026 (b) No less than on an annual basis, and upon request  
1027 of the commission or the Legislative Council, the enforcement  
1028 division shall provide to the commission and Legislative  
1029 Council reports of all investigative and enforcement activity  
1030 conducted by the division.

1031 §41-30-105. Confidentiality of records.

1032 All of the following shall be privileged and  
1033 confidential, unless presented as evidence at a public hearing  
1034 of the commission:

1035 (1) All reports of investigations by the enforcement  
1036 division.



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1037 (2) Documents subpoenaed by the commission in  
1038 furtherance of an investigation or other activity of the  
1039 enforcement division.

1040 (3) Reports of any investigative action by the  
1041 enforcement division.

1042 (4) Memoranda of the personnel of the enforcement  
1043 division relating to an investigation.

1044 (5) Statements of individuals interviewed by the  
1045 enforcement division.

1046 (6) All information, interviews, reports, statements,  
1047 or memoranda of any nature furnished to the enforcement  
1048 division.

1049 (7) Any findings, conclusions, or recommendations  
1050 resulting from proceedings of the enforcement division.

1051 (8) All information containing proprietary trade secret  
1052 information.

1053 §41-30-106. Assistance by the Attorney General and  
1054 district attorneys.

1055 The Gaming Enforcement Officer may request assistance  
1056 from the Attorney General, district attorneys, or other  
1057 prosecuting attorneys of this state. The Attorney General,  
1058 district attorneys, or other prosecuting attorneys, upon  
1059 request, shall assist in any action for injunction or any  
1060 prosecution based on a violation of this chapter, any gaming  
1061 law, or a rule of the commission.

1062 Article 4. Casino-style gaming activities.

1063 §41-30-150. License required.

1064 Except to the extent authorized under Section 41-30-54,



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1065 casino-style gaming activities may only be operated, carried  
1066 on, conducted, maintained, or exposed for play by a gaming  
1067 establishment licensee or as otherwise authorized by this  
1068 chapter.

1069 §41-30-151. Limitations on the issuance of licenses.

1070 (a) Subject to the receipt of local approval under  
1071 Section 41-30-152, the commission may issue no more than seven  
1072 gaming establishment licenses, including the license reserved  
1073 for the Poarch Band of Creek Indians pursuant to Section 65.04  
1074 of the Constitution of Alabama of 2022. Licenses may be  
1075 awarded pursuant to criteria established by the commission by  
1076 rule, which shall include a competitive open bidding process,  
1077 to applicants who have been deemed suitable pursuant Section  
1078 41-30-155. The licenses awarded shall be limited by the  
1079 following conditions:

1080 (1) Four of the licenses shall be reserved for issuance  
1081 as follows: one in Greene County, one in the portion of the  
1082 City of Birmingham that is within Jefferson County, one in  
1083 Macon County, and one in Mobile County.

1084 (2) One license shall be reserved for issuance in  
1085 accordance with the terms of a gaming compact as provided  
1086 under Section 41-30-158.

1087 (3) Two licenses shall be reserved for initial issuance  
1088 in the following counties: one in Houston County and one in  
1089 Lowndes County. If a license is not issued under this  
1090 subdivision by June 1, 2029, or if an issued license has been  
1091 inactive for five calendar years, the commission may award the  
1092 license for a gaming establishment to be located in another





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1093 county or municipality pursuant to a competitive process  
1094 adopted by the commission and subject to local approval under  
1095 Section 41-30-152.

1096 (b) The commission shall adopt rules establishing a  
1097 competitive open bidding process for the award of gaming  
1098 establishment licenses as described in subsection (a). The  
1099 competitive open bidding process shall require the commission  
1100 to consider all of the following with regard to a suitable  
1101 applicant:

1102 (1) The applicant's proposed capital investment at the  
1103 location, including the applicant's commitment to offer  
1104 amenities such as restaurants and entertainment venues.

1105 (2) The applicant's existing or past investments in the  
1106 relevant local jurisdiction and the state.

1107 (3) The applicant's past paid taxes to the state and  
1108 the relevant local jurisdiction.

1109 (4) The applicant's experience in the operation of a  
1110 gaming establishment.

1111 (5) The applicant's familiarity with the local market.

1112 (6) The applicant's ties to, and community support  
1113 within, the State of Alabama and the jurisdiction of the  
1114 proposed gaming establishment.

1115 (7) The applicant's anticipated annual revenues.

1116 (8) The applicant's commitment to employ local citizens  
1117 and to pay them competitive wages.

1118 (9) The applicant's plans for recruiting a diverse  
1119 workforce.

1120 (10) The applicant's plans for ensuring the opportunity



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1121 for participation by minority owned businesses as contractors,  
1122 vendors, and other affiliates.

1123 (11) The maximum license fee the applicant is willing  
1124 to pay.

1125 (c) In selecting an applicant for licensure, the  
1126 commission shall endeavor to preserve and maintain the  
1127 historical minority diversity of ownership of sites listed in  
1128 subsection (a). If the commission receives a bid from a  
1129 suitable applicant meeting the minority diversity  
1130 requirements, the commission may give the applicant enhanced  
1131 consideration if the applicant's bid is no more than 10  
1132 percent less than the highest bid received.

1133 §41-30-152. Local approval of a gaming establishment.

1134 (a) The Alabama Gaming Commission may issue a gaming  
1135 establishment license in a municipality or county only if  
1136 local county or municipal approval is obtained in accordance  
1137 with this section.

1138 (b) A county or municipality may grant local approval  
1139 of a gaming establishment being located in the county or  
1140 municipality by doing either of the following:

1141 (1) Passing a resolution approving the issuance of a  
1142 gaming establishment license within the county or  
1143 municipality.

1144 (2)a. Holding a local referendum in accordance with  
1145 this subdivision. The governing body of the county or  
1146 municipality may direct the judge of probate of the county to  
1147 submit the question of whether to allow a gaming establishment  
1148 to be located in the applicable county or municipality to the



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1149 qualified electors of the county or municipality.

1150           b. The election shall be held on the day designated by  
1151 the judge of probate of the county. The notice of the election  
1152 shall be given by the judge of probate and the election shall  
1153 be held, conducted, and the results canvassed in the same  
1154 manner as other local elections. The election shall be held in  
1155 conjunction with the next regularly scheduled state or local  
1156 election to be held in the county, unless specially called by  
1157 the judge of probate at an earlier time. A period of not less  
1158 than 180 days must elapse between the date of any second or  
1159 subsequent election in a local jurisdiction under this  
1160 paragraph. The county or municipality, as applicable, shall  
1161 pay any costs and expenses not otherwise reimbursed by a  
1162 governmental agency which are incidental to the election.

1163           c. The question to the qualified electors shall be, "Do  
1164 you favor the award of a gaming establishment license in this  
1165 municipality/county (as applicable)?" The judge of probate  
1166 may, in his or her sole discretion, identify the specific  
1167 address of a proposed gaming establishment on the ballot.

1168           d. If a majority of the votes cast in the election are  
1169 "Yes," local approval shall be deemed granted.

1170           e. The judge of probate shall certify the results of  
1171 the election to the Secretary of State and the Alabama Gaming  
1172 Commission.

1173           (c) Upon obtaining local approval, the commission may  
1174 grant a license in the county or municipality.

1175           §41-30-153. Application to bid for licensure.

1176           (a) A person desiring to operate, carry on, conduct,



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1177 maintain, or expose for play casino-style gaming activities  
1178 shall apply to be considered for licensure by the commission.  
1179 The commission may adopt rules prescribing the information an  
1180 applicant is required to submit to the commission prior to the  
1181 consideration of the person as eligible for potential  
1182 licensure under this section. The commission shall by rule  
1183 establish an application fee that must be paid as an  
1184 application requirement.

1185 (b) An application for consideration under this section  
1186 shall include all of the following by sworn affidavit:

1187 (1) The names and addresses of the principal owners and  
1188 investors of the applicant, showing the ownership percentage  
1189 of each.

1190 (2) Any business records required by the commission.

1191 (3) The types of casino-style games to be offered at  
1192 the location.

1193 (4) The number of gaming machines, casino-style game  
1194 tables, or other devices used to conduct gaming activities.

1195 (5) The physical location of the gaming establishment.

1196 (6) A set of fingerprints for each gaming employee for  
1197 purposes of a criminal history background check. The  
1198 enforcement division shall submit the information collected  
1199 pursuant to this subdivision to the State Bureau of  
1200 Investigation for purposes of conducting the required criminal  
1201 history background check. The applicant shall pay the cost of  
1202 conducting the criminal history background check.

1203 (7) Information, documentation, and assurances  
1204 concerning the financial background and resources as may be



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1205 required to establish the financial stability, integrity, and  
1206 responsibility of the applicant, including bank references,  
1207 business and personal income and disbursement schedules, tax  
1208 returns and other financial reports filed with governmental  
1209 agencies, and business and personal accounting and check  
1210 records and ledgers. To meet the requirements of this  
1211 subdivision, each applicant, in writing, shall authorize the  
1212 examination of all bank accounts and records as may be deemed  
1213 necessary by the commission. The applicant shall be presumed  
1214 to be financially stable if the applicant establishes that it  
1215 meets each of the following:

1216           a. The ability to assure the financial integrity of  
1217 gaming establishment operations by the maintenance of a  
1218 bankroll or equivalent provisions adequate to pay winnings  
1219 when due.

1220           b. The ability to meet ongoing operating expenses that  
1221 are essential to the maintenance of continuous and stable  
1222 gaming establishment operations.

1223           c. The ability to pay, as and when due, all state and  
1224 federal taxes.

1225           (8) Information, documentation, and assurances as may  
1226 be required to establish that the applicant has sufficient  
1227 business ability and gaming experience as to establish the  
1228 likelihood of the creation and maintenance of a successful,  
1229 efficient sports wagering operation, if applicable.

1230           (9) Any other information required by the commission.

1231           (c) Within a reasonable time after receiving an  
1232 application under this section, the commission shall determine



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1233 and notify the applicant in writing whether the application is  
1234 complete. If the commission determines the application is  
1235 incomplete, the commission shall specifically identify the  
1236 missing information and specify the requirement creating the  
1237 obligation to submit the missing documents or information in  
1238 the written notice. The processing deadlines shall restart on  
1239 the date the applicant submits all the documents and  
1240 information identified by the commission to render the  
1241 application complete.

1242 (d) The commission, by rule, shall require an applicant  
1243 pursuant to this section to demonstrate an ability to make a  
1244 minimum capital investment of thirty-five million dollars  
1245 (\$35,000,000) in the gaming establishment location. The  
1246 commission shall consider any previous capital investments of  
1247 the applicant and existing facilities and structures at the  
1248 proposed site. In addition, for initial licensure, the  
1249 commission shall require the applicant to demonstrate that any  
1250 proposed construction or renovation of gaming establishment  
1251 facilities would commence within 12 months of licensure.

1252 §41-30-154. Gaming establishment license fee.

1253 (a) The commission shall issue gaming establishment  
1254 licenses for an initial 15-year term; provided, the  
1255 commission, by rule, may provide for an extended initial  
1256 license term for an applicant that proposes to make a minimum  
1257 capital investment of five hundred million dollars  
1258 (\$500,000,000) at the proposed site. License fees shall be not  
1259 less than five million dollars (\$5,000,000), as determined by  
1260 the commission with respect to each applicant, based upon the



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1261 following factors:

1262 (1) The number and type of gaming machines at the  
1263 location.

1264 (2) The number and type of table games at the location.

1265 (3) The number and type of random number games at the  
1266 location.

1267 (4) The proposed capital investment plan of the  
1268 location.

1269 (5) The amount of any previous gross and net gaming  
1270 revenues generated at the location.

1271 (6) The business plan of the applicant.

1272 (7) The market conditions of the location.

1273 (8) Any other factors deemed relevant by the  
1274 commission.

1275 (b) One-half of the license fee shall be paid at the  
1276 time of licensure. The remaining portion of the license fee  
1277 shall be paid in consecutive equal monthly installments. The  
1278 license fees shall be collected by the commission and remitted  
1279 to the State Treasury to the credit of the Gaming Trust Fund.

1280 §41-30-155. Suitability requirements.

1281 (a) The commission may not issue a license to an  
1282 applicant pursuant to this article until the applicant has  
1283 demonstrated suitability for licensure.

1284 (b) For purposes of this section, "suitability" of an  
1285 applicant means consideration of all of the following with  
1286 respect to the applicant and any principal owner or investor  
1287 of the applicant:

1288 (1) The moral character, honesty, and integrity of the



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1289 applicant.

1290 (2) The reputation, experience, and financial integrity  
1291 of the applicant.

1292 (3) The financial ability of the applicant to purchase  
1293 and maintain adequate liability and casualty insurance and to  
1294 provide a surety bond as required by rule of the commission,  
1295 based on cost of licensure, annual revenue, and other  
1296 financial factors.

1297 (4) The past and present compliance of the applicant,  
1298 including whether the applicant has a history of noncompliance  
1299 with the gaming licensing requirements of any other  
1300 jurisdiction.

1301 (5) Whether the applicant has filed, or had filed  
1302 against it, a proceeding for bankruptcy or has ever been  
1303 involved in any formal process to adjust, defer, suspend, or  
1304 otherwise work out the payment of any debt.

1305 (6) Whether the applicant is or has been a defendant in  
1306 litigation involving its business practices.

1307 (7) Whether awarding a license would undermine the  
1308 public's confidence in the gaming industry in this state.

1309 (8) Prior activities, arrests, or criminal records, if  
1310 any, and the general reputation, habits, and associations of  
1311 any principal owner or investor of an applicant which may: (i)  
1312 pose a threat to the public interest of this state or to the  
1313 effective regulation of gaming in this state; and (ii) create  
1314 or enhance the dangers of unsuitable, unfair, or unlawful  
1315 practices, methods, and operations in the activities  
1316 authorized by this chapter and the financial arrangements and





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1317 activities incidental to the gaming activities authorized by  
1318 this chapter. For purposes of this subdivision, evidence of or  
1319 relating to an arrest, summons, charge, or indictment of an  
1320 applicant, or the dismissal thereof, shall be considered by  
1321 the commission where applicable, even if the arrest, summons,  
1322 charge, or indictment resulted in an acquittal, deferred  
1323 adjudication such as participation in a pretrial diversion  
1324 program, probation, parole, or pardon.

1325 (9) The likelihood of the applicant to conduct business  
1326 in complete compliance with this chapter.

1327 (10) Whether the applicant has a tax lien assessed  
1328 against it or owes any delinquent taxes, or penalties or  
1329 interest thereon, excluding items under formal appeal or  
1330 protest as provided by law.

1331 (11) Whether awarding a license to the applicant would  
1332 create a monopoly or circumstances that would substantially  
1333 lessen or harm competition in a manner that would deprive  
1334 residents of the State of Alabama of the benefits of  
1335 competition. To this end, a person may not hold a majority  
1336 interest in more than two licensed gaming establishments or  
1337 more than one percent in more than three licensed gaming  
1338 establishments. The commission shall ensure that the award or  
1339 transfer of a license on or after June 1, 2024, would not  
1340 result in a violation of this subdivision.

1341 (12) Whether an applicant registered and accepted the  
1342 regulation of the commission, became subject to taxation, and  
1343 provided information required by the commission, as provided  
1344 under Section 65(e) of the Constitution of Alabama of 2022,



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1345 and rules of the commission pursuant to Section 41-30-54. The  
1346 commission may give an applicant enhanced consideration for  
1347 satisfying this subdivision.

1348 (13) Any other factor or consideration deemed relevant  
1349 by the commission.

1350 (c) Each applicant for a license under this article  
1351 shall bear the obligation to establish its suitability for a  
1352 license.

1353 (d) The executive director shall conduct a suitability  
1354 analysis of each applicant for licensure. Each applicant shall  
1355 provide any information and documentation requested by the  
1356 executive director. The executive director shall report in  
1357 writing his or her findings to the members of the commission,  
1358 detailing the information supporting the determination,  
1359 including a formal recommendation of whether the applicant is  
1360 suitable or not suitable for licensure. The members of the  
1361 commission, by majority vote, shall determine whether the  
1362 applicant is suitable for licensure.

1363 §41-30-156. Renewal of licenses.

1364 (a) Upon application to and approval of the commission,  
1365 any license granted to an applicant under this article may be  
1366 serially renewed as provided by this section.

1367 (b) A licensee that has paid all applicable taxes and  
1368 has continued to meet the suitability and other minimum  
1369 licensing criteria established under this article shall be  
1370 eligible for licensure renewal upon payment of any applicable  
1371 license renewal fee. License renewal fees and license terms  
1372 shall be set by the commission one year prior to the



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1373 expiration of the license term as provided by rule of the  
1374 commission. In determining the renewal fee, the commission  
1375 shall consider the licensing criteria under this article.

1376 (c) Upon making its determination under subsection (b),  
1377 the commission shall provide written notice to the licensed  
1378 gaming establishment of the renewal fee and the new term of  
1379 the license, which shall be for a period of not less than 10  
1380 years. The commission shall specify in the notice the  
1381 timeframe in which the licensed gaming establishment may apply  
1382 for renewal of the license.

1383 §41-30-157. Transfer of a license.

1384 (a) The commission shall approve any transfer of a  
1385 license issued pursuant to this article, including any change  
1386 of principal owner or investor of the licensee, prior to any  
1387 transfer of the license. License transfers shall be subject to  
1388 the application for licensure procedures set out under this  
1389 article. The commission shall review any proposed transfer and  
1390 may approve or deny the transfer in accordance with rules  
1391 adopted by the commission.

1392 (b) Any proposed transfer of a license which would  
1393 result in the gaming activities of a gaming establishment  
1394 being transferred to a different county or municipality shall  
1395 be subject to the local approval requirements of Section  
1396 41-30-152.

1397 (c) The commission may not approve a transfer that  
1398 would result in a gaming establishment being transferred  
1399 within 50 miles of an existing gaming establishment licensed  
1400 by the commission or on trust lands.



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1401 §41-30-158. Licensure under gaming compact.

1402 (a) Upon the State of Alabama entering into a compact  
1403 with the Poarch Band of Creek Indians (PCI), as contemplated  
1404 by the constitutional amendment enacted pursuant to House Bill  
1405 \_\_\_ of the 2024 Regular Session, the commission shall issue  
1406 PCI a license for one additional site outside of trust lands  
1407 at a location approved pursuant to Section 41-30-152. The  
1408 location shall be in a county that is wholly located north of  
1409 U.S. Route 411 and that borders the State of Georgia, or a  
1410 municipality within such a county.

1411 (b) The Poarch Band of Creek Indians shall submit its  
1412 business plan relating to its proposed operation at the  
1413 additional site for review by the commission. The commission  
1414 shall review the plan considering the license fees and terms  
1415 provided for the other gaming establishments in this article  
1416 and make a determination regarding the license fee for a term  
1417 as provided under Section 41-30-154(a); provided, the license  
1418 fee and license term may not conflict with the terms of the  
1419 compact.

1420 (c) Upon notice of this determination by the  
1421 commission, PCI shall pay its first license fee installment as  
1422 provided by this article and the commission shall issue the  
1423 license.

1424 §41-30-159. Gaming services contracts.

1425 (a) A gaming establishment licensee may enter into a  
1426 contract with a gaming services provider to provide gaming  
1427 services only if all of the following conditions are  
1428 satisfied:



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1429 (1) The gaming service provider is licensed by the  
1430 commission pursuant to Section 41-30-160 to provide gaming  
1431 services.

1432 (2) The contract is in writing.

1433 (3) The contract is approved by the commission.

1434 (4) The contract satisfies any other requirement  
1435 adopted by the commission by rule.

1436 (b) A gaming establishment licensee shall submit any  
1437 material change in a gaming services contract previously  
1438 approved by the commission to the commission for its approval  
1439 or rejection before the material change may take effect.

1440 (c) Any assignation or transfer of a gaming services  
1441 contract, or the duties therein, to a third party shall be  
1442 deemed a material change in the gaming services contract and  
1443 may not take effect without approval by the commission  
1444 pursuant to subsection (b).

1445 §41-30-160. Gaming services provider license.

1446 (a) The commission may issue a license to a person to  
1447 provide gaming services under a gaming services contract to a  
1448 licensed gaming establishment if the commission determines  
1449 that the person meets the requirements of this section and any  
1450 applicable rules of the commission.

1451 (b) Each applicant shall meet the following  
1452 requirements for a gaming services license:

1453 (1) Possess good moral character, honesty, and  
1454 integrity.

1455 (2) Possess the necessary experience and financial  
1456 ability to successfully carry out the functions of a gaming



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1457 services provider.

1458 (3) Demonstrate that the gaming services that the  
1459 applicant plans to offer conform to standards established by  
1460 rules of the commission and this chapter. The commission may  
1461 accept the approval of a gaming services provider by another  
1462 jurisdiction that is specifically determined by the commission  
1463 to have gaming services as evidence the applicant meets the  
1464 standards established by the commission and this chapter.

1465 (4) Meet any other requirement established by rule of  
1466 the commission.

1467 (c) An applicant for a license to provide gaming  
1468 services shall do all of the following:

1469 (1) Submit an application to the commission in the form  
1470 required by the commission, including adequate information to  
1471 serve as a basis for a thorough background check.

1472 (2) Submit fingerprints to the State Bureau of  
1473 Investigation for a state and national criminal background  
1474 check through the Alabama Criminal Justice Information Center  
1475 and the National Crime Information Center. The cost of the  
1476 criminal background check shall be paid by the applicant.

1477 (3) Pay to the commission a nonrefundable application  
1478 fee for deposit into the Gaming Trust Fund, in an amount to be  
1479 determined by the commission by rule, to cover the  
1480 administrative costs of processing the application.

1481 (4) Upon approval of the application, pay to the  
1482 commission a license fee as provided in subsection (e).

1483 (d) A license to provide gaming services shall  
1484 authorize the licensee to provide gaming services at any



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1485 licensed gaming establishment pursuant to a gaming services  
1486 contract.

1487 (e) Prior to October 1 of each year, each gaming  
1488 services provider shall pay to the commission an annual  
1489 license fee, in an amount to be determined by the commission  
1490 by rule, for deposit into the Gaming Trust Fund.

1491 (f) The commission shall authorize the renewal of a  
1492 gaming services license upon verification that the gaming  
1493 services provider continues to comply with all applicable  
1494 statutory requirements and rules of the commission and has  
1495 paid its annual license fee.

1496 §41-30-161. Judicial challenge of license award.

1497 (a) As used in this section, the term "unsuccessful  
1498 gaming establishment license applicant" means any person or  
1499 entity seeking, or who has sought, the award of a gaming  
1500 establishment license from the Alabama Gaming Commission; or  
1501 any person or entity that possesses a financial interest in  
1502 any person or entity seeking, or who has sought, the award of  
1503 such a license.

1504 (b) The award of a gaming establishment license by the  
1505 Alabama Gaming Commission shall be deemed final and conclusive  
1506 by the courts of this state as to any unsuccessful gaming  
1507 establishment license applicant. No action, claim,  
1508 counterclaim, defense, or other legal contention challenging  
1509 the validity of such a license shall be brought or maintained  
1510 in a court of this state by an unsuccessful gaming  
1511 establishment license applicant, and the courts of this state  
1512 shall be powerless and without jurisdiction to issue to an



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1513 unsuccessful gaming establishment license applicant an  
1514 injunction, writ, order, or any other form of relief that  
1515 would have the effect of preventing the commission from  
1516 issuing a license or invalidating a license previously awarded  
1517 by the commission.

1518 (c) A court shall promptly dismiss for lack of  
1519 jurisdiction any such action, claim, counterclaim, defense, or  
1520 other legal contention or any such request for an injunction,  
1521 writ, order, or other form of relief.

1522 (d) Any court's injunction, writ, order, or other form  
1523 of relief that would have the effect of preventing the  
1524 commission from issuing a license or invalidating a license  
1525 previously awarded shall be immediately appealable to the  
1526 Alabama Supreme Court in the same manner as a final order in  
1527 the action. The appeal may only be filed within 42 days of the  
1528 issuance of the injunction, writ, order, or other form of  
1529 relief. If the appeal is not the first appeal taken by the  
1530 party, the subsequent appeal shall be considered by the court  
1531 only to the extent that either the facts or controlling law  
1532 relevant to the issuance of a gaming establishment license  
1533 have changed from that which existed or controlled at the time  
1534 of the earlier appeal.

1535 (e) During the pendency of any such appeal, the action  
1536 in the trial court shall be stayed in all respects.

1537 Article 5. Operation of gaming establishments.

1538 §41-30-200. Duties of licensees.

1539 A gaming establishment licensee shall do all of the  
1540 following:





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1541 (1) Promptly report to the commission any facts or  
1542 circumstances related to the licensed gaming activity which  
1543 would constitute a violation of state or federal law.

1544 (2) Conduct all licensed gaming activities and  
1545 functions in a manner that does not pose a threat to the  
1546 public health, safety, or welfare of the residents of this  
1547 state and that does not adversely affect the security or  
1548 integrity of the operation of those games in this state.

1549 (3) Hold the commission and this state harmless from,  
1550 and defend and pay for the defense of, claims that may be  
1551 asserted against a licensee, the commission or its members in  
1552 their official capacity, or the state or employees thereof,  
1553 arising from the licensee's actions or omission while  
1554 conducting any licensed gaming activity.

1555 (4) Assist the commission in regulating the revenue of  
1556 licensed gaming activity.

1557 (5) Maintain all records required by the commission.

1558 (6) Upon request by the commission, provide the  
1559 commission access to all records and the physical premises  
1560 where the licensee's gaming activity and related activities  
1561 occur for the purpose of monitoring or inspecting the  
1562 licensee's activities, the games, gaming equipment, and  
1563 security equipment.

1564 (7) Keep current in all payments and obligations to the  
1565 commission.

1566 (8) Acquire gaming activities and gaming equipment by  
1567 purchase, lease, or other assignment and provide a secure  
1568 location for the placement, operation, and play of those games



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1569 and gaming equipment.

1570 (9) Prohibit a person from tampering with or  
1571 interfering with the operation of any gaming activity.

1572 (10) Ensure that all gaming activity is within the  
1573 sight and control of designated employees of the licensee and  
1574 under continuous observation by security equipment in  
1575 conformity with specifications and requirements of the  
1576 commission.

1577 (11) Ensure that gaming activity is placed and remains  
1578 placed in the specific locations within designated gaming  
1579 areas at the gaming establishment which have been approved by  
1580 the commission. Gaming activity at a gaming establishment may  
1581 only be relocated upon approval of the commission in  
1582 accordance with its rules. Casino-style games shall only be  
1583 available for in-person play on the premises of a licensed  
1584 gaming establishment.

1585 (12) Maintain at all times sufficient cash and gaming  
1586 tokens, chips, and electronic cards or other electronic media.

1587 (13) Install, post, and display conspicuously, at  
1588 locations within or about the gaming establishment, signs,  
1589 redemption information, and other promotional material as  
1590 required by the commission.

1591 (14) Assume liability for stolen money from any gaming  
1592 activity; provided, the licensee shall have a cause of action  
1593 for such unlawful activity.

1594 (15) Sustain minimum levels of operation and investment  
1595 as determined by commission rule.

1596 §41-30-201. Floor plan submission requirement.



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1597 (a) Prior to commencing the operation of any gaming  
1598 activity at a gaming establishment, a gaming establishment  
1599 licensee shall submit to the commission for its approval a  
1600 detailed floor plan depicting the location of the designated  
1601 gaming area in which gaming activity or gaming equipment will  
1602 be located and the proposed arrangement thereof.

1603 (b) Any floor plan submission that satisfies the  
1604 requirements of the rules adopted by the commission shall be  
1605 considered approved by the commission unless the licensee is  
1606 notified in writing to the contrary within one month of filing  
1607 a detailed floor plan.

1608 §41-30-202. Game rules of play.

1609 (a) Each gaming establishment licensee shall have  
1610 written rules of play for each type of gaming activity  
1611 operated by the licensee, which must be approved by the  
1612 commission before the game is offered to the public. Rules of  
1613 play proposed by a licensee may be approved, amended, or  
1614 rejected by the commission.

1615 (b) All gaming activity shall be conducted according to  
1616 the specific rules of play approved by the commission. All  
1617 wagers and pay-offs of winning wagers shall be made according  
1618 to those rules of play, which shall establish any limitations  
1619 necessary to assure the vitality of the game operations.

1620 (c) Each licensee shall make available in printed or  
1621 electronic form to any patron, upon request of the patron, the  
1622 complete text of the rules of play of any gaming activity in  
1623 operation, pay-offs of winning wagers, and any other notice to  
1624 the patron required by the commission.



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1625 (d) Patrons are deemed to have agreed that the  
1626 determination of whether the patron is a valid winner is  
1627 subject to the game play rules and, in the case of any  
1628 dispute, shall be determined by the commission. The  
1629 determination by the commission shall be final and binding  
1630 upon all patrons and licensees and shall not be subject to  
1631 further review or appeal.

1632 §41-30-203. Betting limits, operations, and services  
1633 for gaming activity.

1634 (a) A gaming establishment licensee, in the exercise of  
1635 its business judgment, may determine and establish with the  
1636 approval of the commission, all of the following relating to  
1637 its licensed gaming activities:

1638 (1) Minimum and maximum wagers.

1639 (2) Promotions subject to rules of the commission.

1640 (3) Hours of operation.

1641 (4) Currency denominations accepted by any mechanical  
1642 or electronic bill acceptors.

1643 (b) The commission may establish the following  
1644 parameters for any licensed gaming activity of any kind:

1645 (1) Minimum and maximum payout percentages.

1646 (2) Any probability limits of obtaining the maximum  
1647 payout for a particular play in conformance with industry  
1648 standards.

1649 (3) Limitations on the types and amounts of financial  
1650 transactions which a licensee may enter into with its patrons.

1651 §41-30-204. Posting of betting limits for table games.

1652 (a) Gaming establishment licensees accepting bets or



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1653 wagers shall post in a conspicuous location at each specific  
1654 location where the gaming activity is occurring indicating the  
1655 permissible minimum and maximum wagers pertaining to table  
1656 games at that location.

1657 (b) A licensee may not require any wager to be greater  
1658 than the stated minimum or less than the stated maximum.  
1659 However, any wager actually made by a patron and not rejected  
1660 by a licensee prior to the commencement of play shall be  
1661 treated as a valid wager.

1662 §41-30-205. Complimentary service, gift, cash, or other  
1663 item.

1664 (a) A gaming establishment licensee may not offer or  
1665 provide any complimentary service, gift, cash, or other item  
1666 of value to any patron, except under any of the following  
1667 conditions:

1668 (1) The complimentary item consists of room, food,  
1669 beverage, or entertainment expenses provided directly to a  
1670 patron and his or her guests by the licensee or indirectly to  
1671 a patron and his or her guests on behalf of the licensee by a  
1672 third party.

1673 (2) The complimentary item consists of documented  
1674 transportation expenses provided directly to a patron and his  
1675 or her guests on behalf of a licensee by a third party,  
1676 provided the licensee complies with the rules adopted by the  
1677 commission to ensure that the documented transportation  
1678 expenses of the patron and his or her guests are paid for or  
1679 reimbursed only once.

1680 (3) The complimentary item consists of coins, tokens,



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1681 cash, or other complimentary items or services provided  
1682 through any complimentary distribution program, the terms of  
1683 which shall be filed with the commission upon implementation  
1684 of the program or maintained pursuant to commission rule. Any  
1685 change in the terms of a complimentary program shall be filed  
1686 with the commission upon implementation of the change.

1687 (b) (1) Notwithstanding subsection (a), a gaming  
1688 establishment licensee may offer and provide complimentary  
1689 cash or non-cash gifts that are not otherwise included in that  
1690 subsection to a patron; provided, however, any complimentary  
1691 cash or non-cash gifts in excess of an amount per trip to be  
1692 set by rule of the commission are supported by documentation  
1693 regarding the reason the gift was provided to the patron and  
1694 his or her guests, including, where applicable, the patron's  
1695 player rating.

1696 (2) The documentation required under subdivision (1)  
1697 shall be maintained by a licensee in accordance with  
1698 commission rules. For purposes of this subsection, all gifts  
1699 presented to a patron and a patron's guests directly by the  
1700 licensee or indirectly on behalf of the licensee by a third  
1701 party within any five-day period shall be considered to have  
1702 been made during a single trip.

1703 §41-30-206. Prohibition on participation by minors.

1704 (a) An individual under 21 years of age may not play or  
1705 engage in any casino-style games.

1706 (b) This section does not prohibit individuals under 21  
1707 years of age from being allowed on the premises of a gaming  
1708 establishment where licensed gaming activity is being



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1709 conducted, so long as those individuals are restricted to  
1710 areas of the gaming establishment in which casino-style gaming  
1711 activity is not being conducted.

1712 (c) An individual who is under 21 years of age but 18  
1713 or more years of age may be employed at a gaming establishment  
1714 in a non-gaming area of the gaming establishment. The  
1715 individual may not serve alcoholic beverages.

1716 (d) The commission shall adopt rules to implement and  
1717 administer this section.

1718 §41-30-207. Required reports.

1719 The holder of a gaming establishment license shall  
1720 maintain daily records showing the gross receipts and adjusted  
1721 gross receipts of the licensed activities and shall timely  
1722 file with the commission any additional reports required by  
1723 the commission by rule.

1724 Article 6. Sports wagering.

1725 §41-30-250. Sports wagering license required.

1726 (a) Sports wagering activities in every form, including  
1727 by physical, electronic, or other means, may only be operated,  
1728 carried on, conducted, maintained, or exposed for play in this  
1729 state in accordance with this article and rules adopted  
1730 thereunder.

1731 (b) A person desiring to operate, carry on, conduct,  
1732 maintain, or expose for play sports wagering activities in  
1733 this state shall apply for a sports wagering license from the  
1734 commission.

1735 (c) Nothing in this article shall authorize any online  
1736 casino-style gaming activities or other in-person or online



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1737 gaming activities, including lottery games, except sports  
1738 wagering.

1739 §41-30-251. Sports wagering license application.

1740 (a) An applicant for licensure under this article shall  
1741 submit an application on a form in a manner as required by the  
1742 commission. The commission shall by rule establish an  
1743 application fee that must be paid as an application  
1744 requirement. The application shall include all of the  
1745 following with respect to the applicant:

1746 (1) The names of each principal owner and investor.

1747 (2) Information, documentation, and assurances, as  
1748 prescribed by rule of the commission, that may be required to  
1749 establish the good character, honesty, and integrity of the  
1750 principal owners and investors of the applicant and its gaming  
1751 employees.

1752 (3) Notice and a description of all civil judgments  
1753 obtained against the applicant.

1754 (4) A list of all jurisdictions where the applicant has  
1755 conducted sports wagering operations.

1756 (5) Information, documentation, and assurances  
1757 concerning the financial background and resources as may be  
1758 required to establish the financial stability, integrity, and  
1759 responsibility of the applicant, including, but not limited  
1760 to, bank references, business and personal income and  
1761 disbursement schedules, tax returns and other reports filed  
1762 with governmental agencies, and business and personal  
1763 accounting and check records and ledgers. To meet the  
1764 requirements of this subdivision, each applicant, in writing,





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1765 shall authorize the examination of all bank accounts and  
1766 related records as may be deemed necessary by the commission.  
1767 The commission may consider any relevant evidence of financial  
1768 stability. The applicant shall be presumed to be financially  
1769 stable if the applicant establishes that it meets each of the  
1770 following:

1771           a. The ability to assure the financial integrity of  
1772 sports wagering operations by the maintenance of a bankroll or  
1773 equivalent provisions adequate to pay winning wagers to  
1774 bettors when due. An applicant is presumed to have met this  
1775 standard if the applicant maintains, on a daily basis, a  
1776 bankroll and equivalent provisions in an amount that is at  
1777 least equal to the average daily minimum bankroll or  
1778 equivalent provisions, calculated on a monthly basis, for the  
1779 corresponding month in the previous year.

1780           b. The ability to meet ongoing operating expenses that  
1781 are essential to the maintenance of continuous and stable  
1782 sports wagering operations.

1783           c. The ability to pay, as and when due, all state and  
1784 federal taxes.

1785           (6) If an applicant has not previously been engaged in  
1786 business operations prior to applying for licensure, documents  
1787 that establish that the applicant has made sufficient  
1788 arrangements to fund its proposed sports wagering operations.

1789           (7) Information, documentation, and assurances as may  
1790 be required to establish that the applicant has sufficient  
1791 business ability and gaming experience as to establish the  
1792 likelihood of the creation and maintenance of a successful,



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1793 efficient sports wagering operation.

1794 (8) Information, as required by rule of the commission,  
1795 regarding the financial standing of the applicant, including,  
1796 but not limited to, a listing of each individual or entity  
1797 that has provided loans or financing to the applicant.

1798 (9) If the applicant intends to offer sports wagering  
1799 through an online sports wagering platform, copies of any  
1800 contracts with the online sports wagering platforms and any  
1801 other information requested by the commission relating to the  
1802 contract.

1803 (10) A nonrefundable application fee to be set by the  
1804 commission by rule. If the application is approved, the  
1805 application fee shall be applied to the initial license fee  
1806 provided under Section 41-30-252.

1807 (11) Any additional information required by the  
1808 commission by rule.

1809 (b) The executive director shall review each  
1810 application for licensure. The executive director shall report  
1811 in writing his or her findings to the members of the  
1812 commission, detailing the information supporting the  
1813 determination, including a formal finding of whether the  
1814 applicant is recommended for licensure.

1815 (c) The commission shall approve or deny the license  
1816 application by majority vote of the members of the commission  
1817 within a reasonable time after receipt of the application.

1818 (d) Each person holding a license under this article  
1819 has a continuing duty to immediately inform the commission of  
1820 any material change in status relating to any information that



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1821 may disqualify the person from holding the license.

1822 §41-30-252. Sports wagering license fee.

1823 The license fee for a sports wagering license issued  
1824 pursuant to Section 41-30-251 shall be for an amount and term  
1825 of years to be determined by the commission by rule based on  
1826 market factors and conditions and industry standards.

1827 §41-30-253. In-person and online sports wagering  
1828 license.

1829 (a) The commission may issue licenses authorizing a  
1830 licensee to operate, carry on, conduct, maintain, or expose  
1831 for play sports wagering activities as follows:

1832 (1) The commission may issue to a gaming establishment  
1833 licensee one in-person sports wagering license that authorizes  
1834 the licensee to conduct in-person sports wagering on the  
1835 premises of the licensee's gaming establishment.

1836 (2) The commission may issue an online sports wagering  
1837 license to an applicant that authorizes the licensee to  
1838 conduct sports wagering activities through an individually  
1839 branded sports wagering platform website and through an  
1840 associated mobile application bearing the same brand name.

1841 (b) The commission shall adopt rules prescribing a  
1842 minimum and maximum number of online sports wagering licenses  
1843 that may be issued. It is the intent of the Legislature that  
1844 the number of licenses awarded foster a competitive  
1845 environment.

1846 §41-30-254. Promotional credits.

1847 Sports wagering licensees may provide promotional  
1848 credits, incentives, bonuses, or similar benefits designed to



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1849 induce sports bettors to wager. The commission shall adopt  
1850 rules to govern this section.

1851 §41-30-255. Prohibited sports wagering activities.

1852 (a) A sports wagering licensee may not conduct any  
1853 sports wagering activities on any public or private K-12  
1854 school or other amateur youth sports or athletic events.

1855 (b) A sports wagering licensee may not authorize any  
1856 individual under 21 years of age to engage in any sports  
1857 wagering activities. A sports wagering platform may satisfy  
1858 this requirement by using any reasonable commercially  
1859 available age-verification software or program.

1860 (c) The commission shall adopt rules to implement and  
1861 administer this section, including uniform civil penalties for  
1862 a violation.

1863 §41-30-256. Deposit of fees.

1864 All fees collected under this article shall be  
1865 deposited into the Gaming Trust Fund pursuant to Section  
1866 41-30-453.

1867 §41-30-257. Required reports.

1868 The holder of a sports wagering license shall maintain  
1869 daily records showing the gross receipts and adjusted gross  
1870 receipts of the licensed activities and shall timely file with  
1871 the commission any additional reports required by the  
1872 commission by rule.

1873 §41-30-258. Rulemaking authority.

1874 The commission shall adopt rules governing the  
1875 licensing, administration, and conduct of sports wagering,  
1876 which shall include all of the following:



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1877 (1) Qualifications and conditions of licenses issued  
1878 for the operation of sports wagering either in person or  
1879 online.

1880 (2) The acceptance of wagers on a sporting event or a  
1881 series of sporting events and acceptable forms of payment and  
1882 advance deposit methods by patrons.

1883 (3) The method of accounting to be used by sports  
1884 wagering licensees, including the types of records that shall  
1885 be maintained by the licensee.

1886 (4) Protections for patrons placing wagers, including  
1887 requirements to ensure responsible gaming.

1888 §41-30-259. Interstate sports wagering agreements.

1889 The commission may enter into sports wagering  
1890 agreements with other states and jurisdictions to authorize  
1891 individuals who are physically located in a signatory  
1892 jurisdiction to participate in sports wagering activities.

1893 §41-30-260. Temporary sports wagering permit.

1894 (a) Notwithstanding any provision of this chapter to  
1895 the contrary, the commission may award a temporary sports  
1896 wagering permit to the operator of a racetrack for a live  
1897 motor sports race event the attendance of which includes, on  
1898 average, an estimated 60,000 or more individuals.

1899 (b) The temporary permit shall generally be valid for  
1900 three consecutive calendar days; provided, the commission, by  
1901 rule, may authorize limited exceptions to extend the number of  
1902 calendar days if a race is canceled or delayed due to weather  
1903 or other circumstances.

1904 (c) The temporary permit shall authorize the operator



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1905 of the racetrack to conduct in-person sports wagering on race  
1906 events at the racetrack.

1907 (d) The commission, by rule, shall establish the  
1908 temporary sports wagering permit fee. All fees collected by  
1909 the commission under this section shall be deposited into the  
1910 Gaming Trust Fund.

1911 Article 7. Charitable games.

1912 §41-30-300. Permit required.

1913 (a) Notwithstanding any provision of this chapter, a  
1914 person desiring to conduct a traditional raffle or traditional  
1915 bingo for charity fundraising shall apply to the commission  
1916 for a charity fundraising permit under this article.

1917 (b) A permit issued under this article shall be valid  
1918 for the duration of a single fundraising event described in  
1919 the application.

1920 (c) The applicant shall pay a reasonable fee, not to  
1921 exceed twenty-five dollars (\$25), for the charity fundraising  
1922 permit, to be established by the commission by rule.

1923 (d) The fair market or cash value of any prize awarded  
1924 pursuant to a charitable game conducted pursuant to this  
1925 article may not exceed ten thousand dollars (\$10,000).

1926 (e) The commission shall adopt rules relating to the  
1927 conduct, operation, and reporting requirements of permitted  
1928 charitable games conducted under this article, including the  
1929 production of a form for submission of applications for a  
1930 permit under this article.

1931 (f) A person issued a permit under this article shall  
1932 comply with all rules adopted by the commission.



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1933 (g) The commission shall ensure that a permit may only  
1934 be awarded only to a bona fide charitable organization, as  
1935 defined under Section 41-30-2, acting as an amateur fundraiser  
1936 that is raising money for charitable purposes only.

1937 (h) All fees collected under this section shall be  
1938 remitted to the Gaming Trust Fund.

1939 §41-30-301. Application for charitable fundraising  
1940 permit.

1941 (a) The commission shall issue a charitable fundraising  
1942 permit to an applicant who meets all of the requirements of  
1943 this section.

1944 (b) An applicant for a charitable fundraising permit  
1945 shall submit to the commission a sworn application in writing  
1946 containing all of the following:

1947 (1) The name, address, and nature of the organization.

1948 (2) Proof, in a manner sufficient to the commission, to  
1949 establish that the organization meets the definition of  
1950 "charitable organization" as defined in this chapter.

1951 (3) The names of the officers or principals of the  
1952 organization, and of any person responsible for the  
1953 management, administration, or supervision of the  
1954 organization's charitable game and associated activities.

1955 (4) An affirmation that the charitable game is to be  
1956 conducted for a charitable purpose.

1957 (5) A description of any prize offered to be awarded  
1958 for participation in the charitable game, including the cash  
1959 or fair market value of the prize, and the names of any person  
1960 who donated or otherwise provided the prize.



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1961 (6) A description of the intended use of any net gaming  
1962 proceeds of the charitable game operated by the organization.

1963 (7) Any other information necessary to maintain the  
1964 integrity of the authorized gaming activities conducted within  
1965 the state at the sole discretion of the commission.

1966 (c) At the conclusion of a charitable game, the  
1967 charitable organization shall file a sworn financial report on  
1968 the charitable game, stating both of the following:

1969 (1) The expenses incurred in the operation of the  
1970 charitable game.

1971 (2) The amount and use of the net proceeds of the  
1972 charitable game.

1973 (d) The commission shall adopt rules providing for an  
1974 online or other convenient method to register a traditional  
1975 raffle or traditional bingo conducted pursuant to this  
1976 article.

1977 §41-30-302. Prohibited activities.

1978 (a) A charitable game permitted under this article may  
1979 not be operated out of this state or through the use of a  
1980 video lottery terminal or any other mechanical,  
1981 electromechanical, or other electronic device or machine that  
1982 performs all the functions of a lottery by itself when  
1983 networked with other similar devices or machines.

1984 (b) All traditional raffle ticket sales shall be  
1985 limited to individuals who are physically located in this  
1986 state at the time of purchase.

1987 (c) A permit holder under this article may not do  
1988 either of the following:





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1989           (1) Compensate any person for the provision of supplies  
1990 or prizes used in the operation of a charitable game, except  
1991 to pay the actual fair market value of the prizes or supplies  
1992 necessary for the operation of the charitable game.

1993           (2) Provide any additional compensation to an  
1994 individual who is a regular employee of the organization for  
1995 the individual's services in organizing or operating a  
1996 charitable game.

1997           §41-30-303. Penalties.

1998           A person who knowingly violates this article shall be  
1999 guilty of a Class C misdemeanor.

2000           Article 8. Social gaming.

2001           §41-30-350. Social gaming authorized.

2002           (a) There is no license requirement or tax levied on a  
2003 social game that meets all of the following requirements, and  
2004 such games are deemed lawful activity:

2005           (1) The game takes place pursuant to a bona fide social  
2006 or employment relationship.

2007           (2) No person makes a profit or any other gain for  
2008 operating or facilitating the game, except for an individual's  
2009 winnings as a player.

2010           (3) The game is not tangential to any commercial  
2011 activity.

2012           (4) The game is not played or operated with any gaming  
2013 equipment, including any electronic form of bingo or a slot  
2014 machine.

2015           (5) Each player competes on equal terms with one  
2016 another.



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2017 (6) The game is not operated through a sports wagering  
2018 platform.

2019 (7) The game is not a casino-style game, as defined  
2020 under Section 41-30-2.

2021 (b) The commission may adopt rules to interpret the  
2022 definition of social gaming and to implement and administer  
2023 this section.

2024 Article 9. Alabama Lottery Corporation.

2025 §41-30-400. Accountability of the Alabama Lottery  
2026 Corporation.

2027 The Legislature recognizes that the operations of a  
2028 state lottery are unique activities for state government and  
2029 that a corporate structure will best enable the lottery to be  
2030 managed in an entrepreneurial and business-like manner. It is  
2031 the intent of the Legislature that the Alabama Lottery  
2032 Corporation shall be accountable to the Governor, the  
2033 Legislature, and the people of the State of Alabama through a  
2034 system of audits, reports, and disclosures as required by this  
2035 article.

2036 §41-30-401. Definitions.

2037 As used in this article, the following words have the  
2038 following meanings:

2039 (1) BOARD. The Alabama Lottery Corporation Board of  
2040 Directors.

2041 (2) CORPORATION. The Alabama Lottery Corporation.

2042 (3) FISCAL YEAR. The fiscal year used by the State of  
2043 Alabama government.

2044 (4) INSTANT TICKET. A lottery game in which a player



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2045 scratches or otherwise removes anything overlaying words or  
2046 symbols to determine if the player has won, as indicated by  
2047 the symbols and words that are displayed.

2048 (5) LOTTERY or LOTTERY GAME. As defined in Section  
2049 41-30-2.

2050 (6) LOTTERY RETAILER. Any person with whom the  
2051 corporation has contracted to sell lottery tickets to the  
2052 public.

2053 (7) MAJOR PROCUREMENT. Any item, product, or service in  
2054 the amount of one million dollars (\$1,000,000) or more,  
2055 including, but not limited to, major advertising contracts,  
2056 annuity contracts, prizes, products, and services unique to  
2057 the state lottery.

2058 (8) NET PROCEEDS. Gross lottery revenues, minus amounts  
2059 paid as prizes and expenses, of the operation of the lottery.

2060 (9) PERSON. Any individual, corporation, partnership,  
2061 unincorporated association, or other legal entity.

2062 (10) PRESIDENT. The president and chief executive  
2063 officer of the Alabama Lottery Corporation.

2064 (11) SECURITY. The protection of information that would  
2065 provide an unfair advantage to any individual involved in the  
2066 operation of the lottery; the protection and preservation of  
2067 the integrity of lottery games and operations; and the  
2068 measures taken to prevent crimes against the corporation and  
2069 its retailers.

2070 (12) VENDOR. Any person who has entered into a contract  
2071 with the corporation.

2072 §41-30-402. Administration of the state lottery.



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2073 (a) There is created a state lottery. The lottery shall  
2074 be administered by a corporation to be known as the Alabama  
2075 Lottery Corporation. The corporation shall be managed in a  
2076 manner that enables the people of the State of Alabama to  
2077 benefit from its profits and to ensure the integrity of the  
2078 lottery.

2079 (b) The existence of the corporation shall begin upon  
2080 the appointment of all seven members of the board as provided  
2081 in Section 41-30-403.

2082 (c) The corporation shall be domiciled in the State of  
2083 Alabama. The exclusive venue for any action or matter against  
2084 the corporation arising out of or in connection with the  
2085 issuance, nonissuance, delivery, or failure to deliver a  
2086 lottery ticket or payment or nonpayment of a lottery prize in  
2087 the county in which its corporate headquarters is located, and  
2088 the circuit court for that county shall have exclusive  
2089 jurisdiction over the action or matter. For purposes of the  
2090 assessment of court costs only, the corporation shall be a  
2091 private corporation.

2092 §41-30-403. Administration of the affairs of the  
2093 Alabama Lottery Corporation.

2094 (a) The affairs of the corporation shall be  
2095 administered by the Alabama Lottery Corporation Board of  
2096 Directors. The board shall be composed of seven voting members  
2097 appointed by the Governor with the advice and consent of the  
2098 Senate. In addition, the Commissioner of Revenue and the State  
2099 Treasurer shall serve as ex officio, nonvoting members.

2100 (b) The voting members of the board shall be residents



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2101 of the State of Alabama and may not be serving as a public  
2102 official, as that term is defined in Section 36-25-1. The  
2103 Governor, when making appointments to the board, shall  
2104 coordinate the appointments so that diversity of gender, race,  
2105 and geographical area is reflective of the makeup of the  
2106 state.

2107 (c) The initial appointees of the board shall serve  
2108 staggered terms as follows: (i) One term shall expire after  
2109 one year; (ii) one term shall expire after two years; (iii)  
2110 one term shall expire after three years; (iv) one term shall  
2111 expire after four years; and (v) one term shall expire after  
2112 five years. After the expiration of the initial terms, members  
2113 of the board shall serve for terms of five years.

2114 (d) A member may serve beyond the end of his or her  
2115 respective term until a successor has been appointed and  
2116 confirmed by the Senate. No member may serve more than two  
2117 consecutive five-year terms. Members serve at the pleasure of  
2118 the Governor. The board shall elect a chair from among its  
2119 voting members. As near as practical, the board chair shall  
2120 serve a term of two years.

2121 (e) Appointed members of the board shall be entitled to  
2122 per diem compensation paid by the corporation and shall be  
2123 reimbursed by the corporation for necessary travel and other  
2124 reasonable expenses incurred in the performance of their  
2125 official duties. Members of the board shall not have any  
2126 direct or indirect interest in an undertaking that puts their  
2127 personal interest in conflict with that of the corporation,  
2128 including, but not limited to, an interest in a major



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2129 procurement contract or a participating retailer.

2130 (f) The board, upon the initial call of the Governor  
2131 and the chair thereafter, shall meet each month for the first  
2132 18 months following the effective date of this act and at such  
2133 other times as the chair may determine. Five voting members of  
2134 the board shall constitute a quorum. The board shall also meet  
2135 upon the call of five or more of the voting members of the  
2136 board. The board shall keep accurate and complete records of  
2137 all its meetings.

2138 (g) Meetings of the commission shall be subject to the  
2139 Alabama Open Meetings Act; provided that members of the  
2140 commission may participate in a meeting of the commission in  
2141 person, by means of telephone conference, video conference, or  
2142 other similar communications equipment so that all individuals  
2143 participating in the meeting may hear each other at the same  
2144 time. Participation by any such means shall constitute  
2145 presence in person at a meeting for all purposes, including  
2146 for purposes of establishing a quorum, and the affirmative  
2147 vote of a majority of the members in attendance shall be  
2148 necessary for any action of the commission.

2149 §41-30-404. Inspection of records.

2150 All records of the corporation shall be deemed public  
2151 records and subject to public inspection pursuant to the  
2152 Alabama Public Records Act, Chapter 25A of Title 36, unless  
2153 any of the following apply:

2154 (1) The record relates to or was provided by a  
2155 confidential source or informant and relates to lottery  
2156 security, applicant, vendor, or retailer qualifications or



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2157 conduct.

2158 (2) The record involves a trade secret of the  
2159 corporation or of a vendor.

2160 (3) The record pertains to the internal security  
2161 operations of the lottery or its lottery retailers or the  
2162 record is of such a sensitive nature that its disclosure would  
2163 endanger the security of the lottery or its lottery retailers,  
2164 including, but not limited to, records containing security  
2165 procedures, investigative techniques, or internal security  
2166 information.

2167 (4) The record is covered by another exemption under  
2168 federal or state law.

2169 §41-30-405. Appointment of president of the Alabama  
2170 Lottery Corporation.

2171 (a)(1) From time to time, the board may appoint an  
2172 individual to serve as president of the corporation. The  
2173 president shall serve at the pleasure of the board.

2174 (2) The Governor may approve or disapprove the  
2175 appointment within 30 days of notice of the appointment. If  
2176 the Governor does not disapprove the appointment as prescribed  
2177 in this subsection, the appointment shall be deemed approved.

2178 (b) The president shall manage the daily affairs of the  
2179 corporation and shall have the powers and duties specified by  
2180 the board and this chapter and any rules adopted thereunder.

2181 (c) The president may employ personnel as he or she  
2182 deems necessary. All personnel shall serve at the will and  
2183 pleasure of the president, unless otherwise specified by the  
2184 president.



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2185 (d) Following his or her appointment and during his or  
2186 her entire employment by the board, the president shall reside  
2187 in this state.

2188 §41-30-406. Duties of the board.

2189 The board shall have the following powers and duties:

2190 (1) Approve, disapprove, amend, or modify the budget  
2191 recommended by the president for the operation of the  
2192 corporation.

2193 (2) Recommend rules for adoption to the Alabama Gaming  
2194 Commission as necessary to carry out and implement the  
2195 operations of the corporation, the conduct of lottery games in  
2196 general, and any other matters necessary or desirable for the  
2197 efficient and effective operation of the lottery or  
2198 convenience of the public.

2199 (3) Establish the salary of the president.

2200 (4) Acquire and hold, in its own name, real property  
2201 and improvements thereon by purchase, gift, lease, lease with  
2202 the option to purchase, or other lawful means, except eminent  
2203 domain, to carry out its duties; and transfer, sell, or convey  
2204 real property and any improvements thereon. Any obligations  
2205 created in connection with the purchase or improvement of real  
2206 property shall not create debts, obligations, or liabilities  
2207 of the State of Alabama.

2208 (5) Provide for the conduct of specific lottery games  
2209 and operations, including, but not limited to, the following:

2210 a. The types of lottery games that may be conducted.

2211 b. The sale price of tickets.

2212 c. The number and amount of prizes.





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2213           d. The methods that shall be used in selling tickets  
2214 for lottery games.

2215           e. The methods and location of selecting or validating  
2216 winning tickets.

2217           f. The manner of payment of prizes.

2218           g. The frequency of games and drawings.

2219           h. The manner and amount of compensation to lottery  
2220 retailers, except all compensation shall be uniform.

2221           i. Any other matters necessary to carry out this act  
2222 and necessary for the efficient and effective operation of the  
2223 lottery.

2224           (6) Conduct hearings upon receiving a complaint  
2225 alleging a violation of this article or rules adopted by the  
2226 corporation or as otherwise provided by this article.

2227           (7) Periodically review the performance of the  
2228 corporation and advise the president and make recommendations  
2229 regarding operations of the corporation and identify potential  
2230 statutory improvements to this article, the rules of the  
2231 corporation, and the management of the corporation.

2232           (8) Request from the corporation any information the  
2233 board determines to be relevant to its duties.

2234           (9) Conduct and administer lottery games to result in  
2235 maximization of revenues to the State of Alabama. The  
2236 corporation, its employees, and the members of the board shall  
2237 provide for the efficient and effective operation of lottery  
2238 games, ensure the integrity of the lottery, and maintain the  
2239 dignity of the state and the general welfare of its residents.

2240           (10) Supervise and administer the lottery in accordance



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2241 with this article and the rules adopted by the commission  
2242 governing this article.

2243 (11) Submit quarterly and annual reports to the  
2244 Governor, the Lieutenant Governor, the Speaker of the House of  
2245 Representatives, the State Treasurer, the State Auditor, the  
2246 Joint Legislative Committee on Performance Evaluation and  
2247 Expenditure Review, the Alabama Gaming Commission, the  
2248 Director of Finance, and the Commissioner of Revenue  
2249 containing financial information and projections which  
2250 include, but are not limited to, disclosure of gross revenues,  
2251 expenses, and net proceeds for the period.

2252 (12) Establish a system of continuous internal audits.

2253 (13) Maintain weekly or more frequent records of  
2254 lottery transactions, including distribution of tickets to  
2255 lottery retailers, revenues received, claims for prizes,  
2256 prizes paid, and all other financial transactions of the  
2257 corporation.

2258 (14) Establish a code of ethics for officers and  
2259 employees of the corporation to carry out the standards of  
2260 conduct established by this article.

2261 (15) Establish guidelines for the disposal of lottery  
2262 property if the corporation is dissolved.

2263 (16) Sue and be sued in its corporate name.

2264 (17) Adopt a corporate seal and a symbol.

2265 (18) Hold patents, copyrights, trademarks, and service  
2266 marks and enforce its rights with respect thereto.

2267 (19) Register to do business in the State of Alabama  
2268 and appoint agents upon which process may be served.



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2269 (20) Enter into written agreements with one or more  
2270 other states or sovereigns for the operation, marketing, and  
2271 promotion of a joint lottery or joint-lottery games.

2272 (21) Make, solicit, and request proposals and offers,  
2273 and execute and effectuate any and all agreements or  
2274 contracts, including, but not limited to:

2275 a. Contracts that provide for the placement of  
2276 commercial advertising on tickets.

2277 b. Contracts for the purchase or lease of real property  
2278 as are necessary for the operation and promotion of the  
2279 lottery.

2280 c. Contracts or agreements necessary for the  
2281 implementation, operation, and promotion of the lottery and  
2282 this article.

2283 (22) Adopt bylaws and recommend the adoption of rules  
2284 to the Alabama Gaming Commission as necessary to administer  
2285 this article.

2286 §41-30-407. Duties and obligations of the president.

2287 (a) The president, as chief executive officer of the  
2288 corporation, shall do all of the following:

2289 (1) Direct and supervise all administrative and  
2290 technical activities in accordance with this article and the  
2291 rules adopted by the commission governing this article.

2292 (2) Supervise and administer the operation of the  
2293 corporation, the lottery, and its games.

2294 (3) Employ, manage, and direct the personnel of the  
2295 corporation and its facilities and services as necessary to  
2296 implement this article.



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2297 (4) Enter into contracts with lottery retailers.

2298 (5) Make available for inspection by the board or any  
2299 member of the board, upon request, all books, records, files,  
2300 and other information and documents of his or her office.

2301 (6) Advise and make recommendations to the board for  
2302 the adoption of rules or other actions to improve the  
2303 operation and administration of the lottery and the  
2304 corporation.

2305 (7) Enter into any contract pursuant to this article  
2306 with any person for the promotion and operation of the lottery  
2307 or for the performance of any of the functions as provided in  
2308 this article or rule of the commission unless the contract  
2309 constitutes a major procurement. A major procurement shall  
2310 require approval from the board.

2311 (8) Attend meetings of the board or appoint a designee  
2312 to attend on his or her behalf.

2313 (9) Not later than 30 days before the beginning of the  
2314 corporation's fiscal year, submit the proposed annual budget  
2315 of the corporation and projected net proceeds to the board for  
2316 review and approval.

2317 (10) Subject to the approval of the board, amend or  
2318 modify the budget at any time in any manner deemed necessary  
2319 for the proper operation of the corporation.

2320 (11) Require bond from employees of the corporation as  
2321 he or she deems necessary; provided, the president shall  
2322 require bond, in an amount determined by the board, from  
2323 employees with access to corporate funds or lottery funds.

2324 (12) For good cause, suspend, revoke, or refuse to



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2325 renew any contract entered into in accordance with this  
2326 article or rule of the commission.

2327 (13) Upon specific or general approval of the board,  
2328 conduct hearings and administer oaths to persons for the  
2329 purpose of assuring the security or integrity of lottery  
2330 operations, or to determine the qualifications or compliance  
2331 by vendors and lottery retailers.

2332 (14) Upon receiving specific or general approval of the  
2333 board, enter into contracts with consultants and technical  
2334 assistants as may be required to implement and administer this  
2335 article.

2336 (15) By agreement, secure information, goods, and  
2337 services as necessary from any department, agency, or unit of  
2338 the federal, state, or local government. To the extent allowed  
2339 by federal or state law or rule, the president may compensate  
2340 the department, agency, or unit of government for its  
2341 information, goods, and services.

2342 (16) Supervise ticket validation and lottery drawings.

2343 (17) For just cause and subject to the terms of a  
2344 vendor contract, inspect the facilities of any vendor in order  
2345 to determine the integrity of the vendor's product and in  
2346 order to determine whether the vendor is in compliance with  
2347 its contract.

2348 (18) Report any suspected violations of this article to  
2349 the Gaming Enforcement Division and the local district  
2350 attorney or the Attorney General.

2351 (19) Upon request, provide assistance to the Gaming  
2352 Enforcement Division, local district attorney, and the



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2353 Attorney General during an investigation into a violation of  
2354 this article.

2355 (b) The president and the board shall conduct an  
2356 ongoing examination of the operation and administration of  
2357 lotteries in other states and countries, including reviewing  
2358 available literature on the subject; federal laws and  
2359 regulations which may affect the operation of the lottery; and  
2360 the reaction of residents of this state to existing or  
2361 proposed features of lottery games with a view toward  
2362 implementing improvements that will tend to serve the purposes  
2363 of this article.

2364 (c) The president may also establish one or more market  
2365 or equipment research centers for lottery products and may  
2366 establish lottery player information centers.

2367 (d) There shall be no liability on the part of, and no  
2368 cause of action shall arise against, the corporation or its  
2369 governing board, staff, agents, vendors, or employees, arising  
2370 out of or in connection with their duties and obligations as  
2371 provided for under this article.

2372 §41-30-408. Exemption from state procurement law.

2373 (a) The corporation may purchase, lease, or  
2374 lease-purchase any goods or services as necessary for  
2375 implementing and administering this article.

2376 (b) The corporation shall be exempt from the  
2377 requirements of the state procurement law, Article 5 of  
2378 Chapter 4 of Title 41, Code of Alabama 1975, and the  
2379 requirements of Chapter 16 of Title 41, relating to the design  
2380 and operation of the lottery or purchase of lottery equipment,



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2381 tickets, and related materials.

2382 (c) The corporation may make procurements necessary for  
2383 the function of the lottery, including procurements for the  
2384 design of lottery games, the distribution of lottery tickets  
2385 to lottery retailers, the supply of goods and services, and  
2386 advertising. In all procurement decisions, the corporation  
2387 shall take into account the particularly sensitive nature of  
2388 the state lottery and shall promote and ensure security,  
2389 honesty, fairness, and integrity in the operation and  
2390 administration of the lottery and the objectives of raising  
2391 net proceeds for the benefit of the state.

2392 §41-30-409. Agreements with other entities; exemption  
2393 from Alabama Public Records Law.

2394 (a) The corporation may enter into intelligence  
2395 sharing, reciprocal use, or restricted use agreements with the  
2396 federal government, law enforcement agencies, lottery  
2397 regulation agencies, and gaming enforcement agencies of other  
2398 jurisdictions that provide for and regulate the use of  
2399 information provided and received pursuant to the agreement.

2400 (b) Records, documents, and information in the  
2401 possession of the corporation received pursuant to an  
2402 intelligence sharing, reciprocal use, or restricted use  
2403 agreement entered into by the corporation pursuant to  
2404 subsection (a) shall be exempt from the Alabama Public Records  
2405 Law of Chapter 13 of Title 41. The corporation may not release  
2406 the record, document, or other information without the written  
2407 permission of the person or agency providing the record or  
2408 information to the corporation.



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2409 §41-30-410. Advertising.

2410 (a) The corporation may enter into one or more  
2411 commercial advertising contracts with a person for the purpose  
2412 of promoting the lottery and the sale of lottery tickets.

2413 (b) The board shall recommend rules for adoption to the  
2414 Alabama Gaming Commission which shall govern any advertising  
2415 conducted pursuant to this section.

2416 §41-30-411. Criminal background checks.

2417 (a) The Alabama State Bureau of Investigation shall  
2418 perform a criminal background check on potential vendors,  
2419 including potential lottery retailers and potential employees  
2420 of the corporation.

2421 (b) The required criminal background check shall be  
2422 conducted prior to the finalization of any contract with a  
2423 potential vendor or prior to the employment of any potential  
2424 employee.

2425 (c) The corporation shall reimburse the Alabama State  
2426 Bureau of Investigation for the actual costs of conducting the  
2427 criminal background investigations.

2428 §41-30-412. Sale to minors; penalty, affirmative  
2429 defense.

2430 (a) Any person who knowingly sells a lottery ticket to  
2431 an individual under 18 years of age or permits an individual  
2432 under 18 years of age to play a lottery game shall be guilty  
2433 of a Class C misdemeanor and fined as follows:

2434 (1) On a first violation, not less than one hundred  
2435 dollars (\$100) nor more than five hundred dollars (\$500).

2436 (2) On a subsequent offense, not less than two hundred





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2437 dollars (\$200) nor more than one thousand dollars (\$1,000).

2438 (b) It shall be an affirmative defense to a charge of  
2439 violating this section that the retailer reasonably and in  
2440 good faith relied upon presentation of proof of age in making  
2441 the sale.

2442 §41-30-413. Claiming a prize.

2443 (a) The proceeds of any lottery prize of six hundred  
2444 dollars (\$600) or more shall be subject to state and federal  
2445 income tax withholding laws, as applicable. To claim a lottery  
2446 prize of six hundred dollars (\$600) or more, an individual  
2447 holding a winning lottery ticket must provide to the  
2448 corporation the individual's name, address, and any other  
2449 information required by rule of the Department of Revenue. The  
2450 Department of Revenue shall adopt rules governing the  
2451 administration of this subsection.

2452 (b) The corporation shall withhold any attachments,  
2453 garnishments, or executions authorized and issued pursuant to  
2454 law if timely served upon the process agent of the  
2455 corporation.

2456 (c) The board shall adopt policies and procedures to  
2457 establish a system of verifying the validity of tickets or  
2458 shares claimed to win prizes and to effect payment of those  
2459 prizes, subject to the following conditions:

2460 (1) No prize, portion of a prize, or right of a person  
2461 to a prize shall be assignable. Any prize, or portion thereof,  
2462 remaining unpaid at the death of a prizewinner shall be paid  
2463 to the estate of the deceased prizewinner or to the trustee of  
2464 a trust established by the deceased prizewinner if a copy of



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2465 the trust document or instrument has been filed with the  
2466 corporation, along with a notarized letter of direction from  
2467 the deceased prizewinner, and no written notice of revocation  
2468 has been received by the corporation prior to the deceased  
2469 prizewinner's death. Following a deceased prizewinner's death  
2470 and prior to any payment to a trustee, the corporation shall  
2471 obtain from the trustee and each trust beneficiary a written  
2472 agreement to indemnify and hold the corporation harmless with  
2473 respect to any claims that may be asserted against the  
2474 corporation arising from payment to or through the trust.

2475 (2) No prize shall be paid arising from a claimed  
2476 ticket that is stolen, counterfeit, altered, fraudulent,  
2477 unissued, produced or issued in error, unreadable, not  
2478 received, unclaimed or not recorded by the corporation within  
2479 the applicable deadline, lacking in captions that conform and  
2480 agree with the play symbols as appropriate to the lottery game  
2481 involved, or not in compliance with any additional specific  
2482 rules and public or confidential validation and security tests  
2483 of the corporation appropriate to the particular lottery game  
2484 involved.

2485 (3) No particular prize in any lottery game shall be  
2486 paid more than once, and in the event of a determination by  
2487 the corporation or a court that more than one claimant is  
2488 entitled to a particular prize, the sole remedy of the  
2489 claimants shall be to award to each of them an equal share in  
2490 the prize.

2491 (4) A holder of a winning ticket from an Alabama  
2492 lottery game or from a multi-state or multi-jurisdiction



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2493 lottery game shall claim a prize within the timeframe provided  
2494 for by rule of the board. If a valid claim is not made for a  
2495 prize within the applicable period, the prize shall constitute  
2496 an unclaimed prize for purposes of this section.

2497 (5) The corporation shall not disclose the identity of  
2498 the person holding a winning lottery ticket where the prize  
2499 amount is in excess of one million dollars (\$1,000,000)  
2500 without that person's written permission.

2501 (6) No prize shall be paid upon a lottery ticket  
2502 purchased or sold in violation of this article or rule adopted  
2503 thereunder. A lottery ticket purchased or sold in violation of  
2504 this article or rule adopted thereunder shall constitute an  
2505 unclaimed prize for purposes of this section.

2506 (d) Unclaimed prize money shall not constitute net  
2507 lottery proceeds. Unclaimed prize money shall be held in trust  
2508 by the corporation and used as provided in this section.  
2509 Annually, the corporation shall distribute a portion of  
2510 unclaimed prize money, not to exceed two hundred thousand  
2511 dollars (\$200,000) each year, to the State General Fund to the  
2512 credit of the Department of Mental Health for the treatment of  
2513 compulsive gambling disorder and educational programs related  
2514 to the disorder. In addition, unclaimed prize money may be  
2515 added to the pool from which future prizes are to be awarded  
2516 or used for special prize promotions.

2517 (e) The corporation is discharged of all liability upon  
2518 payment of a prize.

2519 (f) No ticket shall be purchased by and no prize shall  
2520 be paid to any of the following persons:



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2521 (1) Any member of the board.

2522 (2) Any member, officer, or employee of the Alabama  
2523 Gaming Commission.

2524 (3) Any officer or employee of the corporation.

2525 (4) Any vendor, including a lottery retailer.

2526 (5) Any spouse, child, brother, sister, or parent  
2527 residing as a member of the same household in the principal  
2528 place of abode of any individual listed in this subsection.

2529 §41-30-414. Withholding of lottery prizes of persons  
2530 who have outstanding child support arrearages or debts owed to  
2531 the state.

2532 (a) (1) The board shall coordinate with the Department  
2533 of Human Resources to recommend rules for adoption to the  
2534 Alabama Gaming Commission providing for the withholding of  
2535 lottery prizes of individuals who have outstanding child  
2536 support arrearages as reported to the corporation, beginning  
2537 at prize levels to be determined by the board. The rules may  
2538 require any agency reporting current child support arrearages  
2539 to the corporation to provide information relating to the  
2540 arrearages in a manner, format, or record approved by the  
2541 corporation.

2542 (2) The corporation shall not be liable for withholding  
2543 a lottery prize based upon child support arrearage information  
2544 provided to the corporation.

2545 (b) (1) The corporation shall withhold any lottery prize  
2546 of an individual who has had a delinquent debt claim reported  
2547 by a state agency or a political subdivision of the state. The  
2548 Department of Revenue and the corporation shall cooperate to



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2549 implement this section.

2550 (2) The corporation shall not be liable for withholding  
2551 a lottery prize based upon a delinquent debt claim provided to  
2552 it by the Department of Revenue.

2553 (3) The commission shall adopt rules to implement this  
2554 subsection.

2555 §41-30-415. Monies received from the sale of lottery  
2556 tickets; creation of funds.

2557 (a) There is established in the State Treasury the  
2558 Lottery Proceeds Fund. All lottery proceeds received by the  
2559 corporation, including all monies from the sale of lottery  
2560 tickets and all other sources of revenue, shall be deposited  
2561 into the fund. All lottery proceeds shall be the property of  
2562 the corporation.

2563 (b) The corporation shall use monies in the fund to  
2564 first pay for its reasonable operating expenses, second for  
2565 the payment of prize money, and all remaining funds shall be  
2566 transferred to the Lottery for Education Fund as provided  
2567 under subsection (c). The corporation shall endeavor to  
2568 maximize the amount of revenues that may be generated for  
2569 deposit into the Lottery for Education Fund.

2570 (c) (1) The Lottery for Education Fund is established in  
2571 the State Treasury.

2572 (2) On or before the twentieth day of each month, the  
2573 corporation shall transfer, from the Lottery Proceeds Fund to  
2574 the Lottery for Education Fund, the amount of all net proceeds  
2575 described in subsection (b). Upon their deposit into the  
2576 Lottery for Education Fund, any monies representing net



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2577 proceeds shall become the unencumbered property of the State  
2578 of Alabama and the corporation shall have no power to agree or  
2579 undertake otherwise. The monies shall be invested by the State  
2580 Treasurer in accordance with state investment practices.

2581 §41-30-416. Funding of the corporation.

2582 (a) The corporation may enter into contracts to incur  
2583 debt in its own name and enter into financing agreements with  
2584 the state, agencies, or instrumentalities of the state, or  
2585 with any commercial bank or credit provider. Any contract or  
2586 financing agreement entered into pursuant to this subsection  
2587 must be approved by the Finance Director of the Department of  
2588 Finance. Any obligations created in connection with any  
2589 contracts or financing agreements entered into pursuant to  
2590 this section shall solely and exclusively be obligations of  
2591 the corporation and shall not create debts, obligations, or  
2592 liabilities of the State of Alabama.

2593 (b) The corporation shall be self-sustaining and  
2594 self-funded. Monies in the State General Fund shall not be  
2595 used or obligated to pay the prizes of the lottery, and no  
2596 claim for the payment of an expense of the lottery or prizes  
2597 of the lottery may be made against any monies other than  
2598 monies credited to the Lottery Proceeds Fund.

2599 §41-30-417. Selection and maintenance of statewide  
2600 network of lottery retailers.

2601 (a) The corporation shall develop and maintain a  
2602 statewide network of lottery retailers that will serve the  
2603 public convenience and promote the sale of lottery tickets,  
2604 while ensuring the integrity of the lottery operations, games,



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2605 and activities.

2606 (b) A lottery game may not be played except as  
2607 authorized by general law and rules adopted by the commission.  
2608 A lottery game may not be operated through the use of a video  
2609 lottery terminal or any other mechanical, electromechanical,  
2610 or other electronic device or machine that performs all the  
2611 functions of a lottery by itself when networked with other  
2612 similar devices or machines.

2613 (c) A lottery ticket may not be sold except by a  
2614 licensed lottery retailer in accordance with general law and  
2615 rules adopted by the commission.

2616 §41-30-418. Selection of lottery retailers.

2617 (a) To govern the selection of lottery retailers, the  
2618 board shall recommend rules for adoption to the Alabama Gaming  
2619 Commission which shall provide a list of objective criteria  
2620 upon which the selection of lottery retailers shall be based.  
2621 The criteria shall include, but not be limited to, the  
2622 following with regard to the applicant:

2623 (1) Financial responsibility.

2624 (2) Location and security of place of business or  
2625 activity.

2626 (3) Character, integrity, and reputation.

2627 (4) Whether the applicant is current in the filing of  
2628 all applicable tax returns and the payment of all applicable  
2629 taxes, interest, and penalties owed to the state or any  
2630 political subdivision thereof, excluding items under formal  
2631 appeal.

2632 (b) No person shall be selected as a lottery retailer



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2633 for the sale of lottery tickets if the person has done any of  
2634 the following:

2635 (1) Has been convicted of a criminal offense related to  
2636 the security or integrity of the lottery in this state or any  
2637 other jurisdiction.

2638 (2) Has been convicted of any illegal gambling  
2639 activity, false statements, false swearing, or perjury in this  
2640 state or any other jurisdiction.

2641 (3) Has been convicted of any felony in this state,  
2642 unless more than five years have elapsed from the date of the  
2643 individual's release from incarceration without a subsequent  
2644 conviction of a crime described in this subsection.

2645 (4) Has been found to have violated this chapter or any  
2646 rule adopted under this chapter, unless either 10 or more  
2647 years have passed since the violation, or the president and  
2648 the board find the violation both minor and unintentional in  
2649 nature.

2650 (5) Is a vendor or an employee or agent of any vendor  
2651 doing business with the corporation.

2652 (6) Resides in the same household as an officer or  
2653 board member of the corporation.

2654 (7) Has knowingly made a false statement of material  
2655 fact to the corporation.

2656 (c) The board shall not consider the applicant's  
2657 political affiliation, political activities, or monetary  
2658 contributions to political organizations or candidates for any  
2659 public office.

2660 §41-30-419. Cancellation, denial, revocation,





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2661 suspension, renewal rejection, or termination of contract with  
2662 lottery retailer.

2663 (a) Any contract executed by the corporation with a  
2664 lottery retailer pursuant to this article shall specify the  
2665 reasons for which any contract may be canceled, denied,  
2666 revoked, suspended, renewal rejected, or terminated by the  
2667 corporation, including, but not limited to, the following:

2668 (1) Violation of this article or a rule adopted  
2669 thereunder.

2670 (2) Failure to accurately account for lottery tickets,  
2671 revenues, or prizes as required by this article and rules  
2672 adopted thereunder.

2673 (3) Commission of any fraud, deceit, or  
2674 misrepresentation.

2675 (4) Insufficient sale of tickets.

2676 (5) Conduct prejudicial to public confidence in the  
2677 lottery.

2678 (6) Filing for or being placed in bankruptcy or  
2679 receivership.

2680 (7) Any material change in any matter considered by the  
2681 corporation in executing the contract with the lottery  
2682 retailer.

2683 (8) Failure to meet any of the objective criteria  
2684 established by the board pursuant to this article.

2685 (b) (1) Following a public hearing on the matter, if the  
2686 president determines that the cancellation, denial,  
2687 revocation, suspension, rejection of renewal, or termination  
2688 of a lottery retailer contract is in the best interest of the



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2689 lottery, the public welfare, or the State of Alabama, the  
2690 president may cancel, deny, revoke, suspend, reject the  
2691 renewal, or terminate the contract.

2692 (2) Notwithstanding subdivision (1), the president may  
2693 temporarily suspend for not more than 60 consecutive calendar  
2694 days any lottery retailer contract without prior notice,  
2695 pending any investigation, prosecution, and public hearing.

2696 §41-30-420. Treatment of lottery proceeds by lottery  
2697 retailers; insolvency.

2698 (a) (1) All proceeds from the sale of lottery tickets  
2699 received by a lottery retailer shall be held in trust by the  
2700 lottery retailer until paid to the corporation either directly  
2701 or through the corporation's authorized collection  
2702 representative.

2703 (2) A lottery retailer shall have a fiduciary duty to  
2704 preserve and account for lottery proceeds and shall be  
2705 personally liable for the lottery proceeds.

2706 (3) Lottery proceeds shall include unsold instant  
2707 tickets received by a lottery retailer, cash proceeds of the  
2708 sale of any lottery products, the net amount of allowable  
2709 sales commissions, and credit for lottery prizes to winners by  
2710 lottery retailers.

2711 (4) Sales proceeds and unused instant tickets shall be  
2712 delivered to the corporation or its authorized collection  
2713 representative upon demand.

2714 (b) (1) The board shall require each lottery retailer to  
2715 place all lottery proceeds due the corporation in a bank  
2716 account in an institution insured by the Federal Deposit



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2717 Insurance Corporation not later than the close of the next  
2718 banking day after the date of collection by the lottery  
2719 retailer until the date the proceeds are paid over to the  
2720 corporation.

2721 (2) Each lottery retailer shall establish a separate  
2722 bank account for lottery proceeds. The lottery proceeds shall  
2723 be kept separate and apart from all other funds and assets and  
2724 shall not be commingled with any other funds or assets.

2725 (c) A lottery retailer that cashes a winning lottery  
2726 ticket shall receive, as a cashing bonus, one percent of the  
2727 cashed amount.

2728 (d) Whenever any individual who receives proceeds from  
2729 the sale of lottery tickets in the capacity of a lottery  
2730 retailer becomes insolvent, or dies insolvent, the proceeds  
2731 due the corporation from the individual or his or her estate  
2732 shall have preference over all other debts or demands.

2733 §41-30-421. Illegal lottery devices prohibited.

2734 (a) A lottery retailer or agent, associate, employee,  
2735 or representative of a lottery retailer may not allow any  
2736 illegal lottery device to be on the licensed premises of the  
2737 lottery retailer. For purposes of this section, an illegal  
2738 lottery device is any machine or other device that sells  
2739 lottery tickets or otherwise participates in a lottery not  
2740 approved by the corporation.

2741 (b) The corporation may assess a fine against a lottery  
2742 retailer who violates this section, as follows:

2743 (1) For a first offense, a fine of not less than one  
2744 hundred dollars (\$100) nor more than five hundred dollars



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2745 (\$500).

2746 (2) For a subsequent offense, a fine of not less than  
2747 two hundred dollars (\$200) nor more than one thousand dollars  
2748 (\$1,000). In addition, the corporation may suspend, revoke, or  
2749 take other disciplinary action against the lottery retailer  
2750 license of the lottery retailer.

2751 §41-30-422. Sale to minors prohibited.

2752 (a) A lottery retailer or agent, associate, employee,  
2753 or representative of a lottery retailer may not sell a lottery  
2754 ticket to any individual unless the individual submits any one  
2755 of the following forms of identification to establish that the  
2756 individual is 18 years of age or older:

2757 (1) A valid and current Alabama driver license  
2758 containing a photograph of the individual presenting the  
2759 driver license.

2760 (2) A valid and current driver license of another state  
2761 containing a photograph of the individual presenting the  
2762 driver license.

2763 (3) A valid and current nondriver identification card  
2764 issued by the State of Alabama containing a photograph of the  
2765 individual presenting the identification card.

2766 (4) A valid and current passport or visa issued by the  
2767 federal government or another country or nation which contains  
2768 a permanently attached photograph of the individual presenting  
2769 the passport or visa.

2770 (5) A valid and current military or federal  
2771 identification card issued by the federal government  
2772 containing a photograph of the individual presenting the



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2773 identification card.

2774 (6) A valid and current tribal identification card  
2775 issued by a federally recognized Indian tribe containing a  
2776 photograph of the individual presenting the identification  
2777 card.

2778 (b) (1) Each form of identification listed in subsection  
2779 (a) must on its face establish the age of the individual as 18  
2780 years of age or older and there must be no reason to doubt the  
2781 authenticity or correctness of the identification.

2782 (2) No form of identification shall be accepted as  
2783 proof of age if it is expired, defaced, mutilated, or altered.  
2784 If the form of identification used is a duplicate, the  
2785 presenting individual shall submit additional identification  
2786 which contains the name, date of birth, and photograph of the  
2787 individual.

2788 (3) An educational institution identification card,  
2789 check-cashing identification card, or employee identification  
2790 card shall not be considered as lawful identification for the  
2791 purposes of this section.

2792 (c) The corporation shall assess a fine against any  
2793 lottery retailer who sells a lottery ticket to an individual  
2794 under 18 years of age in violation of this section, as  
2795 follows:

2796 (1) For a first offense, a fine of not less than one  
2797 hundred dollars (\$100) nor more than five hundred dollars  
2798 (\$500).

2799 (2) For a subsequent offense, a fine of not less than  
2800 two hundred dollars (\$200) nor more than one thousand dollars



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2801 (\$1,000). In addition, the corporation may suspend, revoke, or  
2802 take other disciplinary action against the lottery retailer  
2803 license of the lottery retailer.

2804 §41-30-423. Underage purchase of lottery ticket;  
2805 penalty.

2806 (a) It is unlawful for any individual under 18 years of  
2807 age to purchase a lottery ticket.

2808 (b) An individual who violates this section shall be  
2809 guilty of a violation and fined not more than one hundred  
2810 dollars (\$100) and shall be subject to the citation and arrest  
2811 procedures of Section 11-45-9.1.

2812 §41-30-424. Counterfeit lottery tickets prohibited.

2813 (a) It shall be unlawful for any person, with intent to  
2814 defraud, to falsely make, alter, forge, utter, pass, or  
2815 counterfeit a lottery ticket.

2816 (b) A violation of this section is a Class C felony.

2817 §41-30-425. Theft of lottery prize by deception or  
2818 fraud.

2819 (a) It shall be unlawful for any person to influence or  
2820 attempt to influence the winning of a lottery prize through  
2821 the use of coercion, fraud, or deception or by tampering with  
2822 lottery equipment or materials.

2823 (b) A violation of this section is a Class B felony.

2824 §41-30-426. Prohibited actions for current and former  
2825 board members and officers of the corporation.

2826 (a) A current or former board member or officer of the  
2827 corporation, or a corporation or other entity owned in whole  
2828 or in part by a former board member or officer of the



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2829 corporation, may not solicit, accept employment, or enter into  
2830 a contract for compensation of any kind with a vendor of the  
2831 corporation during the member's service with the corporation  
2832 or within one year after termination of service with the  
2833 corporation.

2834 (b) The name of any individual who is a board member or  
2835 an officer or employee of the corporation shall not appear  
2836 upon any lottery ticket, lottery game, lottery form, or paper  
2837 used in playing any lottery game.

2838 (c) A board member or an officer or employee of the  
2839 corporation who violates this section shall be removed from  
2840 office or dismissed from employment.

2841 (d) The prohibitions of subsection (a) and subsection  
2842 (c) do not apply to ex officio members of the board.

2843 (e) The State Ethics Commission shall administer and  
2844 enforce this section. The procedures and penalties provided  
2845 for in Chapter 25 of Title 36 shall apply to the  
2846 administration and enforcement of this section.

2847 §41-30-427. Skimming of lottery proceeds.

2848 (a) An individual may not knowingly exclude, or take  
2849 any action in an attempt to exclude, anything or its value  
2850 from the deposit, counting, collection, or computation of  
2851 gross revenues or net proceeds from lottery activities. A  
2852 person who violates this section commits the crime of skimming  
2853 of lottery proceeds.

2854 (b) An individual who commits the crime of skimming of  
2855 lottery proceeds shall be punished as follows:

2856 (1) If the offense involves less than one thousand



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2857 dollars (\$1,000), the individual is guilty of a Class D  
2858 felony.

2859 (2) If the offense involves one thousand dollars  
2860 (\$1,000) or more but less than ten thousand dollars (\$10,000),  
2861 the individual shall be guilty of a Class C felony. The  
2862 individual shall serve a minimum period of incarceration of  
2863 not less than three years without benefit of probation,  
2864 parole, or suspension of sentence.

2865 (3) If the offense involves ten thousand dollars  
2866 (\$10,000) or more, the individual shall be guilty of a Class B  
2867 felony and shall serve a period of incarceration of not less  
2868 10 years nor more than 25 years without benefit of probation,  
2869 parole, or suspension of sentence.

2870 §41-30-428. Reserved.

2871 Reserved.

2872 §41-30-429. Lottery tickets.

2873 (a) The board may recommend rules for adoption to the  
2874 Alabama Gaming Commission providing for the form of lottery  
2875 tickets sold pursuant to this article.

2876 (b) Lottery tickets, including instant tickets, shall  
2877 be printed onto paper, plastic, or other tangible material;  
2878 provided, the form of any multi-jurisdiction lottery ticket  
2879 shall be subject to any requirement to participate in any  
2880 multi-jurisdiction draw-based lottery.

2881 §41-30-430. Financial integrity of lottery.

2882 (a) To ensure the financial integrity of the lottery,  
2883 the corporation through its board shall do all of the  
2884 following:





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2885 (1) Compile and submit quarterly and annual reports and  
2886 financial statements.

2887 (2) Contract with an independent auditor who is a  
2888 certified public accountant or firm to conduct an annual  
2889 financial audit of the books and records of the corporation.  
2890 The cost of this annual financial audit shall be an operating  
2891 expense of the corporation. The independent auditor shall have  
2892 no financial interest in any vendor with whom the corporation  
2893 is under contract.

2894 (b) A contract for an independent auditor under this  
2895 section shall be reviewed by and subject to the approval of  
2896 the Examiner of Public Accounts to ensure that the independent  
2897 auditor is qualified to perform the audit.

2898 (c) The audit shall be completed by January 1 of each  
2899 year.

2900 (d) A contract for audit services may not exceed a  
2901 period of five years and the same firm may not receive two  
2902 consecutive audit contracts.

2903 §41-30-431. Distribution of lottery funds.

2904 (a) Proceeds in the Lottery for Education Fund shall be  
2905 annually appropriated by and through an independent  
2906 supplemental appropriation bill for any non-recurring expenses  
2907 related to education, including, but not limited to, the  
2908 following:

2909 (1) The establishment and support of problem gaming and  
2910 gaming addiction treatment centers and programs.

2911 (2)a. The establishment and provision of a last-dollar  
2912 postsecondary scholarship program for public two-year



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2913 community and technical colleges to provide degrees,  
2914 certifications, course credit, and credentials for in-demand  
2915 fields to meet instructional and workforce training needs  
2916 throughout the state. For the purposes of this section, a  
2917 last-dollar postsecondary scholarship is financial aid awarded  
2918 to an applicant based on the gap between what has already been  
2919 awarded to the applicant and what is still needed to help a  
2920 student meet the cost of attendance at a postsecondary  
2921 two-year community or technical college.

2922           b. To receive a scholarship under this scholarship  
2923 program, an applicant must meet the following requirements:

2924           1. Have an Alabama driver license or Alabama nondriver  
2925 identification card as provided in Division 1 of Article 1 of  
2926 Chapter 6 of Title 32.

2927           2. Provide proof of current residency in the State of  
2928 Alabama.

2929           3. Provide proof of residency in the State of Alabama  
2930 for the immediately preceding 12 months prior to the filing of  
2931 the application.

2932           4. Have received a high school diploma or G.E.D.  
2933 equivalent within the immediately preceding five years prior  
2934 to the filing of the application.

2935           c. Following receipt of a scholarship under this  
2936 program, each student must maintain a minimum GPA of 2.0 or  
2937 higher on a 4.0 scale and satisfy any other requirement of the  
2938 Board of Trustees of the Alabama Community College System to  
2939 maintain his or her scholarship.

2940           (3) Support of dual enrollment costs at any public



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2941 two-year or four-year university in the state. Monies  
2942 distributed under this subdivision may be available to any  
2943 high school student who attends a public or private high  
2944 school or is homeschooled, who resides in this state, and who  
2945 has a 2.5 GPA or higher on a 4.0 scale and who obtain written  
2946 approval from his or her principal or administrator  
2947 equivalent.

2948 (4) Distribution to local boards of education, based on  
2949 average daily membership, for capital or other nonrecurring  
2950 expenses, and school security purposes, including the hiring  
2951 of student resource officers and the purchase of security  
2952 doors.

2953 (5) The provision of funding for four-year colleges for  
2954 research purposes.

2955 (b) Proceeds in the Lottery for Education Fund shall  
2956 not be used for prison construction.

2957 §41-30-432. Rulemaking authority.

2958 The Alabama Gaming Commission may adopt rules subject  
2959 to the Alabama Administrative Procedure Act under Chapter 22  
2960 of Title 41 to implement and administer this article.

2961 Article 10. State Tax on Gaming Revenue.

2962 §41-30-450. State tax on casino-style gaming revenues;  
2963 distribution of proceeds.

2964 (a) Within 20 days after the end of each calendar  
2965 month, a gaming establishment licensee shall pay to the  
2966 commission a tax of 24 percent of the net gaming revenues for  
2967 casino-style gaming activities for the immediately preceding  
2968 calendar month. The commission shall timely remit all of the



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2969 proceeds for deposit as follows:

2970 (1) First, to the General Fund Budget Reserve Fund  
2971 established in Section 29-13-3, until the total balance in the  
2972 fund is at least three hundred million dollars (\$300,000,000).

2973 (2) Upon the completion of payments described under  
2974 subdivision (1), to the following:

2975 a. Ninety-five percent of the total gaming revenue  
2976 generated each month shall be allocated to the Gaming Trust  
2977 Fund.

2978 b. Three percent of the total gaming revenue generated  
2979 each month shall be allocated among the counties where gaming  
2980 establishments are located on a pro rata basis based on the  
2981 share of net gaming revenue generated in each county. A  
2982 minimum of 15 percent of the amount received by each county  
2983 commission under this paragraph shall be distributed by the  
2984 commission to nonprofit organizations within the respective  
2985 county.

2986 c. Two percent of the total gaming revenue generated  
2987 each month shall be allocated among the municipalities where  
2988 gaming establishments are located on a pro rata basis based on  
2989 the share of net gaming revenue generated in each  
2990 municipality. If a gaming establishment is not located within  
2991 the corporate limits of a municipality, the percentage  
2992 distributed pursuant to this paragraph shall be remitted to  
2993 the county commission of the county in which the licensed  
2994 gaming establishment is located.

2995 (b) If the net gaming revenues under subsection (a)  
2996 properly reflect a net loss, as substantiated by audit, for a



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2997 calendar month, an adjustment for the amount of any remaining  
2998 net loss shall be carried forward on the subsequent tax and  
2999 fee schedules until the loss is offset by the entity's net  
3000 gaming revenues.

3001 §41-30-451. State tax on sports wagering revenues;  
3002 distribution of proceeds.

3003 (a) Within 20 days after the end of each quarter of the  
3004 fiscal year, a sports wagering licensee shall pay to the  
3005 commission a tax of 17 percent of the net gaming revenues for  
3006 sports wagering activities for the immediately preceding  
3007 quarter. The commission shall timely remit all of the proceeds  
3008 for deposit into as follows:

3009 (1) Ninety percent to the Gaming Trust Fund.

3010 (2) Ten percent to be allocated among each county  
3011 commission of the state to be used exclusively for law  
3012 enforcement purposes of the respective sheriff's department.

3013 (b) If the net gaming revenues under subsection (a)  
3014 properly reflect a net loss, as substantiated by audit, for a  
3015 quarter, an adjustment for the amount of any remaining net  
3016 loss shall be carried forward on the subsequent tax and fee  
3017 schedules until the loss is offset by the entity's net gaming  
3018 revenues.

3019 §41-30-452. Gaming taxes in lieu of state and local  
3020 taxes.

3021 (a) (1) Except for any fees levied pursuant to this  
3022 chapter, the tax on net gaming revenues levied under this  
3023 article shall be in lieu of all other state or local taxes,  
3024 license fees, or franchise fees levied with respect to the



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3025 conduct of any gaming activities or the operation of any  
3026 machines used to conduct casino-style gaming activities or  
3027 sports wagering activities.

3028 (2) Any gaming establishment license fee or sports  
3029 wagering license fee payable to the state pursuant to this  
3030 chapter shall be in lieu of all other state or local license  
3031 fees or franchise fees levied with respect to a licensee  
3032 providing hotel services, dining, or services ancillary to its  
3033 gaming activities, if the activities are conducted at gaming  
3034 establishments, but such providers of hotel services, dining,  
3035 other facilities, or ancillary services must meet the  
3036 environmental, fire, health, and safety requirements of other  
3037 similarly situated license holders in the county and  
3038 municipality in which the facility is located.

3039 (3) Notwithstanding the foregoing, all gaming  
3040 establishment licensees and sports wagering licensees are  
3041 liable for all state and local property taxes, lodging taxes,  
3042 and sales and use taxes on merchandise sold in gift shops or  
3043 retail stores, and food and beverages. The taxes are generally  
3044 applicable at uniform rates to all similarly situated  
3045 businesses operating in the county and municipality in which  
3046 the gaming establishment is located, and except with respect  
3047 to those taxes, fees, or expenses expressly addressed in this  
3048 chapter, all other state or local taxes which are generally  
3049 imposed by the state or a local taxing entity if the taxes are  
3050 generally applied at rates uniformly applied within reasonable  
3051 classifications among all businesses operating in the county  
3052 or municipality, or both.



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3053 §41-30-453. Gaming Trust Fund created; distribution of  
3054 gaming proceeds.

3055 (a) The Gaming Trust Fund is created within the State  
3056 Treasury. Except as otherwise provided for lottery proceeds in  
3057 Article 9, all state gaming tax proceeds as provided in  
3058 Sections 41-30-450 and 41-30-451 and all other fines, fees,  
3059 and other revenues collected under this chapter shall be  
3060 deposited into the fund and allocated and appropriated as  
3061 provided in this section.

3062 (b) Proceeds in the fund shall be applied first to the  
3063 payment of the reasonable annual expenses of the commission  
3064 and the repayment of any startup costs appropriated to the  
3065 commission for the establishment and initial operation of the  
3066 commission; provided, all such startup costs shall be repaid  
3067 by the commission to the State General Fund no later than  
3068 September 30, 2028. The commission shall report annually in  
3069 writing to the Governor and the Legislature regarding its  
3070 operational and administrative expenses.

3071 (c) Net proceeds remaining in the fund after payment of  
3072 the expenses of the commission shall be annually appropriated  
3073 by and through an independent supplemental appropriation bill  
3074 for non-recurring, non-education purposes only, including, but  
3075 not limited to, the following:

3076 (1) The provision of mental health care, including the  
3077 care and treatment of individuals with behavioral health needs  
3078 and developmental disabilities and associated prevention,  
3079 treatment, and recovery services and supports.

3080 (2) The provision of rural health care services and



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3081 telemedicine and virtual health care and the purchase of  
3082 qualified health benefit plans for adults with income below  
3083 138 percent of the federal poverty level and parents or other  
3084 caretaker relatives of dependent children with income between  
3085 14 and 138 percent of the federal poverty level to ensure  
3086 residents have adequate health care services and ambulatory  
3087 care. The Legislature shall determine which areas of the state  
3088 have a critical lack of health care services and ambulatory  
3089 care and shall each year prioritize these critical areas in  
3090 the supplemental appropriation.

3091 (3) The improvement, repair, and construction of roads,  
3092 bridges, and other infrastructure in counties and  
3093 municipalities.

3094 (4) The development and improvement of state parks and  
3095 historical sites.

3096 (5) The provision of non-recurring capital expenditures  
3097 for volunteer fire departments.

3098 (6) Bonuses to state and education employees and  
3099 bonuses to retirees of the Employees' Retirement System and  
3100 the Teachers' Retirement System.

3101 (7) Establishment and support of drug courts, veteran's  
3102 courts, and other court-approved deferred prosecution  
3103 programs.

3104 Article 11. Disciplinary procedures.

3105 §41-30-500. Suspension, revocation, and forfeiture of  
3106 licenses.

3107 (a) A license issued under this chapter may be  
3108 suspended or revoked for cause by the commission for any of





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3109 the following reasons:

3110 (1) Failure to pay a license fee to the commission.

3111 (2) Failure to remit applicable state taxes on gaming  
3112 revenues as required by this chapter.

3113 (3) Failure to pay any fines and penalties assessed by  
3114 the commission.

3115 (4) A violation of a law governing gaming activities,  
3116 rules of the commission relating to the gaming activities of  
3117 the licensee, or Section 17-5-15.2 for which all appeals have  
3118 been exhausted.

3119 (5) Failure to maintain the reasonable operation and  
3120 investment level, as determined by the commission, at the  
3121 gaming establishment for a period of 18 consecutive months.

3122 (b) In the event a gaming establishment license is  
3123 revoked as provided in subsection (a), the commission may  
3124 award the revoked license to another qualified applicant  
3125 pursuant to a competitive process and in accordance with the  
3126 application procedures set out under this chapter.

3127 (c) The commission shall adopt rules to implement and  
3128 administer this section.

3129 §41-30-501. Civil penalties.

3130 In addition to any criminal penalty provided by law,  
3131 the commission may assess a civil penalty, not to exceed one  
3132 hundred thousand dollars (\$100,000), on any person who  
3133 violates any provision of this chapter or a rule adopted by  
3134 the commission, whether or not the person is licensed under  
3135 this chapter.

3136 §41-30-502. Hearing procedures.



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3137 (a) Except as otherwise provided by law, before the  
3138 commission may take any adverse action involving a licensee  
3139 under this article, including the assessment of a civil  
3140 penalty under Section 41-30-501, the commission shall give the  
3141 person against whom the action is contemplated an opportunity  
3142 for a hearing before the members of the commission or a  
3143 hearing officer designated by the commission.

3144 (b) At least 30 days prior to any hearing under this  
3145 section, the commission shall give notice of the hearing to  
3146 the person by certified mail addressed to the last known  
3147 address of the person. The person may be represented by legal  
3148 counsel.

3149 (c) (1) If a person fails to comply with a subpoena  
3150 issued for purposes of this section, on petition of the  
3151 commission, the Court of Civil Appeals may compel obedience to  
3152 the subpoena.

3153 (2) If, after due notice, the person against whom the  
3154 action is contemplated fails or refuses to appear or provide  
3155 the item or items for which a subpoena was issued, the  
3156 commission or the commission's designated hearing officer may  
3157 hear and determine the matter.

3158 (d) Within 30 days of a final order or decision of the  
3159 commission in a contested case, any person aggrieved by the  
3160 final order or decision may file a petition for appeal in the  
3161 Court of Civil Appeals.

3162 Article 12. Prohibited conduct.

3163 §41-30-550. False statement on application prohibited.

3164 (a) It is unlawful for a person to knowingly make a



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3165 false statement on any application for a license under this  
3166 chapter or on an application for renewal of a license issued  
3167 under this chapter.

3168 (b) A person who violates this section shall be guilty  
3169 of a Class A misdemeanor.

3170 §41-30-551. Unlawful exertion of influence.

3171 (a) For the purposes of this section, the phrase  
3172 "person who is connected with a licensee" includes, but is not  
3173 limited to, any gaming establishment licensee or sports  
3174 wagering licensee, or any officer or employee of the licensee.

3175 (b) A person who is connected with a licensee may not  
3176 do any of the following:

3177 (1) Offer, promise, or give anything of value or  
3178 benefit to a person who has an ownership or financial interest  
3179 in, is employed by, or has a gaming services contract with a  
3180 licensee or to that person's spouse or any dependent child or  
3181 dependent parent, pursuant to an agreement or arrangement, in  
3182 fact or implied from the circumstances, with the intent that  
3183 the promise or thing of value or benefit will influence the  
3184 actions of the person in order to affect or attempt to affect  
3185 the outcome of any casino-style gaming activity or sports  
3186 wager, or to influence official action of a member of the  
3187 commission.

3188 (2) Solicit or knowingly accept or receive a promise of  
3189 anything of value or benefit while the person is connected  
3190 with a licensee under this chapter, pursuant to an  
3191 understanding or arrangement in fact or implied from the  
3192 circumstances, with the intent that the promise or thing of



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3193 value or benefit will influence the actions of the person to  
3194 affect or attempt to affect the outcome of any gaming activity  
3195 or sports wager, or to influence official action of a member  
3196 of the commission.

3197 (c) A person who violates this section shall be guilty  
3198 of a Class C felony and shall be required to pay a fine of not  
3199 more than one hundred thousand dollars (\$100,000).

3200 Section 2. (a) The Court of Civil Appeals shall have  
3201 and exercise original jurisdiction in all cases where the  
3202 Alabama Gaming Commission is made a party to the case and in  
3203 all appeals of a final order or decision of the Alabama Gaming  
3204 Commission under Article 11 of Chapter 30 of Title 41, Code of  
3205 Alabama 1975.

3206 (b) When exercising its original jurisdiction under  
3207 this section, the Court of Civil Appeals may appoint, from  
3208 time to time, a hearing officer for the purpose of presiding  
3209 over and conducting hearings as may be necessary to the  
3210 orderly conduct of the cases that arise under this section.  
3211 The hearing officer shall be an attorney in good standing with  
3212 the Alabama State Bar. The hearing officer may not have an  
3213 interest in or be related to any of the parties. The  
3214 compensation of the hearing officer shall be fixed by the  
3215 Court of Civil Appeals.

3216 (c) The general duties of the hearing officer shall be  
3217 to preside over and direct the course of cases arising under  
3218 this section for the purpose of preparing a report as  
3219 described in subsection (d). The hearing officer may do the  
3220 following on behalf of the Court of Civil Appeals:



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3221 (1) Issue procedural orders setting dates, deadlines,  
3222 and timetables by which parties must submit or disclose  
3223 evidentiary material or notices related to the orderly conduct  
3224 of a contested case. The hearing officer may grant  
3225 continuances or postponements of hearings at his or her  
3226 discretion.

3227 (2) Issue subpoenas, protective orders, and discovery  
3228 orders upon application of a party. The hearing officer may  
3229 impose reasonable conditions and limitations on discovery in a  
3230 contested case through limited written interrogatories,  
3231 document production, and depositions.

3232 (3) Impose reasonable conditions and limitations on the  
3233 parties' presentations during a contested case including, but  
3234 not limited to, prescribing reasonable limitations on  
3235 argument, prescribing the length of time allotted for the  
3236 presentation of a party's case, directing that evidence  
3237 relevant to the general character and reputation of the  
3238 licensee be submitted in writing by affidavit, prescribing  
3239 reasonable limitations upon the number of witnesses permitted  
3240 to testify as to the character and reputation of the licensee,  
3241 and requiring the parties to submit briefs or memoranda on  
3242 issues put forth before the court.

3243 (4) Issue orders and rulings related to the attendance  
3244 of parties, attorneys, and witnesses at hearings and  
3245 conferences.

3246 (5) Hold and preside over pre-conferences of parties as  
3247 may be necessary to the orderly conduct of the case.

3248 (6) Issue orders and rulings on all other matters of



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3249 procedure and law necessary to the orderly conduct of the  
3250 case. Dismissal of a complaint may only occur upon order of  
3251 the Court of Civil Appeals.

3252 (7) Administer oaths and certify the authenticity of  
3253 documents when required in the discharge of their duties as  
3254 the hearing officer in the case.

3255 (d) The hearing officer shall prepare a report upon the  
3256 matters submitted to the hearing officer by the order of  
3257 reference and, if required to make findings of fact and  
3258 conclusions of law, the hearing officer shall set them forth  
3259 in the report. The hearing officer shall file the report with  
3260 the clerk of the court and serve on all parties notice of the  
3261 filing. The hearing officer shall include with the report a  
3262 transcript of the proceedings and of the evidence of the  
3263 original exhibits. The hearing officer shall serve a copy of  
3264 the report on each party.

3265 (e) Where no hearing officer is appointed by the Court  
3266 of Civil Appeals, the presiding judge of the court shall  
3267 preside during hearings and perform all other duties of the  
3268 hearing officer.

3269 (f) All proceedings under this section shall be  
3270 conducted insofar as practicable in the same manner as a civil  
3271 action in accordance with the applicable Alabama Rules of  
3272 Civil Procedure.

3273 Section 3. Sections 13A-12-20, 13A-12-21, 13A-12-22,  
3274 13A-12-23, 13A-12-24, 13A-12-25, 13A-12-26, 13A-12-27,  
3275 13A-12-28, 13A-12-30, Code of Alabama 1975, and Section  
3276 13A-11-9, Code of Alabama 1975, as last amended by Act



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3277 2023-245, 2023 Regular Session, are amended to read as  
3278 follows:

3279 "§13A-12-20

3280 The following definitions apply to this article:

3281 ~~(1) ADVANCE GAMBLING ACTIVITY. A person "advances~~  
3282 ~~gambling activity" if he engages in conduct that materially~~  
3283 ~~aids any form of gambling activity. Conduct of this nature~~  
3284 ~~includes but is not limited to conduct directed toward the~~  
3285 ~~creation or establishment of the particular game, contest,~~  
3286 ~~scheme, device or activity involved, toward the acquisition or~~  
3287 ~~maintenance of premises, paraphernalia, equipment or apparatus~~  
3288 ~~therefor, toward the solicitation or inducement of persons to~~  
3289 ~~participate therein, toward the actual conduct of the playing~~  
3290 ~~phases thereof, toward the arrangement of any of its financial~~  
3291 ~~or recording phases or toward any other phase of its~~  
3292 ~~operation. A person advances gambling activity if, having~~  
3293 ~~substantial proprietary control or other authoritative control~~  
3294 ~~over premises being used with his knowledge for purposes of~~  
3295 ~~gambling activity, he permits that activity to occur or~~  
3296 ~~continue or makes no effort to prevent its occurrence or~~  
3297 ~~continuation.~~

3298 ~~(2) BOOKMAKING. Advancing gambling activity by~~  
3299 ~~unlawfully accepting bets from members of the public as a~~  
3300 ~~business, rather than in a casual or personal fashion, upon~~  
3301 ~~the outcome of future contingent events.~~

3302 ~~(3) CONTEST OF CHANCE. Any contest, game, gaming scheme~~  
3303 ~~or gaming device in which the outcome depends in a material~~  
3304 ~~degree upon an element of chance, notwithstanding that skill~~



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3305 ~~of the contestants may also be a factor therein.~~

3306 (1) CASINO-STYLE GAME. As defined under Section  
3307 41-30-2.

3308 (2) COMMISSION. The Alabama Gaming Commission.

3309 ~~(4) GAMBLING. A person engages in gambling if he stakes~~  
3310 ~~or risks something of value upon the outcome of a contest of~~  
3311 ~~chance or a future contingent event not under his control or~~  
3312 ~~influence, upon an agreement or understanding that he or~~  
3313 ~~someone else will receive something of value in the event of a~~  
3314 ~~certain outcome. Gambling does not include bona fide business~~  
3315 ~~transactions valid under the law of contracts, including but~~  
3316 ~~not limited to contracts for the purchase or sale at a future~~  
3317 ~~date of securities or commodities, and agreements to~~  
3318 ~~compensate for loss caused by the happening of chance,~~  
3319 ~~including but not limited to contracts of indemnity or~~  
3320 ~~guaranty and life, health or accident insurance.~~

3321 (3) GAME or GAMING. Engaging in a casino-style game or  
3322 sports wagering or otherwise staking or risking something of  
3323 value upon the outcome of a contest of chance or future  
3324 contingent event not under his or her control or influence,  
3325 upon an agreement or understanding that he or she or someone  
3326 else will receive something of value in the event of a certain  
3327 outcome. The term does not include participation in charitable  
3328 games or social gaming conducted in accordance with Chapter 30  
3329 of Title 41.

3330 ~~(5) GAMBLING~~ (4) GAMING DEVICE. Any device, machine,  
3331 paraphernalia, or equipment that is normally used or usable in  
3332 the playing phases of any ~~gambling activity, whether that~~





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3333 ~~activity consists of gambling between persons or gambling by a~~  
3334 ~~person involving the playing of a machine. However, gaming~~  
3335 ~~authorized by law and approved by the commission. The term~~  
3336 ~~does not include lottery tickets, ~~policy slips and~~ other items~~  
3337 ~~used in the playing phases of lottery ~~and policy schemes are~~~~  
3338 ~~not gambling devices within this definition, or antique slot~~  
3339 ~~machines authorized under existing law.~~

3340 (5) GAMING ESTABLISHMENT. Any facility licensed by the  
3341 commission to conduct casino-style gaming activity.

3342 ~~(6) LOTTERY or POLICY. An unlawful gambling scheme in~~  
3343 ~~which:~~

3344 ~~a. The players pay or agree to pay something of value~~  
3345 ~~for chances, represented and differentiated by numbers or by~~  
3346 ~~combinations of numbers or by some other medium, one or more~~  
3347 ~~of which chances are to be designated by the winning ones; and~~

3348 ~~b. The winning chances are to be determined by a~~  
3349 ~~drawing or by some other fortuitous method; and~~

3350 ~~c. The holders of the winning chances are to receive~~  
3351 ~~something of value.~~

3352 (6) LOTTERY or LOTTERY GAME. As defined under Section  
3353 41-30-2.

3354 (7) LOTTERY TICKET or TICKET. Tickets or other tangible  
3355 evidence of participation used in lottery games or gaming  
3356 systems.

3357 ~~(7) (8) PARI-MUTUEL WAGERING, ~~MUTUEL or THE NUMBERS~~~~  
3358 ~~GAME. A form of lottery. Wagering in which the winning chances~~  
3359 ~~or plays are not determined upon the basis of a drawing or~~  
3360 ~~other act on the part of persons conducting or connected with~~



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3361 the scheme, but upon the basis of the outcome of a future  
3362 contingent event or events otherwise unrelated to the  
3363 particular scheme.

3364 ~~(8)~~ (9) PLAYER. A person who engages in any form of  
3365 ~~gambling~~gaming solely as a contestant or bettor, without  
3366 receiving or becoming entitled to receive any profit therefrom  
3367 other than personal ~~gambling~~gaming winnings, and without  
3368 otherwise rendering any material assistance to the  
3369 establishment, conduct, or operation of the particular  
3370 ~~gambling~~gaming activity.

3371 ~~(9)~~ (10) PROFIT FROM ~~GAMBLING~~ UNLAWFUL GAMING ACTIVITY.  
3372 ~~A person "profits from gambling activity" if he accepts or~~  
3373 ~~receives~~ The acceptance or receipt of money or other property  
3374 pursuant to an agreement or understanding with any person  
3375 whereby he or she shares or is to share in the proceeds of  
3376 ~~gambling~~unlawful gaming activity.

3377 ~~(10)~~ (11) SLOT MACHINE. A ~~gambling~~gaming device that, as  
3378 a result of the insertion of a coin or other object, operates,  
3379 either completely automatically or with the aid of some  
3380 physical act by the player, in ~~such~~ a manner that, depending  
3381 upon elements of chance, ~~it~~ the gaming device may eject  
3382 something of value. A device so constructed or readily  
3383 adaptable or convertible to such use is no less a slot machine  
3384 because it is not in working order or because some mechanical  
3385 act of manipulation or repair is required to accomplish its  
3386 adaptation, conversion, or workability. Nor is it any less a  
3387 slot machine because apart from its use or adaptability as  
3388 such it may also sell or deliver something of value on a basis



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3389 other than chance. The term includes any gaming device that  
3390 meets the definition of slot machine as defined under 15  
3391 U.S.C. § 1171(a)(1).

3392 ~~(11)~~ (12) SOMETHING OF VALUE. Any money or property, any  
3393 token, object, or article exchangeable for money or property,  
3394 or any form of credit or promise directly or indirectly  
3395 contemplating a transfer of money or property or of any  
3396 interest therein, or involving extension of a service  
3397 entertainment or a privilege of playing at a game or scheme  
3398 without charge.

3399 (13) SPORTING EVENT. As defined under Section 41-30-2.

3400 (14) SPORTS WAGERING. As defined under Section 41-30-2.

3401 ~~(12)~~ (15) UNLAWFUL GAMING ACTIVITY. Not A game or gaming  
3402 activity that is not specifically authorized by general law or  
3403 rule of the commission."

3404 "§13A-12-21

3405 (a) A person commits the crime of ~~simple~~  
3406 ~~gambling~~ unlawful gaming if he or she knowingly ~~advances or~~  
3407 profits from or participates in unlawful ~~gambling~~ gaming  
3408 activity as a player.

3409 (b) It is a defense to a prosecution under this section  
3410 that a person charged ~~with being a player~~ with violating this  
3411 section was engaged in playing a social game ~~in a private~~  
3412 ~~place~~ pursuant to Section 41-30-350. The burden of injecting  
3413 the issue is on the defendant, but this does not shift the  
3414 burden of proof.

3415 (c) ~~Simple gambling~~ Unlawful gaming is a Class ~~CA~~  
3416 misdemeanor."



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3417 "§13A-12-22

3418 (a) A person commits the crime of promoting ~~gambling~~  
3419 unlawful gaming activity if he or she knowingly ~~advances or~~  
3420 profits from unlawful ~~gambling gaming~~ activity otherwise than  
3421 as a player, or if having substantial proprietary control or  
3422 other authoritative control over premises being used to  
3423 conduct unlawful gaming activity, he or she permits that  
3424 unlawful gaming activity to occur or makes no effort to  
3425 prevent its occurrence or continuation.

3426 (b) (1) Promoting ~~gambling~~ unlawful gaming activity is a  
3427 ~~Class A misdemeanor~~ Class D felony.

3428 (2) Notwithstanding subdivision (1), on a second or  
3429 subsequent conviction of this section, promoting unlawful  
3430 gaming activity is a Class B felony."

3431 "§13A-12-23

3432 (a) A person commits the crime of conspiracy to promote  
3433 ~~gambling~~ unlawful gaming activities if ~~he~~ the person conspires  
3434 to ~~advance or~~ profit from ~~gambling~~ unlawful gaming activity  
3435 otherwise than as a player.

3436 (b) ~~"Conspire"~~ For the purposes of this section,  
3437 "conspire" means to engage in activity constituting a criminal  
3438 conspiracy as defined in Section 13A-4-3.

3439 (c) (1) Conspiracy to promote ~~gambling~~ unlawful gaming  
3440 activity is a ~~Class A misdemeanor~~ Class D felony.

3441 (2) Notwithstanding subdivision (1), on a second or  
3442 subsequent conviction of this section, conspiracy to promote  
3443 unlawful gaming activity is a Class B felony."

3444 "§13A-12-24



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3445 (a) A person commits the crime of unlawful possession  
3446 of ~~gambling~~gaming records in the first degree if, with  
3447 knowledge of the contents thereof, ~~he~~the person possesses any  
3448 writing, paper, instrument, or article commonly used in any of  
3449 the following:

3450 (1) ~~Of a kind commonly used in the operation or~~  
3451 ~~promotion of a bookmaking scheme or enterprise,~~The operation  
3452 or promotion of any sports wagering activity not authorized by  
3453 general law or rule of the commission~~and~~ constituting,  
3454 reflecting, or representing more than five ~~bets,~~wagers or more  
3455 than ~~\$500.00; or~~five thousand dollars (\$5,000).

3456 (2) ~~Of a kind commonly used in the operation, promotion~~  
3457 ~~or playing of a lottery or mutuel scheme or enterprise,~~The  
3458 operation, promotion, or playing of a lottery game not  
3459 authorized by general law or the Alabama Lottery Corporation  
3460 ~~and~~ constituting, reflecting, or representing more than five  
3461 plays or chances ~~therein~~.

3462 (3) The operation, promotion, or playing of a  
3463 casino-style game not authorized by general law or rule of the  
3464 commission.

3465 (b) (1) ~~Possession of gambling~~Unlawful possession of  
3466 gaming records in the first degree is a ~~Class A~~  
3467 ~~misdemeanor~~Class D felony.

3468 (2) Notwithstanding subdivision (1), on a second or  
3469 subsequent conviction of this section, unlawful possession of  
3470 gaming records in the first degree is a Class B felony."

3471 "§13A-12-25

3472 (a) A person commits the crime of unlawful possession



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3473 of ~~gambling~~ gaming records in the second degree if, with  
3474 knowledge of the contents thereof, he or she possesses any  
3475 writing, paper, instrument, or article commonly used in either  
3476 of the following:

3477 (1) ~~Of a kind commonly and peculiarly used in the~~ The  
3478 operation or promotion of ~~a bookmaking scheme or enterprise;~~  
3479 ~~or~~ sports wagering not authorized by general law or rule of the  
3480 commission.

3481 (2) ~~Of a kind commonly and peculiarly used in the~~ The  
3482 operation, promotion, or playing of a lottery ~~or mutuel scheme~~  
3483 ~~or enterprise~~ game not authorized by general law or rule of  
3484 the commission.

3485 (b) (1) ~~Possession~~ Unlawful possession of ~~gambling~~ gaming  
3486 records in the second degree is a ~~Class A misdemeanor~~ Class D  
3487 felony.

3488 (2) Notwithstanding subdivision (1), on a second or  
3489 subsequent conviction of this section, unlawful possession of  
3490 gaming records in the second degree is a Class B felony."

3491 "§13A-12-26

3492 A person does not commit the crime of unlawful  
3493 possession of ~~gambling~~ gaming records ~~in either degree~~ pursuant  
3494 to Sections 13A-12-24 or 13A-12-25 if the writing, paper,  
3495 instrument, or article possessed by the defendant is neither  
3496 used nor intended to be used in the operation or promotion of  
3497 ~~a bookmaking scheme or enterprise~~ unlawful sports wagering, or  
3498 in the operation, promotion, or playing of ~~a~~ an unlawful  
3499 lottery ~~or mutuel scheme or enterprise~~ as described under  
3500 Section 13A-12-24(a) (2). The burden of injecting the issue is



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3501 on the defendant, but this does not shift the burden of  
3502 proof."

3503 "§13A-12-27

3504 (a) A person commits the crime of unlawful possession  
3505 of a ~~gambling~~gaming device if, with knowledge of the character  
3506 ~~thereof~~ of the gaming device, he or she manufactures, sells,  
3507 transports, places, or possesses, or conducts or negotiates  
3508 any transaction affecting or designed to affect ownership,  
3509 custody, or use of, either of the following:

3510 (1) A ~~slot machine, unless exempted pursuant to~~  
3511 ~~subsection (c); or~~ casino-style game not authorized by law or  
3512 rule of the commission.

3513 (2) ~~Any other gambling device, with the intention that~~  
3514 ~~it~~ A gaming device to be used in ~~the advancement of any~~  
3515 unlawful ~~gambling~~gaming activity.

3516 (b) (1) ~~Possession~~ Unlawful possession of a ~~gambling~~  
3517 gaming device is a Class ~~A misdemeanor~~ D felony.

3518 (2) Notwithstanding subdivision (1), on a second or  
3519 subsequent conviction of this section, unlawful possession of  
3520 a gaming device is a Class B felony.

3521 (c) The crime of unlawful possession of a ~~gambling~~  
3522 gaming device does not apply to a slot machine manufactured  
3523 before 1960, with the intention that the slot machine be used  
3524 only for the personal and private use of the owner or for  
3525 public display as a historical artifact in a manner that the  
3526 slot machine is not accessible to the public."

3527 "§13A-12-28

3528 (a) Proof of possession of any ~~gambling~~gaming device,



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3529 as defined ~~by subdivision (5) of~~in Section 13A-12-20, or any  
3530 ~~gambling~~unlawful gaming record, as specified in Sections  
3531 13A-12-24 and 13A-12-25, is prima facie evidence of possession  
3532 ~~thereof~~ with knowledge of its character or contents.

3533 (b) In any prosecution under this article in which it  
3534 is necessary to prove the occurrence of a sporting event,  
3535 either of the following shall be admissible and shall be prima  
3536 facie proof of the occurrence of the event:

3537 (1) ~~a~~A published report of its occurrence in any daily  
3538 newspaper, magazine, or other periodically printed publication  
3539 of general circulation, ~~or~~.

3540 (2) ~~evidence~~Evidence that a description of some aspect  
3541 of the event was written, printed, or otherwise noted at the  
3542 place in which a violation of this chapter is alleged to have  
3543 been committed, ~~shall be admissible in evidence and shall~~  
3544 ~~constitute prima facie proof of the occurrence of the event."~~

3545 "§13A-12-30

3546 (a) Any ~~gambling~~gaming device or ~~gambling~~gaming record  
3547 unlawfully possessed or used in violation of this article ~~is~~  
3548 ~~forfeited to the state, and shall by court order be destroyed~~  
3549 ~~or otherwise disposed of as the court directs~~shall be subject  
3550 to forfeiture pursuant to the procedures set forth in Section  
3551 20-2-93.

3552 (b) Any vehicle possessed or used in violation of this  
3553 article ~~may be forfeited to the state and disposed of by court~~  
3554 ~~order as authorized by law~~shall be subject to forfeiture  
3555 pursuant to the procedures set forth in Section 20-2-93.

3556 (c) Money used as ~~bets~~wagers or stakes in





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3557 ~~gambling~~unlawful gaming activity in violation of this article  
3558 ~~is forfeited to the state and by court order shall be~~  
3559 ~~transmitted to the General Fund of the state~~shall be subject  
3560 to forfeiture pursuant to the procedures set forth in Section  
3561 20-2-93."

3562 "§13A-11-9

3563 (a) A person commits the crime of loitering if he or  
3564 she does any of the following:

3565 (1) Loiters, remains, or wanders about in a public  
3566 place for the purpose of begging.

3567 (2) Loiters or remains in a public place for the  
3568 purpose of ~~gambling~~unlawful gaming activity.

3569 (3) Loiters or remains in a public place for the  
3570 purpose of engaging or soliciting another person to engage in  
3571 prostitution or sodomy, as defined under Section 13A-6-60.

3572 (4) Being masked, loiters, remains, or congregates in a  
3573 public place.

3574 (5) Loiters or remains in or about a school, college,  
3575 or university building or grounds after having been told to  
3576 leave by any authorized official of the school, college, or  
3577 university, not having any reason or relationship involving  
3578 custody of or responsibility for a pupil or any other  
3579 specific, legitimate reason for being there, and not having  
3580 written permission from a school, college, or university  
3581 administrator.

3582 (6) Loiters or remains in any transportation facility,  
3583 unless specifically authorized to do so, for the purpose of  
3584 soliciting or engaging in any business, trade, or commercial



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3585 transactions involving the sale of merchandise or services.

3586 (7) Loiters or remains in any place with one or more  
3587 persons for the purpose of unlawfully using or possessing a  
3588 dangerous drug.

3589 (8) Loiters, or remains, on a public roadway maintained  
3590 by the state or the right-of-way of a public roadway  
3591 maintained by the state.

3592 (b) A person does not commit a crime under subdivision  
3593 (a) (4) if he or she is going to or from or staying at a  
3594 masquerade party, or is participating in a public parade or  
3595 presentation of an educational, religious, or historical  
3596 character or in an event as defined in Section 13A-11-140.

3597 ~~(c) Sodomy in subdivision (a) (3) is defined as in~~  
3598 ~~Section 13A-6-60.~~

3599 ~~(d) (c) Dangerous drug in subdivision (a) (7)~~ As used in  
3600 this section, "dangerous drug" means any narcotic, drug, or  
3601 controlled substance as defined in Chapter 2 of Title 20 and  
3602 any schedule incorporated therein.

3603 ~~(e) (d)~~ Loitering is a violation. A second or subsequent  
3604 violation of this section in the same jurisdiction is a Class  
3605 C misdemeanor.

3606 ~~(f) (1)~~ (e) (1) Prior to making an arrest for a violation  
3607 of subdivision (a) (1), a law enforcement officer may instruct  
3608 any person in violation of subdivision (a) (1) to immediately  
3609 and peaceably exit the public roadway maintained by the state  
3610 or the right-of-way of the public roadway maintained by the  
3611 state.

3612 (2)a. Prior to making an arrest for an initial



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3613 violation of subdivision (a) (1), a law enforcement officer may  
3614 offer to transport any person in violation of subdivision  
3615 (a) (1) to a location in the jurisdiction that offers emergency  
3616 housing, if applicable.

3617           b. If a person accepts an offer made pursuant to  
3618 subdivision (1), a law enforcement officer may transport the  
3619 person accordingly.

3620           ~~(g)~~ (f) Any actions undertaken by a law enforcement  
3621 officer pursuant to this section shall be subject to Section  
3622 36-1-12."

3623           Section 4. Sections 13A-12-32 through 13A-12-39,  
3624 inclusive, are added to Division 1 of Article 2 of Chapter 12  
3625 of Title 13A, Code of Alabama 1975, to read as follows:

3626           §13A-12-32

3627           (a) It is unlawful to intentionally use or possess, at  
3628 a gaming establishment, an electronic, electrical, or  
3629 mechanical device that is designed, constructed, or programmed  
3630 to assist the user or another person to do any of the  
3631 following:

3632           (1) Predict the outcome of any casino-style game.

3633           (2) Keep track of cards dealt or in play.

3634           (3) Analyze the probability of the occurrence of an  
3635 event relating to any casino-style game.

3636           (4) Analyze the strategy for playing or wagering to be  
3637 used in any casino-style game, except as permitted by the  
3638 commission.

3639           (5) Obtain an advantage in playing any casino-style  
3640 game.



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3641 (b) A gaming establishment shall post notice of this  
3642 prohibition and the penalties for violations in a manner  
3643 determined by the commission.

3644 (c) A violation of this section is a Class A  
3645 misdemeanor.

3646 §13A-12-33

3647 (a) It is unlawful for any individual to cheat at any  
3648 casino-style game or sports wagering activity.

3649 (b) A violation of this section is a Class A  
3650 misdemeanor.

3651 §13A-12-34

3652 (a) It is unlawful to manufacture, sell, or distribute  
3653 any cards, chips, die, game, or device that is intended to be  
3654 used to violate Chapter 30 of Title 41, this chapter, or the  
3655 rules of the commission.

3656 (b) It is unlawful for any individual to use  
3657 counterfeit chips in any casino-style game.

3658 (c) It is unlawful for any individual, in playing a  
3659 casino-style game designed to be played with, received, or be  
3660 operated by chips or tokens approved by the commission or  
3661 lawful coins of the United States of America, to knowingly use  
3662 chips or tokens not approved by the commission or otherwise  
3663 not lawful currency of the United States of America.

3664 (d) A violation of this section is a Class D felony.

3665 §13A-12-35

3666 (a) It is unlawful to instruct an individual in  
3667 cheating or in the use of a device for that purpose, with the  
3668 knowledge or intent that the information or use may be



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3669 employed to violate Chapter 30 of Title 41, this chapter, or  
3670 rules adopted by the commission.

3671 (b) A violation of this section is a Class D felony.

3672 §13A-12-36

3673 (a) It is unlawful to place, increase, or decrease a  
3674 wager or determine the course of play after acquiring  
3675 knowledge, not available to all players, of the outcome of any  
3676 casino-style game or sports wagering or event that affects the  
3677 outcome of the game or that is the subject of the wager, or to  
3678 aid an individual in acquiring such knowledge for the purpose  
3679 of placing, increasing, or decreasing a wager or determining  
3680 the course of play contingent on that event or outcome.

3681 (b) A violation of this section is a Class D felony.

3682 §13A-12-37

3683 (a)(1) It is unlawful to knowingly claim, collect,  
3684 take, or attempt to claim, collect, or take money or anything  
3685 of value into or from a casino-style game with the intent to  
3686 defraud, without having made a wager contingent thereon.

3687 (2) It is unlawful to knowingly claim, collect, or take  
3688 any amount of money or anything of value greater than the  
3689 amount won in a casino-style game or sports wagering.

3690 (b) A violation of this section is a Class D felony.

3691 §13A-12-38

3692 (a) It is unlawful for an individual, other than a  
3693 gaming establishment employee or agent acting in furtherance  
3694 of his or her employment, to have in his or her possession on  
3695 the grounds of a gaming establishment, or grounds contiguous  
3696 to the gaming establishment, any device intended to be used to



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3697 violate Chapter 30 of Title 41, this chapter, or a rule of the  
3698 commission.

3699 (b) A violation of this section is a Class D felony.

3700 §13A-12-39

3701 (a) It is unlawful for an individual, other than a  
3702 gaming establishment employee or agent acting in furtherance  
3703 of his or her employment, to have in his or her possession,  
3704 within a gaming facility, a key or device known to have been  
3705 designed for the purpose of opening, entering, or affecting  
3706 the operation of any casino-style game, drop box, or any  
3707 electronic or mechanical device connected thereto, or for  
3708 removing money, tokens, chips, or any other contents.

3709 (b) A violation of this section is a Class D felony.

3710 Section 5. Section 17-5-15.2 is added to Chapter 5,  
3711 Title 17 of the Code of Alabama 1975, to read as follows:

3712 §17-5-15.2. Prohibited contributions by gaming  
3713 interests.

3714 (a) The Legislature finds as follows:

3715 (1) Concerns with gaming-related corruption have long  
3716 been a motivating factor for maintaining strict prohibitions  
3717 on gaming in Alabama.

3718 (2) Notwithstanding the state's historically strict  
3719 prohibitions on gaming, the state has experienced multiple  
3720 instances of actual or apparent corruption in which  
3721 gaming-related interests have sought, or appear to have  
3722 sought, to corruptly influence public officials in the  
3723 exercise of their official duties.

3724 (3) The state also recognizes the history of



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3725 gaming-related corruption that has occurred outside of the  
3726 State of Alabama.

3727 (4) The purpose of this section is to prevent quid pro  
3728 quo corruption and any appearance thereof. Avoiding corruption  
3729 and the appearance of corruption is a necessary condition of  
3730 authorizing any type of gaming in the State of Alabama.

3731 (b) The following persons are prohibited or otherwise  
3732 restricted from making contributions or expenditures to a  
3733 principal campaign committee of a candidate for state or local  
3734 office in the State of Alabama or a political action committee  
3735 that contributes to any candidate for state or local office in  
3736 the State of Alabama or from making an electioneering  
3737 communication:

3738 (1) A person that holds a license issued by the Alabama  
3739 Gaming Commission or a person that holds any interest greater  
3740 than one percent in an entity that holds a license issued by  
3741 the commission.

3742 (2) A person that executes a compact with the state  
3743 pursuant to Section 65.04 of the Constitution of Alabama of  
3744 2022, or a person that holds any interest greater than one  
3745 percent in an entity that executes such a compact with the  
3746 state.

3747 (3) A person that holds any interest greater than one  
3748 percent in the buildings, facilities, or rooms connected,  
3749 adjacent, or ancillary to the conduct of any gaming activity  
3750 pursuant to a license issued by the commission or pursuant to  
3751 a compact with the state pursuant to Section 65.04 of the  
3752 Constitution of Alabama of 2022.



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3753 (4) An officer or managerial employee of any person  
3754 identified in this subsection.

3755 (5) A person that holds any interest greater than one  
3756 percent in any entity identified in this subsection.

3757 (6) A separate segregated fund, including a fund  
3758 established under Section 17-5-14.1, of any person identified  
3759 in this subsection.

3760 (7) Any manufacturer or provider of gaming equipment,  
3761 as defined under Section 41-30-2.

3762 (8) Any gaming services provider, as defined under  
3763 Section 41-30-2.

3764 (c) Any person identified in subsection (b) is also  
3765 prohibited from making contributions to a principal campaign  
3766 committee or a political action committee that contributes to  
3767 any candidate for state or local office in the State of  
3768 Alabama through a legal entity established, directed, or  
3769 controlled by that person.

3770 (d) No agent of a principal campaign committee of a  
3771 candidate for state or local office in the State of Alabama or  
3772 a political action committee shall knowingly accept a  
3773 contribution from any person identified in subsection (b) if  
3774 the principal campaign committee or political action committee  
3775 has contributed to a candidate for state or local office in  
3776 the State of Alabama or is reasonably likely to contribute to  
3777 a candidate for state or local office in the State of Alabama.

3778 (e) No person identified in subsection (b) shall  
3779 provide a monetary or in-kind donation to an inaugural  
3780 committee or legislative caucus organization in this state;





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3781 and no agent of an inaugural committee or legislative caucus  
3782 organization shall accept a monetary or in-kind donation from  
3783 a person known by the agent to be a person identified in  
3784 subsection (b).

3785 (f) Any person who knowingly or intentionally violates  
3786 this section shall be guilty of a Class A misdemeanor.

3787 (g) For the purposes of this section, "person" includes  
3788 a federally recognized Indian tribe.

3789 Section 6. Sections 8-1-150 and 8-1-151, Code of  
3790 Alabama 1975, are amended to read as follows:

3791 "§8-1-150

3792 (a) All contracts founded in whole or in part on ~~a~~  
3793 ~~gambling~~unlawful gaming consideration are void. Any ~~person~~  
3794 individual who has paid any money or delivered any thing of  
3795 value lost upon any unlawful game or wager may recover such  
3796 money, thing, or its value by an action commenced within six  
3797 months from the time of such payment or delivery.

3798 (b) Any other person may also recover the amount of  
3799 such money, thing, or its value by an action commenced within  
3800 12 months after the payment or delivery thereof for the use of  
3801 ~~the wife or, if no wife, the~~ the individual's spouse or  
3802 children or, if no children, the next of kin ~~of the loser~~.

3803 (c) A judgment under either subsection (a) or (b) for  
3804 the amount of money paid, thing delivered, or its value is a  
3805 good defense to any action brought for such money, thing, or  
3806 its value under the provisions of the other subsection.

3807 (d) A judgment recovered under ~~the provisions of~~ this  
3808 section is a defense to any proceeding on any garnishment



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3809 served after the recovery of such judgment, and the court may  
3810 make any order staying proceedings as may be necessary to  
3811 protect the rights of the defendant.

3812 (e) For purposes of this section, a game, wager, or  
3813 gaming consideration is unlawful if it is part of any of  
3814 gaming activity that is not approved by the Alabama Gaming  
3815 Commission."

3816 "§8-1-151

3817 (a) Any creditor of a losing party under ~~a gambling~~an  
3818 unlawful gaming contract may garnish the winner as other  
3819 debtors are garnished at any time within two years from the  
3820 payment of such money or delivery of such thing, ~~and if such.~~  
3821 If the garnishee fails to appear, judgment may be entered  
3822 against him or her as against other garnishees failing to  
3823 answer, but the answer of a garnishee shall not be evidence  
3824 against him or her in a criminal prosecution.

3825 (b) A judgment recovered by a creditor under ~~the~~  
3826 ~~provisions of~~ this section is a defense to any action brought  
3827 by any person under ~~the provisions of~~ Section 8-1-150.

3828 (c) For purposes of this section, a game, wager, or  
3829 gaming consideration is unlawful if it is part of any of  
3830 gaming activity that is not approved by the Alabama Gaming  
3831 Commission."

3832 Section 7. Section 38-4-14, Code of Alabama 1975, is  
3833 amended to read as follows:

3834 "§38-4-14

3835 (a) For the purposes of this section, the term "public  
3836 assistance benefits" means money or property provided directly



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3837 or indirectly to eligible persons through programs of the  
3838 federal government, the state, or any political subdivision  
3839 thereof, and administered by the Alabama Department of Human  
3840 Resources.

3841 (b) (1) A recipient of public assistance benefits may  
3842 not use any portion of the benefits for the purchase of any  
3843 alcoholic beverage, tobacco product, or lottery ticket or for  
3844 playing any form of gaming activity, as defined under Section  
3845 41-30-2, without regard to whether the activity is authorized  
3846 by or conducted in accordance with Section 65 of the  
3847 Constitution of Alabama of 2022, and the laws of this state.

3848 Any person who violates this subsection shall reimburse the  
3849 Alabama Department of Human Resources for the purchase and  
3850 shall be subject to the following sanctions:

3851 a. Upon the first violation, the person shall be  
3852 disqualified from receiving public assistance benefits by  
3853 means of direct cash payment or an electronic benefits  
3854 transfer access card for one month.

3855 b. Upon the second violation, the person shall be  
3856 disqualified from receiving public assistance benefits by  
3857 means of direct cash payment or electronic benefits transfer  
3858 access card for three months.

3859 c. Upon a third or subsequent violation, the person  
3860 shall be permanently disqualified from receiving public  
3861 assistance benefits by means of direct cash payment or an  
3862 electronic benefits transfer access card.

3863 (2) A person who is disqualified from receiving public  
3864 assistance benefits under this subsection shall have the right



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3865 to a hearing pursuant to the Alabama Administrative Procedure  
3866 Act.

3867 (c) (1) A cash recipient of public assistance benefits  
3868 may not withdraw or use cash benefits by means of an  
3869 Electronic Benefits Transfer transaction for the purchase of  
3870 goods or services in a retail establishment the primary  
3871 purpose of which is the sale of alcoholic beverages, a casino,  
3872 a tattoo or body piercing facility, a facility providing  
3873 psychic services, or an establishment that provides  
3874 adult-oriented entertainment in which performers disrobe or  
3875 perform in an unclothed state. Any person who violates this  
3876 subsection shall reimburse the [Alabama](#) Department of Human  
3877 Resources for the amount withdrawn and used and shall be  
3878 subject to the following sanctions:

3879 a. Upon the first violation, the person shall be  
3880 disqualified from receiving public assistance benefits by  
3881 means of direct cash payment or an electronic benefits  
3882 transfer access card for a period of one month.

3883 b. Upon the second violation, the person shall be  
3884 disqualified from receiving public assistance benefits by  
3885 means of direct cash payment or electronic benefits transfer  
3886 access card for a period of three months.

3887 c. Upon a third or subsequent violation, the person  
3888 shall be permanently disqualified from receiving public  
3889 assistance benefits by means of direct cash payment or an  
3890 electronic benefits transfer access card.

3891 (2) A person who is disqualified from receiving public  
3892 assistance benefits under this subsection shall have the right



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3893 to a hearing pursuant to the Alabama Administrative Procedure  
3894 Act.

3895 (d) If a parent is deemed permanently disqualified from  
3896 receiving public assistance benefits under subsection (b) or  
3897 (c), the dependent child or other adult family member's  
3898 eligibility for public assistance benefits is not affected.

3899 (1) An appropriate protective payee shall be designated  
3900 to receive benefits on behalf of the child members.

3901 (2) The parent may choose to designate another person  
3902 to receive benefits for the minor child members. The  
3903 designated person must be an immediate family member or, if an  
3904 immediate family member is not available or the family member  
3905 declines the option, another person may be designated. The  
3906 designated person must be approved by the department.

3907 (e) The [Alabama](#) Department of Human Resources shall  
3908 inform all applicants for and recipients of public assistance  
3909 benefits of the restrictions contained in this section and the  
3910 penalties for violating those restrictions through any means  
3911 practical.

3912 (f) (1) The [Alabama](#) Department of Human Resources shall  
3913 consult with providers of automatic teller machine services to  
3914 consider the implementation of a program or method of blocking  
3915 access to cash benefits from an electronic benefits transfer  
3916 access card issued by the department at automatic teller  
3917 machines located in or at a retail establishment the primary  
3918 purpose of which is the sale of alcoholic beverages, a casino,  
3919 a tattoo facility, a facility providing psychic services, or  
3920 an establishment that provides adult-oriented entertainment in



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3921 which performers disrobe or perform in an unclothed state. If  
3922 the department determines the implementation of a program is  
3923 feasible, the department shall initiate the program by October  
3924 1, 2015.

3925 (2) If the department requires a federal waiver to  
3926 comply with this section, the department shall apply  
3927 immediately for the federal waiver.

3928 (g) The Alabama Department of Human Resources shall  
3929 adopt rules to implement this section.

3930 (h) (1) The Alabama Department of Human Resources shall  
3931 perform a monthly incarceration match to obtain information to  
3932 assist in determining eligibility for public assistance  
3933 benefits based on incarceration status.

3934 (2) If the department determines that a recipient of  
3935 public assistance benefits is incarcerated at the time the  
3936 incarceration match is performed, the department shall not  
3937 issue an electronic benefits transfer access card to the  
3938 incarcerated recipient. If an electronic benefits transfer  
3939 access card has already been issued to the incarcerated  
3940 recipient, the department shall deactivate the card.

3941 (i) The department shall perform a monthly match using  
3942 the United States Social Security Death Index Database to  
3943 determine if a recipient is deceased. If the department  
3944 determines that the recipient is deceased at the time the  
3945 index match is performed, the department shall not issue an  
3946 electronic benefits transfer access card. If an electronic  
3947 benefits transfer access card has already been issued to the  
3948 deceased recipient, the department shall deactivate the card."



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3949 Section 8. The following sections of the Code of  
3950 Alabama 1975 are repealed:

3951 (1) Section 11-47-111, Code of Alabama 1975, relating  
3952 to prohibition of gambling houses.

3953 (2) Section 13A-12-29, Code of Alabama 1975, relating  
3954 to lotteries drawn outside of the state.

3955 (3) Division 2, comprised of Sections 13A-12-50 through  
3956 13A-12-58, of Article 2 of Chapter 12 of Title 13A, Code of  
3957 Alabama 1975, relating to suppression of gambling places.

3958 (4) Division 3, comprised of Sections 13A-12-70 through  
3959 13A-12-76, of Article 2 of Chapter 12 of Title 13A, Code of  
3960 Alabama 1975, relating to the transportation of lottery  
3961 paraphernalia.

3962 (5) Division 4, comprised of Sections 13A-12-90 through  
3963 13A-12-92, of Article 2 of Chapter 12 of Title 13A, Code of  
3964 Alabama 1975, relating to the federal wagering occupational  
3965 tax stamp.

3966 Section 9. In the event the proposed constitutional  
3967 amendment in House Bill \_\_\_ of the 2024 Regular Session is not  
3968 ratified at the November 2024 General Election, this act shall  
3969 be repealed.

3970 Section 10. Although this bill would have as its  
3971 purpose or effect the requirement of a new or increased  
3972 expenditure of local funds, the bill is excluded from further  
3973 requirements and application under Section 111.05 of the  
3974 Constitution of Alabama of 2022, because the bill defines a  
3975 new crime or amends the definition of an existing crime.

3976 Section 11. Between the effective date of this act and



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3977 the passage of the constitutional amendment proposed in House  
3978 Bill \_\_\_ of the 2024 Regular Session, this act shall be  
3979 implemented to whatever extent it is not in conflict with the  
3980 Constitution of Alabama of 2022. Nothing in this act shall be  
3981 construed to authorize any gaming activity prior to  
3982 ratification of the constitutional amendment proposed by House  
3983 Bill \_\_\_ of the 2024 Regular Session.

3984 Section 12. This act shall become effective June 1,  
3985 2024, following its passage and approval by the Governor or  
3986 its otherwise becoming law.