



1 **EMBARGOED UNTIL 2/8 AT 9:00 AM**

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4 SYNOPSIS:

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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.

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

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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.

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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.

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

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

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57 license fees collected by the commission, and would
58 provide for the administration and distribution of the
59 funds therein through an independent supplemental
60 appropriation bill for non-recurring non-education
61 purposes only, including: mental health care and
62 developmental disabilities, rural health care and the
63 purchase of qualified health benefit plans for certain
64 eligible individuals, capital expenditures for volunteer
65 fire departments, development and improvement of state
66 parks, improvement, repair and construction of roads,
67 bridges, and infrastructure in counties and
68 municipalities, and the establishment of deferred
69 prosecution programs such as drug courts and veteran's
70 courts.

71 This bill would provide for the issuance of
72 gaming establishment licenses, sports wagering licenses,
73 and charitable fundraising permits.

74 This bill would authorize the commission to
75 assess civil penalties for violations and would provide a
76 process for hearings and appeals of a violation.

77 This bill would provide criminal penalties for
78 certain violations.

79 This bill would further provide for criminal
80 penalties related to unlawful activity associated with
81 gaming activities and sports wagering and would repeal
82 certain outdated gaming provisions.

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



85 provide for the creation and operation of the
86 corporation, including its board of directors and
87 president.

88 This bill would establish the Lottery Proceeds
89 Fund in the State Treasury for the purpose of receiving
90 all monies and other revenues collected by the
91 corporation in its operation of the state lottery. Monies
92 in the fund would be used to provide for the operating
93 expenditures of the corporation and the payment of prize
94 money to lottery game winners. Remaining proceeds would
95 be transferred to the Lottery for Education Fund, which
96 would be annually appropriated through an independent
97 supplemental appropriation bill for non-recurring
98 education purposes only, including: the establishment of
99 two-year community and technical college scholarships,
100 dual enrollment costs, research dollars for higher
101 education, non-recurring capital expenditures for public
102 K-12 schools, and the hiring of school resource officers
103 and other school security purposes.

104 This bill would provide the Court of Civil
105 Appeals with original jurisdiction to hear various
106 appeals of actions of the commission and would provide
107 for an immediate right to appeal certain rulings to the
108 Alabama Supreme Court.

109 This bill would provide various anticorruption
110 provisions, including campaign finance prohibitions on
111 gaming-related interests.

112 This bill would amend various criminal laws



113 relating to gaming activities to make conforming changes
114 and would also increase penalties for a violation and
115 further increase the penalties on a subsequent violation.

116 This bill would become repealed in the event the
117 constitutional amendment proposed in House Bill ___ of
118 the 2024 Regular Session fails to be ratified in the
119 November 2024 General Election.

120 Section 111.05 of the Constitution of Alabama of
121 2022, prohibits a general law whose purpose or effect
122 would be to require a new or increased expenditure of
123 local funds from becoming effective with regard to a
124 local governmental entity without enactment by a 2/3 vote
125 unless: it comes within one of a number of specified
126 exceptions; it is approved by the affected entity; or the
127 Legislature appropriates funds, or provides a local
128 source of revenue, to the entity for the purpose.

129 The purpose or effect of this bill would be to
130 require a new or increased expenditure of local funds
131 within the meaning of the section. However, the bill does
132 not require approval of a local governmental entity or
133 enactment by a 2/3 vote to become effective because it
134 comes within one of the specified exceptions contained in
135 the section.

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A BILL

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TO BE ENTITLED

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AN ACT



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142 Relating to gaming activities; to establish the Alabama
143 Gaming Control Act; to add Chapter 30 to Title 41, Code of
144 Alabama 1975, to implement the constitutional amendment proposed
145 in House Bill ___ of the 2024 Regular Session, to provide
146 legislative intent; to provide definitions; to establish and
147 provide for the powers, membership, and duties of the Alabama
148 Gaming Commission; to provide for the personnel of the
149 commission; to create an enforcement division within the
150 commission and provide for the duties thereof; to provide for
151 representation of the commission by the Attorney General; to
152 provide for the licensure and regulation of casino-style gaming
153 activities; to provide for the licensure and regulation of
154 sports wagering activities; to provide for the regulation and
155 permitting of certain charitable gaming activities; to provide
156 certain license fees and the distribution of the fees; to
157 establish the Gaming Trust Fund and provide for the distribution
158 of funds therein; to provide for the assessment of civil
159 penalties imposed by the commission; to provide for criminal
160 penalties for certain violations; to provide for a hearing and
161 appeals process; to provide the commission with rulemaking
162 authority; to provide for certain reporting requirements by the
163 commission; to levy a state tax on certain casino-style gaming
164 and sports wagering revenues; to provide various anticorruption
165 prohibitions and a criminal penalty for a violation; to create a
166 state lottery to be administered by the Alabama Lottery
167 Corporation and to provide for the creation and operation of the
168 corporation; to provide for the governance of the corporation by



169 a board of directors and provide for the appointment and duties
170 of the board; to provide for the appointment of a president of
171 the corporation and provide for the powers and duties thereof;
172 to establish the Lottery Proceeds Fund in the State Treasury for
173 the purpose of receiving all monies and other revenues collected
174 by the corporation; to establish the Lottery for Education Fund
175 and provide for the distribution of funds therein through an
176 independent supplemental appropriation bill; to provide the
177 Court of Civil Appeals with original jurisdiction to hear
178 various appeals of actions of the commission;, to amend Sections
179 13A-12-20, 13A-12-21, 13A-12-22, 13A-12-23, 13A-12-24, 13A-12-
180 25, 13A-12-26, 13A-12-27, 13A-12-28, 13A-12-30, Code of Alabama
181 1975, and Section 13A-11-9, Code of Alabama 1975, as last
182 amended by Act 2023-245, 2023 Regular Session, to update and
183 increase certain criminal penalties for various unlawful gaming
184 activities; to add Sections 13A-12-32 through 13A-12-39 to the
185 Code of Alabama 1975, to prescribe certain activity relating to
186 gaming as unlawful and to provide for criminal penalties for
187 violations; to amend Sections 8-1-150 and 8-1-151, Code of
188 Alabama 1975, to authorize certain contracts based on lawful
189 gaming activity; to amend Section 38-4-14, Code of Alabama 1975,
190 to prohibit the use of public welfare monies to participate in
191 gaming activity; to add Section 17-5-15.2 to the Code of Alabama
192 1975, to provide restrictions on campaign finance contributions
193 relating to gaming activity; to repeal Section 11-47-111, Code
194 of Alabama 1975, relating to prohibition of gambling houses; to
195 repeal Section 13A-12-29, Code of Alabama 1975, relating to
196 lotteries drawn outside the state; to repeal Divisions 2, 3, and



197 4 of Article 2 of Chapter 12 of Title 13A, Code of Alabama 1975,
198 relating to suppression of gambling places, transportation of
199 lottery paraphernalia, and the federal waging occupational tax
200 stamp; to provide for the repeal of the act under certain
201 specified conditions; and in connection therewith would have as
202 its purpose or effect the requirement of a new or increased
203 expenditure of local funds within the meaning of Section 111.05
204 of the Constitution of Alabama of 2022.

205 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

208 Chapter 30. Alabama Gaming Control Act.

209 Article 1. General Provisions.

210 §41-30-1. Short title.

211 This chapter shall be known and may be cited as the
212 Alabama Gaming Control Act.

213 §41-30-2. Definitions.

214 For the purposes of this chapter, the following words
215 have the following meanings:

216 (1) CASINO-STYLE GAME. Any commercial or house banked
217 game that is played with cards, dice, equipment, or any other
218 mechanical or electronic device or machine, and that is played
219 for money, property, checks, credit, or any other representative
220 of value.

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

223 1. Table games, including, but not limited to, blackjack,
224 baccarat, roulette, craps, twenty-one, poker, Texas hold'em,



225 cassino, five-card draw, three-card draw, chemin de fer
226 (shimmy), pai gow poker, yablon (red dog), let it ride poker,
227 caribbean stud, casino war, video poker, or any variation
228 thereof.

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

232 3. Pari-mutuel wagering, whether electronic, simulcast,
233 or otherwise.

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

236 b. The term does not include any non-commercial social
237 game or charitable game operating in accordance with this
238 chapter. The term does not include bingo, electronic bingo, or
239 any games similar to bingo, including pull-tabs, lotto, punch
240 boards, tip jars, or instant bingo, whether or not played with
241 an electronic, computer, or other technological aid. The term
242 does not include any other form of gaming activity.

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

246 (3) CHARITABLE FUNDRAISER PERMIT. A permit issued by the
247 commission to a charitable organization to conduct a charitable
248 game in accordance with this chapter.

249 (4) CHARITABLE GAME. A traditional raffle or traditional
250 bingo that is operated by a charitable organization in
251 accordance with this chapter and pursuant to a permit issued by
252 the commission. The term does not include any casino-style game



253 or sports wagering.

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

256 a. The organization is either of the following:

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

261 2. An elementary or secondary school or nonprofit
262 elementary or secondary school-sponsored club or organization,
263 or any nonprofit elementary or secondary school-affiliated
264 group, including a parent-teacher organization or booster club,
265 whose membership may be composed of individuals other than
266 students.

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

269 c. The organization does not attempt to influence
270 legislation as a substantial part of its activities and does not
271 participate in any campaign activity for or against political
272 candidates.

273 (6) COMMISSION. The Alabama Gaming Commission established
274 by this chapter.

275 (7) ENFORCEMENT DIVISION. The Gaming Enforcement Division
276 established by this chapter.

277 (8) EXECUTIVE DIRECTOR. The Executive Director of the
278 Alabama Gaming Commission.

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



281 (10) GAMING EMPLOYEE. Any employee, contractor, or other
282 representative of a gaming establishment or sports wagering
283 platform whose job pertains to the operation, control, or
284 outcome of any casino-style gaming activity or sports wagering,
285 or the access, transport, or review of any gaming revenues.

286 a. The term includes all of the following:

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

290 2. Cage and counting room personnel.

291 3. Slot personnel.

292 4. Table games personnel.

293 5. Keno personnel.

294 6. Sports wagering platform personnel.

295 7. Pari-mutuel wagering personnel.

296 8. Individuals whose duties are directly involved with
297 the manufacture, repair, sale, or distribution of gaming
298 equipment.

299 9. Individuals who perform, or who supervise the
300 performance of, the function of receiving and transmitting
301 sports wagers.

302 10. Information technology personnel who have operational
303 or supervisory control over information technology systems
304 associated with any of the matters related to gaming activities
305 or sports wagering.

306 11. Hosts or other individuals empowered to extend credit
307 or complimentary services related to gaming activities.

308 12. Gaming machine mechanics.



309 13. Odds makers and line setters.

310 14. Gaming establishment security personnel.

311 15. Gaming establishment shift or pit bosses.

312 16. Shills.

313 17. Supervisors or managers of any individual described

314 in this subdivision.

315 18. Any other individual as determined by the commission

316 by rule.

317 b. The term does not include any gaming establishment

318 employee, contractor, or other individual whose duties do not

319 involve gaming activities; any individual engaged exclusively in

320 preparing or serving food or beverages; or any individual

321 involved solely in the resort or hotel functions of a licensed

322 gaming establishment.

323 (11) GAMING EQUIPMENT. Any mechanical, electromechanical,

324 or electronic contrivance, component, or machine used in

325 connection with any casino-style game. The term includes, but is

326 not limited to, a system for processing information that can

327 alter the normal criteria of a random selection, that affects

328 the operation of any game, or that determines the outcome of a

329 game. The term does not include a system or device that affects

330 a game solely by stopping its operation so that the outcome

331 remains undetermined.

332 (12) GAMING ESTABLISHMENT. A physical location for which

333 the commission has issued a license to authorize casino-style

334 gaming activity to be conducted therein.

335 (13) GAMING ESTABLISHMENT LICENSE. A license issued by

336 the commission to operate, carry on, conduct, maintain, or



337 expose for play one or more casino-style games.

338 (14) GAMING ESTABLISHMENT LICENSEE. The holder of a
339 gaming establishment license.

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

342 a. Is ancillary to the operation of a gaming
343 establishment.

344 b. Is subject to regulation by the commission.

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

346 (16) GAMING SERVICES. Goods or services offered to a
347 gaming establishment licensee by a contractor, employee, or
348 third party which directly relate to the gaming establishment or
349 casino-style gaming activity, including, but not limited to,
350 gaming equipment manufacturers, suppliers, and repairers; gaming
351 management services; gaming employees; security services; and
352 similar services ancillary to the operation of casino-style
353 gaming activities at a licensed gaming establishment. The term
354 does not include non-gaming auxiliary services, including, but
355 not limited to, restaurants, bars, clubs, and other food and
356 beverage services; spas; retail establishments; entertainment
357 services; hotel, concierge, and valet services; laundry
358 services; and landscaping and other non-gaming property
359 management services.

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

362 (18) GAMING SERVICES PROVIDER. A person licensed to
363 provide gaming services to or on behalf of a gaming
364 establishment licensee.



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

371 (20) IN-PERSON SPORTS WAGERING LICENSE. A license issued
372 by the commission to conduct sports wagering, subject to the
373 policies and procedures of the commission and this chapter,
374 through in-person on-premises play at the licensed gaming
375 establishment.

376 (21) LOTTERY or LOTTERY GAME. A draw-based game of chance
377 that generally involves the drawing of numbers at random for a
378 prize. The term includes any game deemed a lottery by rule of
379 the commission. The term may include, but is not limited to, a
380 state lottery, instant lottery game, a multi-jurisdiction
381 lottery, or other draw-based lottery that is approved and
382 conducted through the Alabama Lottery Corporation. The term does
383 not include video lottery terminals. The term does not include
384 bingo, electronic bingo, or any game similar to bingo, including
385 pull-tabs, lotto, punch boards, tip jars, or instant bingo,
386 whether or not played with an electronic, computer, or other
387 technological aid. The term does not include any other form of
388 gaming activity.

389 (22) LOTTERY RETAILER. As defined under Section 41-30-
390 401.

391 (23) LOTTERY TICKET. Any tangible evidence of proof of
392 participation in, or a right, privilege, or possibility of



393 becoming a winner in, a lottery game.

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

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

400 (26) NET GAMING REVENUE. The total amount of money or
401 value in any form received as a result of any gaming activity,
402 whether or not approved by the commission, excluding free bets
403 and promotional credits, less federal excise taxes, voided
404 wagers, and the total money or value in any form paid as prizes
405 or winnings, including the cash equivalent of any merchandise or
406 thing of value awarded as a prize.

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

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

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

418 (30) PRINCIPAL OWNER OR INVESTOR. Any person who has or
419 controls, whether directly or indirectly, 10 percent or more
420 ownership, income, or profit interest in an applicant for



421 licensure under this chapter or a gaming establishment licensee.

422 (31) SPORTING EVENT. Any sport, athletic contest, game,
423 match, race, motor race, electronic sports event, competitive
424 video game event, or similar competitive event, whether amateur,
425 interscholastic, collegiate, or professional, involving two or
426 more competitors, in which the winner is determined by score or
427 placement. The term does not include any public or private K-12
428 school or other amateur youth sports or athletic event.

429 (32) SPORTS WAGERING. The acceptance of wagers that have
430 a basis in a sporting event that has not yet occurred or is
431 already underway, including the outcome of the sporting event or
432 the individual performance statistics of one or more athletes in
433 a sporting event, or a combination thereof by any system or
434 method of wagering. The term includes, but is not limited to,
435 any of the following that have a basis in a sporting event:
436 Single-game bets, teaser bets, parlays, over-under, moneyline,
437 pools, exchange wagering, in-game wagering, in-play bets,
438 proposition bets, and straight bets. The term does not include
439 wagers on fantasy sports contests authorized under general law.
440 The term does not include bingo, electronic bingo, or any games
441 similar to bingo, including pull-tabs, lotto, punch boards, tip
442 jars, or instant bingo, whether or not played with an
443 electronic, computer, or other technological aid. The term does
444 not include any other form of gaming activity.

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



449 a. The game requires human interaction and skill,
450 including attentiveness and discernment and physical, visual,
451 auditory, and verbal interaction by and between those persons
452 who are playing and a person, commonly known as the "announcer"
453 or "caller," who is responsible for calling out the randomly
454 drawn designations and allowing time between each call for the
455 players to check their cards and to physically mark them
456 accordingly.

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

461 (34) TRADITIONAL RAFFLE. A means of raising money by
462 selling numbered paper tickets where one or more numbered paper
463 tickets are subsequently drawn at random and the holder or
464 holders of a matching ticket wins a prize. The term does not
465 include bingo, electronic bingo, or any game similar to bingo,
466 including pull-tabs, lotto, punch boards, tip jars, or instant
467 bingo, whether or not played with an electronic, computer, or
468 other technological aid. The term does not include any other
469 form of gaming activity.

470 §41-30-3. Compliance with federal laws.

471 The State of Alabama, in accordance with 15 U.S.C. §
472 1172, hereby declares that any and all lottery and gaming
473 activity equipment, and the materials, paraphernalia, and
474 supplies thereof, may be transported in interstate commerce into
475 or out of the state, including Poarch Band of Creek Indians
476 trust land, without violating that section, or any other



477 applicable federal law, if the equipment, materials,
478 paraphernalia, and supplies are used, to be used, or have been
479 used in the conduct of gaming activities at licensed gaming
480 establishments or on Poarch Band of Creek Indians trust land.

481 §41-30-4. Disclaimer.

482 Nothing in this chapter shall be deemed to apply to,
483 authorize state or commission regulation or taxation of, or
484 require state or commission approval of, gaming activities or
485 sports wagering conducted on land held in trust by the United
486 States for the Poarch Band of Creek Indians, except to the
487 extent that the provision is expressly incorporated into a
488 tribal-state gaming compact entered into by the State of Alabama
489 and the Poarch Band of Creek Indians.

490 §41-30-5. No property rights awarded.

491 Any license or permit awarded under this chapter to
492 conduct any form of gaming activity shall be deemed the granting
493 of the privilege to conduct the activity. Nothing in this
494 chapter shall be construed as awarding to any person any
495 property right or interest.

496 Article 2. Alabama Gaming Commission.

497 §41-30-50. Alabama Gaming Commission created.

498 The Alabama Gaming Commission is created in the executive
499 branch as a state agency to license and regulate the conduct of
500 all lawful sports wagering, charitable gaming activities,
501 lotteries, and casino-style gaming activities conducted within
502 this state, as authorized by the Constitution of Alabama of
503 2022, and this chapter, and to effectively eradicate any
504 unlawful gaming activity and unlawful gaming-related activity in



505 this state. The commission shall be located in Montgomery
506 County.

507 §41-30-51. Commission membership.

508 (a) The membership of the commission shall include all of
509 the following:

510 (1) Four members of the public, appointed by the
511 Governor.

512 (2) One member of the public, appointed by the Speaker of
513 the House of Representatives.

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

516 (4) One member of the public, appointed by the Lieutenant
517 Governor.

518 (5) One member of the public, appointed by the President
519 Pro Tempore of the Senate from a list of two nominees submitted
520 by the Minority Leader of the Senate.

521 (6) One member of the public, appointed by the Speaker of
522 the House of Representatives from a list of two nominees
523 submitted by the Minority Leader of the House of
524 Representatives.

525 (b) (1) Initial appointments of the commission shall be
526 made no later than July 1, 2024. The initial appointees shall
527 serve immediately upon appointment and shall continue to serve
528 until confirmed or rejected by the Senate at the first regular
529 or special session of the Legislature held after the initial
530 appointments.

531 (2) The initial appointees shall hold an organizational
532 meeting of the commission not later than October 1, 2024. At the



533 organizational meeting, the membership of the commission shall
534 select a chair and a vice chair, who shall serve in that
535 position for two years. Members of the commission shall draw
536 lots to determine which three appointees shall serve for an
537 initial two-year term; which three appointees shall serve for an
538 initial three-year term; and which three appointees shall serve
539 for an initial four-year term.

540 (c) After the expiration of the initial terms, members
541 appointed to the commission shall serve for four-year terms and
542 shall be confirmed with the advice and consent of the Senate at
543 the first regular or special session of the Legislature held
544 after the appointment. Members may serve two complete terms and
545 any portion of an initial term of less than four years or any
546 portion of an unexpired term to which appointed.

547 (d) All appointing authorities shall coordinate their
548 appointments to assure the commission membership is inclusive
549 and reflects the racial, gender, geographic, urban, rural, and
550 economic diversity of the state.

551 (e) Each member of the commission shall satisfy all of
552 the following qualifications:

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

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

557 (3) Shall have no conviction for any federal or state
558 felony offense or any misdemeanor property offense, offense
559 involving fraud, or offense involving moral turpitude as
560 provided under Section 17-3-30.1.



561 (4) May not be the executive director of the commission
562 or an employee of the commission.

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

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

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

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

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

574 a. A gaming establishment licensee.

575 b. An online sports wagering platform.

576 c. A lottery retailer or vendor.

577 d. A gaming services provider.

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

581 (f) Any vacancy occurring on the commission shall be
582 filled for the unexpired term by the respective appointing
583 authority. The appointee shall serve immediately upon
584 appointment and shall continue to serve until confirmed or
585 rejected by the Senate at the first regular or special session
586 of the Legislature held after the appointment.

587 (g) Each member of the commission shall serve for the
588 duration of the member's term and until either the member's



589 successor is appointed and confirmed by the Senate or, if no
590 successor is appointed, for a period of not more than 18 months
591 following the expiration of the member's term.

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

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

596 §41-30-52. Commission meetings.

597 (a) The commission shall meet at least quarterly and at
598 other times as called by the chair or a majority of the
599 commission members.

600 (b) Meetings of the commission shall be subject to the
601 Alabama Open Meetings Act; provided, that members of the
602 commission may participate in a meeting of the commission in
603 person, by means of telephone conference, video conference, or
604 other similar communications equipment so that all individuals
605 participating in the meeting may hear each other at the same
606 time. Participation by such means shall constitute presence in
607 person at a meeting for all purposes, including for purposes of
608 establishing a quorum, and the affirmative vote of a majority of
609 the members necessary for any action of the commission.

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

613 (2) Action may be taken on motions and resolutions
614 adopted by the commission at any meeting of the commission by an
615 affirmative vote of a majority of present and voting commission
616 members, a quorum being present.



617 (e) No vacancy in the membership of the commission shall
618 impair the right of the members to exercise all the powers and
619 perform all the duties of the commission.

620 §41-30-53. Compensation of members.

621 Each member of the commission shall receive annual
622 compensation equal to one-half of that of a member of the
623 Legislature and the same per diem and travel allowances provided
624 for state employees.

625 §41-30-54. Identification, regulation, and taxation of
626 current gaming activities.

627 The commission may adopt temporary continuing operation
628 rules to implement and administer this chapter and Section 65(e)
629 of the Constitution of Alabama of 2022. These rules are exempt
630 from the requirements of the Alabama Administrative Procedures
631 Act and shall expire on January 1, 2027.

632 §41-30-55. Powers and duties of the commission.

633 The commission shall adopt, amend, or repeal rules in
634 accordance with the Alabama Administrative Procedure Act and
635 shall have all powers necessary and convenient to fulfilling its
636 duties with respect to gaming activity, gaming-related activity,
637 traditional raffles, and traditional bingo. These powers
638 include:

639 (1) To issue subpoenas and compel the production of
640 documents or items and the attendance of witnesses, to
641 administer oaths, to require testimony under oath, and to
642 enforce its orders.

643 (2) To appoint impartial hearing examiners who may
644 administer oaths and receive evidence and testimony under oath



645 and make recommendations to the commission.

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

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

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

655 (6) To impose reasonable civil penalties on any person
656 for violations of this chapter or violations of rules adopted by
657 the commission.

658 (7) To provide for the issuance of licenses for the
659 operation of casino-style gaming activities and sports wagering
660 and to provide for the renewal, modification, extension,
661 suspension, revocation, transfer, or forfeiture of a license.

662 (8) To regulate and supervise the conduct and operation
663 of gaming activities.

664 (9) To adopt rules and procedures to address the failure
665 of a licensee to timely remit taxes, fees, and fines and
666 penalties.

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

669 (11) To adopt rules limiting access to gaming activities
670 by minors and other susceptible individuals, including a program
671 of voluntary self-exclusion for individuals struggling with
672 problem gaming.



673 §41-30-56. Audits and reports.

674 (a) To ensure the financial integrity of the operation of
675 gaming establishments in this state, the commission shall do all
676 of the following:

677 (1) Not later than the second legislative day of each
678 regular session, submit an annual report to the Governor and the
679 Legislature disclosing the total gaming revenues, operating and
680 administrative expenses of the commission, and information
681 relating to the number of licenses issued, suspended, revoked,
682 or transferred during the reporting period. The annual report
683 shall additionally describe the organizational structure of the
684 commission and summarize the functions performed by each
685 organizational division within the commission. The annual report
686 shall be displayed on the website of the commission.

687 (2) Adopt a system of internal audits and audits of
688 licensees.

689 (3) Contract with a certified public accountant or firm
690 for an annual financial audit of the commission. The certified
691 public accountant or firm shall have no financial interest in
692 any vendor with whom the commission is under contract or any
693 licensee of the commission. The certified public accountant or
694 firm shall present an audit report not later than four months
695 after the end of the fiscal year. The certified public
696 accountant or firm shall evaluate the internal auditing controls
697 in effect during the audit period. The cost of this annual
698 financial audit shall be an operating expense of the commission.

699 (b) The Department of Examiners of Public Accounts shall
700 perform an audit or examination of the commission on an annual



701 basis or more frequently as deemed necessary by the Chief
702 Examiner.

703 §41-30-57. Executive director and deputy director of the
704 commission.

705 (a) (1) The commission shall appoint an executive director
706 who shall direct the day-to-day operations and management of the
707 commission and shall be vested with all powers and duties as
708 specified by the commission and by law. The executive director
709 shall serve at the pleasure of the commission.

710 (2) The executive director shall meet all of the
711 following qualifications:

712 a. Shall be a person of good moral character who has not
713 engaged in conduct involving dishonesty, fraud, or
714 misrepresentation.

715 b. May not have a conviction for any felony offense and
716 may not have a conviction for any misdemeanor offense that
717 reflects adversely on the individual's honesty or
718 trustworthiness.

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

721 d. May not be a public official, as defined under Section
722 36-25-1.

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

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

727 g. Shall possess any other qualifications adopted by the
728 commission by rule.



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

733 (4) The executive director shall receive an annual salary
734 as determined by the commission and approved pursuant to Section
735 36-6-6 as if he or she were an officer or employee appointed in
736 the exempt service.

737 (b) (1) The executive director may appoint a deputy
738 director who shall perform duties designated by the executive
739 director.

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

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

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

750 (1) A gaming establishment licensee.

751 (2) An online sports wagering platform.

752 (3) A lottery retailer or vendor.

753 (4) A gaming services provider.

754 (5) A contractor doing business or proposing to do
755 business with the commission, the Alabama Lottery Corporation,
756 or any of the entities described in subdivisions (1) through



757 (4) .

758 §41-30-58. Powers and duties of the executive director.

759 (a) The executive director shall direct and supervise all
760 administrative and technical activities in accordance with this
761 chapter and with the rules, policies, and procedures adopted by
762 the commission.

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

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

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

768 (3) Make, execute, and effectuate agreements or
769 contracts, including contracts for the purchase of goods and
770 services, as are necessary for the conduct of the business of
771 the commission.

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

773 (5) Employ by contract and compensate persons as deemed
774 necessary for the operation and administration of the
775 commission.

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

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

779 (8) Perform other duties as necessary to implement and
780 administer this chapter.

781 §41-30-59. Employees of the commission.

782 (a) (1) An employee of the commission may not have a
783 financial interest greater than one percent in any of the
784 following:



- 785 a. A gaming establishment licensee.
- 786 b. An online sports wagering platform.
- 787 c. A lottery retailer or vendor.
- 788 d. A gaming services provider.
- 789 e. A contractor doing business or proposing to do
- 790 business with the commission, the Alabama Lottery Corporation,
- 791 or any of the entities described in paragraphs a. through d.

792 (2) An employee of the commission with decision-making
793 authority may not participate in any decision involving a gaming
794 establishment licensee with whom the employee has a financial
795 interest.

796 (b) An employee of the commission who leaves the
797 employment of the commission may not represent any vendor,
798 gaming services provider, or gaming establishment licensee
799 before the commission for a period of two years following
800 termination of employment with the commission.

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

808 (d) An individual who has been convicted of any federal
809 or state felony offense or any misdemeanor property offense,
810 offense involving fraud, or offense involving moral turpitude as
811 provided under Section 17-3-30.1, may not be employed by the
812 commission.



813 (e) The commission shall bond commission employees with
814 access to commission funds in such an amount as provided by the
815 commission and may bond other employees as deemed necessary.

816 (f) For purposes of the Merit System Act, Article 1 of
817 Chapter 26 of Title 36, the employees of the commission shall be
818 employed in the unclassified service and shall be entitled to
819 insurance, retirement, and other state employees' benefits.

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

822 §41-30-60. Employee participation prohibition.

823 (a) An employee of the commission may not engage in
824 gaming activity at any gaming establishment except as necessary
825 to perform their regulatory duties as an employee of the
826 commission.

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

833 §41-30-61. Records of the commission.

834 (a) Except as provided in subsection (b) and Section 41-
835 30-105, records of the commission shall be public records for
836 purposes of Section 36-12-40.

837 (b) The commission may determine which information and
838 records relating to its operations are confidential and not
839 subject to public disclosure. Confidential information, at a
840 minimum, shall include trade secrets; security measures,



841 systems, or procedures; security reports; employee personnel
842 information unrelated to compensation, duties, qualifications,
843 or responsibilities; and information obtained pursuant to
844 investigations which is otherwise confidential. Information
845 deemed confidential pursuant to this section shall be exempt
846 from public disclosure.

847 §41-30-62. Minority business participation.

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

860 §41-30-63. Rulemaking authority.

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

864 Article 3. Gaming Enforcement Division.

865 §41-30-100. Gaming Enforcement Division established.

866 The Gaming Enforcement Division within the commission is
867 established. The enforcement division shall have independent and
868 primary authority and jurisdiction to investigate violations of



869 this chapter and enforce the general laws and rules of the
870 commission. The enforcement division may take any means
871 necessary to aid the commission in the administration and
872 enforcement of this chapter, the gaming laws, and rules of the
873 commission, and to effectively eradicate any unlawful gaming
874 activity or unlawful gaming-related activity in the state.

875 §41-30-101. Director of the Gaming Enforcement Division.

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

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

887 (b) The Gaming Enforcement Officer shall satisfy all of
888 the following qualifications:

889 (1) Be certified by the Alabama Peace Officers' Standards
890 and Training Commission or become certified within one year of
891 appointment.

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

894 (3) Have a law enforcement background of at least 10
895 years, including executive level experience with specific
896 participation in complex investigations of financial crimes,



897 conspiracy, racketeering, and other related crimes.

898 (c) The salary of the Gaming Enforcement Officer shall be
899 set by the executive director. For purposes of the Merit System
900 Act, Article 1 of Chapter 26 of Title 36, the Gaming Enforcement
901 Officer shall be employed in the exempt service.

902 (d) For purposes of the immunity afforded in Section 6-5-
903 338, the Gaming Enforcement Officer shall be deemed a law
904 enforcement officer.

905 (e) The Gaming Enforcement Officer shall have arrest
906 powers.

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

912 (g) The Gaming Enforcement Officer shall establish
913 operational policy and procedures for the administration of the
914 duties of the enforcement division.

915 §41-30-102. Personnel of the Gaming Enforcement Division.

916 (a) The Gaming Enforcement Officer shall hire all
917 personnel necessary for the operation of the Gaming Enforcement
918 Division, subject to approval by the executive director.

919 Personnel shall include, but not be limited to, the following:

- 920 (1) Investigators.
921 (2) Auditors and forensic accountants.
922 (3) Compliance officers.
923 (4) Investigative technology experts.
924 (5) Administrative staff.



925 (6) Any other staff necessary for the operation of the
926 division.

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

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

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

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

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

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



953 certified by the Alabama Peace Officers' Standards and Training
954 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 in
957 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 the
972 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 section
978 and a schedule for completion of the required curriculum by
979 division personnel.

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



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 individual
985 operating under the direct authority of the Gaming Enforcement
986 Division may do any of the following:

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

990 (2) Inspect all equipment and supplies on the premises of
991 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 this
998 chapter or Article 2 of Chapter 12 of Title 13A that occurs on
999 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 gaming
1002 equipment or other equipment or supplies for the purpose of
1003 examination and inspection.

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

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



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 of
1022 its duties under this chapter.

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

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



1065 (2) Documents subpoenaed by the commission in furtherance
1066 of an investigation or other activity of the enforcement
1067 division.

1068 (3) Reports of any investigative action by the
1069 enforcement division.

1070 (4) Memoranda of the personnel of the enforcement
1071 division relating to an investigation.

1072 (5) Statements of individuals interviewed by the
1073 enforcement division.

1074 (6) All information, interviews, reports, statements, or
1075 memoranda of any nature furnished to the enforcement division.

1076 (7) Any findings, conclusions, or recommendations
1077 resulting from proceedings of the enforcement division.

1078 (8) All information containing proprietary trade secret
1079 information.

1080 §41-30-106. Assistance by the Attorney General and
1081 district attorneys.

1082 The Gaming Enforcement Officer may request assistance
1083 from the Attorney General, district attorneys, or other
1084 prosecuting attorneys of this state. The Attorney General,
1085 district attorneys, or other prosecuting attorneys, upon
1086 request, shall assist in any action for injunction or any
1087 prosecution based on a violation of this chapter, any gaming
1088 law, or a rule of the commission.

1089 Article 4. Casino-style gaming activities.

1090 §41-30-150. License required.

1091 Except to the extent authorized under Section 41-30-54,
1092 casino-style gaming activities may only be operated, carried on,



1093 conducted, maintained, or exposed for play by a gaming
1094 establishment licensee or as otherwise authorized by this
1095 chapter.

1096 §41-30-151. Limitations on the issuance of licenses.

1097 (a) Subject to the receipt of local approval under
1098 Section 41-30-152, the commission may issue no more than seven
1099 gaming establishment licenses, including the license reserved
1100 for the Poarch Band of Creek Indians pursuant to Section 65.04
1101 of the Constitution of Alabama of 2022. Licenses may be awarded
1102 pursuant to criteria established by the commission by rule,
1103 which shall include a competitive open bidding process, to
1104 applicants who have been deemed suitable pursuant Section 41-30-
1105 155. The licenses awarded shall be limited by the following
1106 conditions:

1107 (1) Four of the licenses shall be reserved for issuance
1108 as follows: one in Greene County, one in the portion of the City
1109 of Birmingham that is within Jefferson County, one in Macon
1110 County, and one in Mobile County.

1111 (2) One license shall be reserved for issuance in
1112 accordance with the terms of a gaming compact as provided under
1113 Section 41-30-158.

1114 (3) Two licenses shall be reserved for initial issuance
1115 in the following counties: one in Houston County and one in
1116 Lowndes County. If a license is not issued under this
1117 subdivision by June 1, 2029, or if an issued license has been
1118 inactive for five calendar years, the commission may award the
1119 license for a gaming establishment to be located in another
1120 county or municipality pursuant to a competitive process adopted



1121 by the commission and subject to local approval under Section
1122 41-30-152.

1123 (b) The commission shall adopt rules establishing a
1124 competitive open bidding process for the award of gaming
1125 establishment licenses as described in subsection (a). The
1126 competitive open bidding process shall require the commission to
1127 consider all of the following with regard to a suitable
1128 applicant:

1129 (1) The applicant's proposed capital investment at the
1130 location, including the applicant's commitment to offer
1131 amenities such as restaurants and entertainment venues.

1132 (2) The applicant's existing or past investments in the
1133 relevant local jurisdiction and the state.

1134 (3) The applicant's past paid taxes to the state and the
1135 relevant local jurisdiction.

1136 (4) The applicant's experience in the operation of a
1137 gaming establishment.

1138 (5) The applicant's familiarity with the local market.

1139 (6) The applicant's ties to, and community support
1140 within, the State of Alabama and the jurisdiction of the
1141 proposed gaming establishment.

1142 (7) The applicant's anticipated annual revenues.

1143 (8) The applicant's commitment to employ local citizens
1144 and to pay them competitive wages.

1145 (9) The applicant's plans for recruiting a diverse
1146 workforce.

1147 (10) The applicant's plans for ensuring the opportunity
1148 for participation by minority owned businesses as contractors,



1149 vendors, and other affiliates.

1150 (11) The maximum license fee the applicant is willing to
1151 pay.

1152 (c) In selecting an applicant for licensure, the
1153 commission shall endeavor to preserve and maintain the
1154 historical minority diversity of ownership of sites listed in
1155 subsection (a). If the commission receives a bid from a suitable
1156 applicant meeting the minority diversity requirements, the
1157 commission may give the applicant enhanced consideration if the
1158 applicant's bid is no more than 10 percent less than the highest
1159 bid received.

1160 §41-30-152. Local approval of a gaming establishment.

1161 (a) The Alabama Gaming Commission may issue a gaming
1162 establishment license in a municipality or county only if local
1163 county or municipal approval is obtained in accordance with this
1164 section.

1165 (b) A county or municipality may grant local approval of
1166 a gaming establishment being located in the county or
1167 municipality by doing either of the following:

1168 (1) Passing a resolution approving the issuance of a
1169 gaming establishment license within the county or municipality.

1170 (2)a. Holding a local referendum in accordance with this
1171 subdivision. The governing body of the county or municipality
1172 may direct the judge of probate of the county to submit the
1173 question of whether to allow a gaming establishment to be
1174 located in the applicable county or municipality to the
1175 qualified electors of the county or municipality.

1176 b. The election shall be held on the day designated by



1177 the judge of probate of the county. The notice of the election
1178 shall be given by the judge of probate and the election shall be
1179 held, conducted, and the results canvassed in the same manner as
1180 other local elections. The election shall be held in conjunction
1181 with the next regularly scheduled state or local election to be
1182 held in the county, unless specially called by the judge of
1183 probate at an earlier time. A period of not less than 180 days
1184 must elapse between the date of any second or subsequent
1185 election in a local jurisdiction under this paragraph. The
1186 county or municipality, as applicable, shall pay any costs and
1187 expenses not otherwise reimbursed by a governmental agency which
1188 are incidental to the election.

1189 c. The question to the qualified electors shall be, "Do
1190 you favor the award of a gaming establishment license in this
1191 municipality/county (as applicable)?" The judge of probate may,
1192 in his or her sole discretion, identify the specific address of
1193 a proposed gaming establishment on the ballot.

1194 d. If a majority of the votes cast in the election are
1195 "Yes," local approval shall be deemed granted.

1196 e. The judge of probate shall certify the results of the
1197 election to the Secretary of State and the Alabama Gaming
1198 Commission.

1199 (c) Upon obtaining local approval, the commission may
1200 grant a license in the county or municipality.

1201 §41-30-153. Application to bid for licensure.

1202 (a) A person desiring to operate, carry on, conduct,
1203 maintain, or expose for play casino-style gaming activities
1204 shall apply to be considered for licensure by the commission.



1205 The commission may adopt rules prescribing the information an
1206 applicant is required to submit to the commission prior to the
1207 consideration of the person as eligible for potential licensure
1208 under this section. The commission shall by rule establish an
1209 application fee that must be paid as an application requirement.

1210 (b) An application for consideration under this section
1211 shall include all of the following by sworn affidavit:

1212 (1) The names and addresses of the principal owners and
1213 investors of the applicant, showing the ownership percentage of
1214 each.

1215 (2) Any business records required by the commission.

1216 (3) The types of casino-style games to be offered at the
1217 location.

1218 (4) The number of gaming machines, casino-style game
1219 tables, or other devices used to conduct gaming activities.

1220 (5) The physical location of the gaming establishment.

1221 (6) A set of fingerprints for each gaming employee for
1222 purposes of a criminal history background check. The enforcement
1223 division shall submit the information collected pursuant to this
1224 subdivision to the State Bureau of Investigation for purposes of
1225 conducting the required criminal history background check. The
1226 applicant shall pay the cost of conducting the criminal history
1227 background check.

1228 (7) Information, documentation, and assurances concerning
1229 the financial background and resources as may be required to
1230 establish the financial stability, integrity, and responsibility
1231 of the applicant, including bank references, business and
1232 personal income and disbursement schedules, tax returns and



1233 other financial reports filed with governmental agencies, and
1234 business and personal accounting and check records and ledgers.
1235 To meet the requirements of this subdivision, each applicant, in
1236 writing, shall authorize the examination of all bank accounts
1237 and records as may be deemed necessary by the commission. The
1238 applicant shall be presumed to be financially stable if the
1239 applicant establishes that it meets each of the following:

1240 a. The ability to assure the financial integrity of
1241 gaming establishment operations by the maintenance of a bankroll
1242 or equivalent provisions adequate to pay winnings when due.

1243 b. The ability to meet ongoing operating expenses that
1244 are essential to the maintenance of continuous and stable gaming
1245 establishment operations.

1246 c. The ability to pay, as and when due, all state and
1247 federal taxes.

1248 (8) Information, documentation, and assurances as may be
1249 required to establish that the applicant has sufficient business
1250 ability and gaming experience as to establish the likelihood of
1251 the creation and maintenance of a successful, efficient sports
1252 wagering operation, if applicable.

1253 (9) Any other information required by the commission.

1254 (c) Within a reasonable time after receiving an
1255 application under this section, the commission shall determine
1256 and notify the applicant in writing whether the application is
1257 complete. If the commission determines the application is
1258 incomplete, the commission shall specifically identify the
1259 missing information and specify the requirement creating the
1260 obligation to submit the missing documents or information in the



1261 written notice. The processing deadlines shall restart on the
1262 date the applicant submits all the documents and information
1263 identified by the commission to render the application complete.

1264 (d) The commission, by rule, shall require an applicant
1265 pursuant to this section to demonstrate an ability to make a
1266 minimum capital investment of thirty-five million dollars
1267 (\$35,000,000) in the gaming establishment location. The
1268 commission shall consider any previous capital investments of
1269 the applicant and existing facilities and structures at the
1270 proposed site. In addition, for initial licensure, the
1271 commission shall require the applicant to demonstrate that any
1272 proposed construction or renovation of gaming establishment
1273 facilities would commence within 12 months of licensure.

1274 §41-30-154. Gaming establishment license fee.

1275 (a) The commission shall issue gaming establishment
1276 licenses for an initial 15-year term; provided, the commission,
1277 by rule, may provide for an extended initial license term for an
1278 applicant that proposes to make a minimum capital investment of
1279 five hundred million dollars (\$500,000,000) at the proposed
1280 site. License fees shall be not less than five million dollars
1281 (\$5,000,000), as determined by the commission with respect to
1282 each applicant, based upon the following factors:

1283 (1) The number and type of gaming machines at the
1284 location.

1285 (2) The number and type of table games at the location.

1286 (3) The number and type of random number games at the
1287 location.

1288 (4) The proposed capital investment plan of the location.



1289 (5) The amount of any previous gross and net gaming
1290 revenues generated at the location.

1291 (6) The business plan of the applicant.

1292 (7) The market conditions of the location.

1293 (8) Any other factors deemed relevant by the commission.

1294 (b) One-half of the license fee shall be paid at the time
1295 of licensure. The remaining portion of the license fee shall be
1296 paid in consecutive equal monthly installments. The license fees
1297 shall be collected by the commission and remitted to the State
1298 Treasury to the credit of the Gaming Trust Fund.

1299 §41-30-155. Suitability requirements.

1300 (a) The commission may not issue a license to an
1301 applicant pursuant to this article until the applicant has
1302 demonstrated suitability for licensure.

1303 (b) For purposes of this section, "suitability" of an
1304 applicant means consideration of all of the following with
1305 respect to the applicant and any principal owner or investor of
1306 the applicant:

1307 (1) The moral character, honesty, and integrity of the
1308 applicant.

1309 (2) The reputation, experience, and financial integrity
1310 of the applicant.

1311 (3) The financial ability of the applicant to purchase
1312 and maintain adequate liability and casualty insurance and to
1313 provide a surety bond as required by rule of the commission,
1314 based on cost of licensure, annual revenue, and other financial
1315 factors.

1316 (4) The past and present compliance of the applicant,



1317 including whether the applicant has a history of noncompliance
1318 with the gaming licensing requirements of any other
1319 jurisdiction.

1320 (5) Whether the applicant has filed, or had filed against
1321 it, a proceeding for bankruptcy or has ever been involved in any
1322 formal process to adjust, defer, suspend, or otherwise work out
1323 the payment of any debt.

1324 (6) Whether the applicant is or has been a defendant in
1325 litigation involving its business practices.

1326 (7) Whether awarding a license would undermine the
1327 public's confidence in the gaming industry in this state.

1328 (8) Prior activities, arrests, or criminal records, if
1329 any, and the general reputation, habits, and associations of any
1330 principal owner or investor of an applicant which may: (i) pose
1331 a threat to the public interest of this state or to the
1332 effective regulation of gaming in this state; and (ii) create or
1333 enhance the dangers of unsuitable, unfair, or unlawful
1334 practices, methods, and operations in the activities authorized
1335 by this chapter and the financial arrangements and activities
1336 incidental to the gaming activities authorized by this chapter.
1337 For purposes of this subdivision, evidence of or relating to an
1338 arrest, summons, charge, or indictment of an applicant, or the
1339 dismissal thereof, shall be considered by the commission where
1340 applicable, even if the arrest, summons, charge, or indictment
1341 resulted in an acquittal, deferred adjudication such as
1342 participation in a pretrial diversion program, probation,
1343 parole, or pardon.

1344 (9) The likelihood of the applicant to conduct business



1345 in complete compliance with this chapter.

1346 (10) Whether the applicant has a tax lien assessed
1347 against it or owes any delinquent taxes, or penalties or
1348 interest thereon, excluding items under formal appeal or protest
1349 as provided by law.

1350 (11) Whether awarding a license to the applicant would
1351 create a monopoly or circumstances that would substantially
1352 lessen or harm competition in a manner that would deprive
1353 residents of the State of Alabama of the benefits of
1354 competition. To this end, a person may not hold a majority
1355 interest in more than two licensed gaming establishments or more
1356 than one percent in more than three licensed gaming
1357 establishments. The commission shall ensure that the award or
1358 transfer of a license on or after June 1, 2024, would not result
1359 in a violation of this subdivision.

1360 (12) Whether an applicant registered and accepted the
1361 regulation of the commission, became subject to taxation, and
1362 provided information required by the commission, as provided
1363 under Section 65(e) of the Constitution of Alabama of 2022, and
1364 rules of the commission pursuant to Section 41-30-54. The
1365 commission may give an applicant enhanced consideration for
1366 satisfying this subdivision.

1367 (13) Any other factor or consideration deemed relevant by
1368 the commission.

1369 (c) Each applicant for a license under this article shall
1370 bear the obligation to establish its suitability for a license.

1371 (d) The executive director shall conduct a suitability
1372 analysis of each applicant for licensure. Each applicant shall



1373 provide any information and documentation requested by the
1374 executive director. The executive director shall report in
1375 writing his or her findings to the members of the commission,
1376 detailing the information supporting the determination,
1377 including a formal recommendation of whether the applicant is
1378 suitable or not suitable for licensure. The members of the
1379 commission, by majority vote, shall determine whether the
1380 applicant is suitable for licensure.

1381 §41-30-156. Renewal of licenses.

1382 (a) Upon application to and approval of the commission,
1383 any license granted to an applicant under this article may be
1384 serially renewed as provided by this section.

1385 (b) A licensee that has paid all applicable taxes and has
1386 continued to meet the suitability and other minimum licensing
1387 criteria established under this article shall be eligible for
1388 licensure renewal upon payment of any applicable license renewal
1389 fee. License renewal fees and license terms shall be set by the
1390 commission one year prior to the expiration of the license term
1391 as provided by rule of the commission. In determining the
1392 renewal fee, the commission shall consider the licensing
1393 criteria under this article.

1394 (c) Upon making its determination under subsection (b),
1395 the commission shall provide written notice to the licensed
1396 gaming establishment of the renewal fee and the new term of the
1397 license, which shall be for a period of not less than 10 years.
1398 The commission shall specify in the notice the timeframe in
1399 which the licensed gaming establishment may apply for renewal of
1400 the license.



1401 §41-30-157. Transfer of a license.

1402 (a) The commission shall approve any transfer of a
1403 license issued pursuant to this article, including any change of
1404 principal owner or investor of the licensee, prior to any
1405 transfer of the license. License transfers shall be subject to
1406 the application for licensure procedures set out under this
1407 article. The commission shall review any proposed transfer and
1408 may approve or deny the transfer in accordance with rules
1409 adopted by the commission.

1410 (b) Any proposed transfer of a license which would result
1411 in the gaming activities of a gaming establishment being
1412 transferred to a different county or municipality shall be
1413 subject to the local approval requirements of Section 41-30-152.

1414 (c) The commission may not approve a transfer that would
1415 result in a gaming establishment being transferred within 50
1416 miles of an existing gaming establishment licensed by the
1417 commission or on trust lands.

1418 §41-30-158. Licensure under gaming compact.

1419 (a) Upon the State of Alabama entering into a compact
1420 with the Poarch Band of Creek Indians (PCI), as contemplated by
1421 the constitutional amendment enacted pursuant to House Bill ____
1422 of the 2024 Regular Session, the commission shall issue PCI a
1423 license for one additional site outside of trust lands at a
1424 location approved pursuant to Section 41-30-152. The location
1425 shall be in a county that is wholly located north of U.S. Route
1426 411 and that borders the State of Georgia, or a municipality
1427 within such a county.

1428 (b) The Poarch Band of Creek Indians shall submit its



1429 business plan relating to its proposed operation at the
1430 additional site for review by the commission. The commission
1431 shall review the plan considering the license fees and terms
1432 provided for the other gaming establishments in this article and
1433 make a determination regarding the license fee for a term as
1434 provided under Section 41-30-154(a); provided, the license fee
1435 and license term may not conflict with the terms of the compact.

1436 (c) Upon notice of this determination by the commission,
1437 PCI shall pay its first license fee installment as provided by
1438 this article and the commission shall issue the license.

1439 §41-30-159. Gaming services contracts.

1440 (a) A gaming establishment licensee may enter into a
1441 contract with a gaming services provider to provide gaming
1442 services only if all of the following conditions are satisfied:

1443 (1) The gaming service provider is licensed by the
1444 commission pursuant to Section 41-30-160 to provide gaming
1445 services.

1446 (2) The contract is in writing.

1447 (3) The contract is approved by the commission.

1448 (4) The contract satisfies any other requirement adopted
1449 by the commission by rule.

1450 (b) A gaming establishment licensee shall submit any
1451 material change in a gaming services contract previously
1452 approved by the commission to the commission for its approval or
1453 rejection before the material change may take effect.

1454 (c) Any assignation or transfer of a gaming services
1455 contract, or the duties therein, to a third party shall be
1456 deemed a material change in the gaming services contract and may



1457 not take effect without approval by the commission pursuant to
1458 subsection (b).

1459 §41-30-160. Gaming services provider license.

1460 (a) The commission may issue a license to a person to
1461 provide gaming services under a gaming services contract to a
1462 licensed gaming establishment if the commission determines that
1463 the person meets the requirements of this section and any
1464 applicable rules of the commission.

1465 (b) Each applicant shall meet the following requirements
1466 for a gaming services license:

1467 (1) Possess good moral character, honesty, and integrity.

1468 (2) Possess the necessary experience and financial
1469 ability to successfully carry out the functions of a gaming
1470 services provider.

1471 (3) Demonstrate that the gaming services that the
1472 applicant plans to offer conform to standards established by
1473 rules of the commission and this chapter. The commission may
1474 accept the approval of a gaming services provider by another
1475 jurisdiction that is specifically determined by the commission
1476 to have gaming services as evidence the applicant meets the
1477 standards established by the commission and this chapter.

1478 (4) Meet any other requirement established by rule of the
1479 commission.

1480 (c) An applicant for a license to provide gaming services
1481 shall do all of the following:

1482 (1) Submit an application to the commission in the form
1483 required by the commission, including adequate information to
1484 serve as a basis for a thorough background check.



1485 (2) Submit fingerprints to the State Bureau of
1486 Investigation for a state and national criminal background check
1487 through the Alabama Criminal Justice Information Center and the
1488 National Crime Information Center. The cost of the criminal
1489 background check shall be paid by the applicant.

1490 (3) Pay to the commission a nonrefundable application fee
1491 for deposit into the Gaming Trust Fund, in an amount to be
1492 determined by the commission by rule, to cover the
1493 administrative costs of processing the application.

1494 (4) Upon approval of the application, pay to the
1495 commission a license fee as provided in subsection (e).

1496 (d) A license to provide gaming services shall authorize
1497 the licensee to provide gaming services at any licensed gaming
1498 establishment pursuant to a gaming services contract.

1499 (e) Prior to October 1 of each year, each gaming services
1500 provider shall pay to the commission an annual license fee, in
1501 an amount to be determined by the commission by rule, for
1502 deposit into the Gaming Trust Fund.

1503 (f) The commission shall authorize the renewal of a
1504 gaming services license upon verification that the gaming
1505 services provider continues to comply with all applicable
1506 statutory requirements and rules of the commission and has paid
1507 its annual license fee.

1508 §41-30-161. Judicial challenge of license award.

1509 (a) As used in this section, the term "unsuccessful
1510 gaming establishment license applicant" means any person or
1511 entity seeking, or who has sought, the award of a gaming
1512 establishment license from the Alabama Gaming Commission; or any



1513 person or entity that possesses a financial interest in any
1514 person or entity seeking, or who has sought, the award of such a
1515 license.

1516 (b) The award of a gaming establishment license by the
1517 Alabama Gaming Commission shall be deemed final and conclusive
1518 by the courts of this state as to any unsuccessful gaming
1519 establishment license applicant. No action, claim, counterclaim,
1520 defense, or other legal contention challenging the validity of
1521 such a license shall be brought or maintained in a court of this
1522 state by an unsuccessful gaming establishment license applicant,
1523 and the courts of this state shall be powerless and without
1524 jurisdiction to issue to an unsuccessful gaming establishment
1525 license applicant an injunction, writ, order, or any other form
1526 of relief that would have the effect of preventing the
1527 commission from issuing a license or invalidating a license
1528 previously awarded by the commission.

1529 (c) A court shall promptly dismiss for lack of
1530 jurisdiction any such action, claim, counterclaim, defense, or
1531 other legal contention or any such request for an injunction,
1532 writ, order, or other form of relief.

1533 (d) Any court's injunction, writ, order, or other form of
1534 relief that would have the effect of preventing the commission
1535 from issuing a license or invalidating a license previously
1536 awarded shall be immediately appealable to the Alabama Supreme
1537 Court in the same manner as a final order in the action. The
1538 appeal may only be filed within 42 days of the issuance of the
1539 injunction, writ, order, or other form of relief. If the appeal
1540 is not the first appeal taken by the party, the subsequent



1541 appeal shall be considered by the court only to the extent that
1542 either the facts or controlling law relevant to the issuance of
1543 a gaming establishment license have changed from that which
1544 existed or controlled at the time of the earlier appeal.

1545 (e) During the pendency of any such appeal, the action in
1546 the trial court shall be stayed in all respects.

1547 Article 5. Operation of gaming establishments.

1548 §41-30-200. Duties of licensees.

1549 A gaming establishment licensee shall do all of the
1550 following:

1551 (1) Promptly report to the commission any facts or
1552 circumstances related to the licensed gaming activity which
1553 would constitute a violation of state or federal law.

1554 (2) Conduct all licensed gaming activities and functions
1555 in a manner that does not pose a threat to the public health,
1556 safety, or welfare of the residents of this state and that does
1557 not adversely affect the security or integrity of the operation
1558 of those games in this state.

1559 (3) Hold the commission and this state harmless from, and
1560 defend and pay for the defense of, claims that may be asserted
1561 against a licensee, the commission or its members in their
1562 official capacity, or the state or employees thereof, arising
1563 from the licensee's actions or omission while conducting any
1564 licensed gaming activity.

1565 (4) Assist the commission in regulating the revenue of
1566 licensed gaming activity.

1567 (5) Maintain all records required by the commission.

1568 (6) Upon request by the commission, provide the



1569 commission access to all records and the physical premises where
1570 the licensee's gaming activity and related activities occur for
1571 the purpose of monitoring or inspecting the licensee's
1572 activities, the games, gaming equipment, and security equipment.

1573 (7) Keep current in all payments and obligations to the
1574 commission.

1575 (8) Acquire gaming activities and gaming equipment by
1576 purchase, lease, or other assignment and provide a secure
1577 location for the placement, operation, and play of those games
1578 and gaming equipment.

1579 (9) Prohibit a person from tampering with or interfering
1580 with the operation of any gaming activity.

1581 (10) Ensure that all gaming activity is within the sight
1582 and control of designated employees of the licensee and under
1583 continuous observation by security equipment in conformity with
1584 specifications and requirements of the commission.

1585 (11) Ensure that gaming activity is placed and remains
1586 placed in the specific locations within designated gaming areas
1587 at the gaming establishment which have been approved by the
1588 commission. Gaming activity at a gaming establishment may only
1589 be relocated upon approval of the commission in accordance with
1590 its rules. Casino-style games shall only be available for in-
1591 person play on the premises of a licensed gaming establishment.

1592 (12) Maintain at all times sufficient cash and gaming
1593 tokens, chips, and electronic cards or other electronic media.

1594 (13) Install, post, and display conspicuously, at
1595 locations within or about the gaming establishment, signs,
1596 redemption information, and other promotional material as



1597 required by the commission.

1598 (14) Assume liability for stolen money from any gaming
1599 activity; provided, the licensee shall have a cause of action
1600 for such unlawful activity.

1601 (15) Sustain minimum levels of operation and investment
1602 as determined by commission rule.

1603 §41-30-201. Floor plan submission requirement.

1604 (a) Prior to commencing the operation of any gaming
1605 activity at a gaming establishment, a gaming establishment
1606 licensee shall submit to the commission for its approval a
1607 detailed floor plan depicting the location of the designated
1608 gaming area in which gaming activity or gaming equipment will be
1609 located and the proposed arrangement thereof.

1610 (b) Any floor plan submission that satisfies the
1611 requirements of the rules adopted by the commission shall be
1612 considered approved by the commission unless the licensee is
1613 notified in writing to the contrary within one month of filing a
1614 detailed floor plan.

1615 §41-30-202. Game rules of play.

1616 (a) Each gaming establishment licensee shall have written
1617 rules of play for each type of gaming activity operated by the
1618 licensee, which must be approved by the commission before the
1619 game is offered to the public. Rules of play proposed by a
1620 licensee may be approved, amended, or rejected by the
1621 commission.

1622 (b) All gaming activity shall be conducted according to
1623 the specific rules of play approved by the commission. All
1624 wagers and pay-offs of winning wagers shall be made according to



1625 those rules of play, which shall establish any limitations
1626 necessary to assure the vitality of the game operations.

1627 (c) Each licensee shall make available in printed or
1628 electronic form to any patron, upon request of the patron, the
1629 complete text of the rules of play of any gaming activity in
1630 operation, pay-offs of winning wagers, and any other notice to
1631 the patron required by the commission.

1632 (d) Patrons are deemed to have agreed that the
1633 determination of whether the patron is a valid winner is subject
1634 to the game play rules and, in the case of any dispute, shall be
1635 determined by the commission. The determination by the
1636 commission shall be final and binding upon all patrons and
1637 licensees and shall not be subject to further review or appeal.

1638 §41-30-203. Betting limits, operations, and services for
1639 gaming activity.

1640 (a) A gaming establishment licensee, in the exercise of
1641 its business judgment, may determine and establish with the
1642 approval of the commission, all of the following relating to its
1643 licensed gaming activities:

- 1644 (1) Minimum and maximum wagers.
- 1645 (2) Promotions subject to rules of the commission.
- 1646 (3) Hours of operation.
- 1647 (4) Currency denominations accepted by any mechanical or
1648 electronic bill acceptors.

1649 (b) The commission may establish the following parameters
1650 for any licensed gaming activity of any kind:

- 1651 (1) Minimum and maximum payout percentages.
- 1652 (2) Any probability limits of obtaining the maximum



1653 payout for a particular play in conformance with industry
1654 standards.

1655 (3) Limitations on the types and amounts of financial
1656 transactions which a licensee may enter into with its patrons.

1657 §41-30-204. Posting of betting limits for table games.

1658 (a) Gaming establishment licensees accepting bets or
1659 wagers shall post in a conspicuous location at each specific
1660 location where the gaming activity is occurring indicating the
1661 permissible minimum and maximum wagers pertaining to table games
1662 at that location.

1663 (b) A licensee may not require any wager to be greater
1664 than the stated minimum or less than the stated maximum.
1665 However, any wager actually made by a patron and not rejected by
1666 a licensee prior to the commencement of play shall be treated as
1667 a valid wager.

1668 §41-30-205. Complimentary service, gift, cash, or other
1669 item.

1670 (a) A gaming establishment licensee may not offer or
1671 provide any complimentary service, gift, cash, or other item of
1672 value to any patron, except under any of the following
1673 conditions:

1674 (1) The complimentary item consists of room, food,
1675 beverage, or entertainment expenses provided directly to a
1676 patron and his or her guests by the licensee or indirectly to a
1677 patron and his or her guests on behalf of the licensee by a
1678 third party.

1679 (2) The complimentary item consists of documented
1680 transportation expenses provided directly to a patron and his or



1681 her guests on behalf of a licensee by a third party, provided
1682 the licensee complies with the rules adopted by the commission
1683 to ensure that the documented transportation expenses of the
1684 patron and his or her guests are paid for or reimbursed only
1685 once.

1686 (3) The complimentary item consists of coins, tokens,
1687 cash, or other complimentary items or services provided through
1688 any complimentary distribution program, the terms of which shall
1689 be filed with the commission upon implementation of the program
1690 or maintained pursuant to commission rule. Any change in the
1691 terms of a complimentary program shall be filed with the
1692 commission upon implementation of the change.

1693 (b) (1) Notwithstanding subsection (a), a gaming
1694 establishment licensee may offer and provide complimentary cash
1695 or non-cash gifts that are not otherwise included in that
1696 subsection to a patron; provided, however, any complimentary
1697 cash or non-cash gifts in excess of an amount per trip to be set
1698 by rule of the commission are supported by documentation
1699 regarding the reason the gift was provided to the patron and his
1700 or her guests, including, where applicable, the patron's player
1701 rating.

1702 (2) The documentation required under subdivision (1)
1703 shall be maintained by a licensee in accordance with commission
1704 rules. For purposes of this subsection, all gifts presented to a
1705 patron and a patron's guests directly by the licensee or
1706 indirectly on behalf of the licensee by a third party within any
1707 five-day period shall be considered to have been made during a
1708 single trip.



1709 §41-30-206. Prohibition on participation by minors.

1710 (a) An individual under 21 years of age may not play or
1711 engage in any casino-style games.

1712 (b) This section does not prohibit individuals under 21
1713 years of age from being allowed on the premises of a gaming
1714 establishment where licensed gaming activity is being conducted,
1715 so long as those individuals are restricted to areas of the
1716 gaming establishment in which casino-style gaming activity is
1717 not being conducted.

1718 (c) An individual who is under 21 years of age but 18 or
1719 more years of age may be employed at a gaming establishment in a
1720 non-gaming area of the gaming establishment. The individual may
1721 not serve alcoholic beverages.

1722 (d) The commission shall adopt rules to implement and
1723 administer this section.

1724 §41-30-207. Required reports.

1725 The holder of a gaming establishment license shall
1726 maintain daily records showing the gross receipts and adjusted
1727 gross receipts of the licensed activities and shall timely file
1728 with the commission any additional reports required by the
1729 commission by rule.

1730 Article 6. Sports wagering.

1731 §41-30-250. Sports wagering license required.

1732 (a) Sports wagering activities in every form, including
1733 by physical, electronic, or other means, may only be operated,
1734 carried on, conducted, maintained, or exposed for play in this
1735 state in accordance with this article and rules adopted
1736 thereunder.



1737 (b) A person desiring to operate, carry on, conduct,
1738 maintain, or expose for play sports wagering activities in this
1739 state shall apply for a sports wagering license from the
1740 commission.

1741 (c) Nothing in this article shall authorize any online
1742 casino-style gaming activities or other in-person or online
1743 gaming activities, including lottery games, except sports
1744 wagering.

1745 §41-30-251. Sports wagering license application.

1746 (a) An applicant for licensure under this article shall
1747 submit an application on a form in a manner as required by the
1748 commission. The commission shall by rule establish an
1749 application fee that must be paid as an application requirement.
1750 The application shall include all of the following with respect
1751 to the applicant:

1752 (1) The names of each principal owner and investor.

1753 (2) Information, documentation, and assurances, as
1754 prescribed by rule of the commission, that may be required to
1755 establish the good character, honesty, and integrity of the
1756 principal owners and investors of the applicant and its gaming
1757 employees.

1758 (3) Notice and a description of all civil judgments
1759 obtained against the applicant.

1760 (4) A list of all jurisdictions where the applicant has
1761 conducted sports wagering operations.

1762 (5) Information, documentation, and assurances concerning
1763 the financial background and resources as may be required to
1764 establish the financial stability, integrity, and responsibility



1765 of the applicant, including, but not limited to, bank
1766 references, business and personal income and disbursement
1767 schedules, tax returns and other reports filed with governmental
1768 agencies, and business and personal accounting and check records
1769 and ledgers. To meet the requirements of this subdivision, each
1770 applicant, in writing, shall authorize the examination of all
1771 bank accounts and related records as may be deemed necessary by
1772 the commission. The commission may consider any relevant
1773 evidence of financial stability. The applicant shall be presumed
1774 to be financially stable if the applicant establishes that it
1775 meets each of the following:

1776 a. The ability to assure the financial integrity of
1777 sports wagering operations by the maintenance of a bankroll or
1778 equivalent provisions adequate to pay winning wagers to bettors
1779 when due. An applicant is presumed to have met this standard if
1780 the applicant maintains, on a daily basis, a bankroll and
1781 equivalent provisions in an amount that is at least equal to the
1782 average daily minimum bankroll or equivalent provisions,
1783 calculated on a monthly basis, for the corresponding month in
1784 the previous year.

1785 b. The ability to meet ongoing operating expenses that
1786 are essential to the maintenance of continuous and stable sports
1787 wagering operations.

1788 c. The ability to pay, as and when due, all state and
1789 federal taxes.

1790 (6) If an applicant has not previously been engaged in
1791 business operations prior to applying for licensure, documents
1792 that establish that the applicant has made sufficient



1793 arrangements to fund its proposed sports wagering operations.

1794 (7) Information, documentation, and assurances as may be
1795 required to establish that the applicant has sufficient business
1796 ability and gaming experience as to establish the likelihood of
1797 the creation and maintenance of a successful, efficient sports
1798 wagering operation.

1799 (8) Information, as required by rule of the commission,
1800 regarding the financial standing of the applicant, including,
1801 but not limited to, a listing of each individual or entity that
1802 has provided loans or financing to the applicant.

1803 (9) If the applicant intends to offer sports wagering
1804 through an online sports wagering platform, copies of any
1805 contracts with the online sports wagering platforms and any
1806 other information requested by the commission relating to the
1807 contract.

1808 (10) A nonrefundable application fee to be set by the
1809 commission by rule. If the application is approved, the
1810 application fee shall be applied to the initial license fee
1811 provided under Section 41-30-252.

1812 (11) Any additional information required by the
1813 commission by rule.

1814 (b) The executive director shall review each application
1815 for licensure. The executive director shall report in writing
1816 his or her findings to the members of the commission, detailing
1817 the information supporting the determination, including a formal
1818 finding of whether the applicant is recommended for licensure.

1819 (c) The commission shall approve or deny the license
1820 application by majority vote of the members of the commission



1821 within a reasonable time after receipt of the application.

1822 (d) Each person holding a license under this article has
1823 a continuing duty to immediately inform the commission of any
1824 material change in status relating to any information that may
1825 disqualify the person from holding the license.

1826 §41-30-252. Sports wagering license fee.

1827 The license fee for a sports wagering license issued
1828 pursuant to Section 41-30-251 shall be for an amount and term of
1829 years to be determined by the commission by rule based on market
1830 factors and conditions and industry standards.

1831 §41-30-253. In-person and online sports wagering license.

1832 (a) The commission may issue licenses authorizing a
1833 licensee to operate, carry on, conduct, maintain, or expose for
1834 play sports wagering activities as follows:

1835 (1) The commission may issue to a gaming establishment
1836 licensee one in-person sports wagering license that authorizes
1837 the licensee to conduct in-person sports wagering on the
1838 premises of the licensee's gaming establishment.

1839 (2) The commission may issue an online sports wagering
1840 license to an applicant that authorizes the licensee to conduct
1841 sports wagering activities through an individually branded
1842 sports wagering platform website and through an associated
1843 mobile application bearing the same brand name.

1844 (b) The commission shall adopt rules prescribing a
1845 minimum and maximum number of online sports wagering licenses
1846 that may be issued. It is the intent of the Legislature that the
1847 number of licenses awarded foster a competitive environment.

1848 §41-30-254. Promotional credits.



1849 Sports wagering licensees may provide promotional
1850 credits, incentives, bonuses, or similar benefits designed to
1851 induce sports bettors to wager. The commission shall adopt rules
1852 to govern this section.

1853 §41-30-255. Prohibited sports wagering activities.

1854 (a) A sports wagering licensee may not conduct any sports
1855 wagering activities on any public or private K-12 school or
1856 other amateur youth sports or athletic events.

1857 (b) A sports wagering licensee may not authorize any
1858 individual under 21 years of age to engage in any sports
1859 wagering activities. A sports wagering platform may satisfy this
1860 requirement by using any reasonable commercially available age-
1861 verification software or program.

1862 (c) The commission shall adopt rules to implement and
1863 administer this section, including uniform civil penalties for a
1864 violation.

1865 §41-30-256. Deposit of fees.

1866 All fees collected under this article shall be deposited
1867 into the Gaming Trust Fund pursuant to Section 41-30-453.

1868 §41-30-257. Required reports.

1869 The holder of a sports wagering license shall maintain
1870 daily records showing the gross receipts and adjusted gross
1871 receipts of the licensed activities and shall timely file with
1872 the commission any additional reports required by the commission
1873 by rule.

1874 §41-30-258. Rulemaking authority.

1875 The commission shall adopt rules governing the licensing,
1876 administration, and conduct of sports wagering, which shall



1905 include all of the following:

1906 (1) Qualifications and conditions of licenses issued for
1907 the operation of sports wagering either in person or online.

1908 (2) The acceptance of wagers on a sporting event or a
1909 series of sporting events and acceptable forms of payment and
1910 advance deposit methods by patrons.

1911 (3) The method of accounting to be used by sports
1912 wagering licensees, including the types of records that shall be
1913 maintained by the licensee.

1914 (4) Protections for patrons placing wagers, including
1915 requirements to ensure responsible gaming.

1916 §41-30-259. Interstate sports wagering agreements.

1917 The commission may enter into sports wagering agreements
1918 with other states and jurisdictions to authorize individuals who
1919 are physically located in a signatory jurisdiction to
1920 participate in sports wagering activities.

1921 §41-30-260. Temporary sports wagering permit.

1922 (a) Notwithstanding any provision of this chapter to the
1923 contrary, the commission may award a temporary sports wagering
1924 permit to the operator of a racetrack for a live motor sports
1925 race event the attendance of which includes, on average, an
1926 estimated 60,000 or more individuals.

1927 (b) The temporary permit shall generally be valid for
1928 three consecutive calendar days; provided, the commission, by
1929 rule, may authorize limited exceptions to extend the number of
1930 calendar days if a race is canceled or delayed due to weather or
1931 other circumstances.

1932 (c) The temporary permit shall authorize the operator of



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

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

Article 7. Charitable games.

§41-30-300. Permit required.

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

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

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

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

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

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



1933 (g) The commission shall ensure that a permit may only be
1934 awarded only to a bona fide charitable organization, as defined
1935 under Section 41-30-2, acting as an amateur fundraiser that is
1936 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 this
1943 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 management,
1953 administration, or supervision of the organization's charitable
1954 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 for
1958 participation in the charitable game, including the cash or fair
1959 market value of the prize, and the names of any person who
1960 donated or otherwise provided the prize.



1989 (6) A description of the intended use of any net gaming
1990 proceeds of the charitable game operated by the organization.

1991 (7) Any other information necessary to maintain the
1992 integrity of the authorized gaming activities conducted within
1993 the state at the sole discretion of the commission.

1994 (c) At the conclusion of a charitable game, the
1995 charitable organization shall file a sworn financial report on
1996 the charitable game, stating both of the following:

1997 (1) The expenses incurred in the operation of the
1998 charitable game.

1999 (2) The amount and use of the net proceeds of the
2000 charitable game.

2001 (d) The commission shall adopt rules providing for an
2002 online or other convenient method to register a traditional
2003 raffle or traditional bingo conducted pursuant to this article.
2004 §41-30-302. Prohibited activities.

2005 (a) A charitable game permitted under this article may
2006 not be operated out of this state or through the use of a video
2007 lottery terminal or any other mechanical, electromechanical, or
2008 other electronic device or machine that performs all the
2009 functions of a lottery by itself when networked with other
2010 similar devices or machines.

2011 (b) All traditional raffle ticket sales shall be limited
2012 to individuals who are physically located in this state at the
2013 time of purchase.

2014 (c) A permit holder under this article may not do either
2015 of the following:

2016 (1) Compensate any person for the provision of supplies



2017 or prizes used in the operation of a charitable game, except to
2018 pay the actual fair market value of the prizes or supplies
2019 necessary for the operation of the charitable game.

2020 (2) Provide any additional compensation to an individual
2021 who is a regular employee of the organization for the
2022 individual's services in organizing or operating a charitable
2023 game.

2024 §41-30-303. Penalties.

2025 A person who knowingly violates this article shall be
2026 guilty of a Class C misdemeanor.

2027 Article 8. Social gaming.

2028 §41-30-350. Social gaming authorized.

2029 (a) There is no license requirement or tax levied on a
2030 social game that meets all of the following requirements, and
2031 such games are deemed lawful activity:

2032 (1) The game takes place pursuant to a bona fide social
2033 or employment relationship.

2034 (2) No person makes a profit or any other gain for
2035 operating or facilitating the game, except for an individual's
2036 winnings as a player.

2037 (3) The game is not tangential to any commercial
2038 activity.

2039 (4) The game is not played or operated with any gaming
2040 equipment, including any electronic form of bingo or a slot
2041 machine.

2042 (5) Each player competes on equal terms with one another.

2043 (6) The game is not operated through a sports wagering
2044 platform.



2045 (7) The game is not a casino-style game, as defined under
2046 Section 41-30-2.

2047 (b) The commission may adopt rules to interpret the
2048 definition of social gaming and to implement and administer this
2049 section.

2050 Article 9. Alabama Lottery Corporation.

2051 §41-30-400. Accountability of the Alabama Lottery
2052 Corporation.

2053 The Legislature recognizes that the operations of a state
2054 lottery are unique activities for state government and that a
2055 corporate structure will best enable the lottery to be managed
2056 in an entrepreneurial and business-like manner. It is the intent
2057 of the Legislature that the Alabama Lottery Corporation shall be
2058 accountable to the Governor, the Legislature, and the people of
2059 the State of Alabama through a system of audits, reports, and
2060 disclosures as required by this article.

2061 §41-30-401. Definitions.

2062 As used in this article, the following words have the
2063 following meanings:

2064 (1) BOARD. The Alabama Lottery Corporation Board of
2065 Directors.

2066 (2) CORPORATION. The Alabama Lottery Corporation.

2067 (3) FISCAL YEAR. The fiscal year used by the State of
2068 Alabama government.

2069 (4) INSTANT TICKET. A lottery game in which a player
2070 scratches or otherwise removes anything overlaying words or
2071 symbols to determine if the player has won, as indicated by the
2072 symbols and words that are displayed.



2073 (5) LOTTERY or LOTTERY GAME. As defined in Section 41-30-
2074 2.

2075 (6) LOTTERY RETAILER. Any person with whom the
2076 corporation has contracted to sell lottery tickets to the
2077 public.

2078 (7) MAJOR PROCUREMENT. Any item, product, or service in
2079 the amount of one million dollars (\$1,000,000) or more,
2080 including, but not limited to, major advertising contracts,
2081 annuity contracts, prizes, products, and services unique to the
2082 state lottery.

2083 (8) NET PROCEEDS. Gross lottery revenues, minus amounts
2084 paid as prizes and expenses, of the operation of the lottery.

2085 (9) PERSON. Any individual, corporation, partnership,
2086 unincorporated association, or other legal entity.

2087 (10) PRESIDENT. The president and chief executive officer
2088 of the Alabama Lottery Corporation.

2089 (11) SECURITY. The protection of information that would
2090 provide an unfair advantage to any individual involved in the
2091 operation of the lottery; the protection and preservation of the
2092 integrity of lottery games and operations; and the measures
2093 taken to prevent crimes against the corporation and its
2094 retailers.

2095 (12) VENDOR. Any person who has entered into a contract
2096 with the corporation.

2097 §41-30-402. Administration of the state lottery.

2098 (a) There is created a state lottery. The lottery shall
2099 be administered by a corporation to be known as the Alabama
2100 Lottery Corporation. The corporation shall be managed in a



2101 manner that enables the people of the State of Alabama to
2102 benefit from its profits and to ensure the integrity of the
2103 lottery.

2104 (b) The existence of the corporation shall begin upon the
2105 appointment of all seven members of the board as provided in
2106 Section 41-30-403.

2107 (c) The corporation shall be domiciled in the State of
2108 Alabama. The exclusive venue for any action or matter against
2109 the corporation arising out of or in connection with the
2110 issuance, nonissuance, delivery, or failure to deliver a lottery
2111 ticket or payment or nonpayment of a lottery prize in the county
2112 in which its corporate headquarters is located, and the circuit
2113 court for that county shall have exclusive jurisdiction over the
2114 action or matter. For purposes of the assessment of court costs
2115 only, the corporation shall be a private corporation.

2116 §41-30-403. Administration of the affairs of the Alabama
2117 Lottery Corporation.

2118 (a) The affairs of the corporation shall be administered
2119 by the Alabama Lottery Corporation Board of Directors. The board
2120 shall be composed of seven voting members appointed by the
2121 Governor with the advice and consent of the Senate. In addition,
2122 the Commissioner of Revenue and the State Treasurer shall serve
2123 as ex officio, nonvoting members.

2124 (b) The voting members of the board shall be residents of
2125 the State of Alabama and may not be serving as a public
2126 official, as that term is defined in Section 36-25-1. The
2127 Governor, when making appointments to the board, shall
2128 coordinate the appointments so that diversity of gender, race,



2129 and geographical area is reflective of the makeup of the state.

2130 (c) The initial appointees of the board shall serve
2131 staggered terms as follows: (i) One term shall expire after one
2132 year; (ii) one term shall expire after two years; (iii) one term
2133 shall expire after three years; (iv) one term shall expire after
2134 four years; and (v) one term shall expire after five years.
2135 After the expiration of the initial terms, members of the board
2136 shall serve for terms of five years.

2137 (d) A member may serve beyond the end of his or her
2138 respective term until a successor has been appointed and
2139 confirmed by the Senate. No member may serve more than two
2140 consecutive five-year terms. Members serve at the pleasure of
2141 the Governor. The board shall elect a chair from among its
2142 voting members. As near as practical, the board chair shall
2143 serve a term of two years.

2144 (e) Appointed members of the board shall be entitled to
2145 per diem compensation paid by the corporation and shall be
2146 reimbursed by the corporation for necessary travel and other
2147 reasonable expenses incurred in the performance of their
2148 official duties. Members of the board shall not have any direct
2149 or indirect interest in an undertaking that puts their personal
2150 interest in conflict with that of the corporation, including,
2151 but not limited to, an interest in a major procurement contract
2152 or a participating retailer.

2153 (f) The board, upon the initial call of the Governor and
2154 the chair thereafter, shall meet each month for the first 18
2155 months following the effective date of this act and at such
2156 other times as the chair may determine. Five voting members of



2157 the board shall constitute a quorum. The board shall also meet
2158 upon the call of five or more of the voting members of the
2159 board. The board shall keep accurate and complete records of all
2160 its meetings.

2161 (g) Meetings of the commission shall be subject to the
2162 Alabama Open Meetings Act; provided that members of the
2163 commission may participate in a meeting of the commission in
2164 person, by means of telephone conference, video conference, or
2165 other similar communications equipment so that all individuals
2166 participating in the meeting may hear each other at the same
2167 time. Participation by any such means shall constitute presence
2168 in person at a meeting for all purposes, including for purposes
2169 of establishing a quorum, and the affirmative vote of a majority
2170 of the members in attendance shall be necessary for any action
2171 of the commission.

2172 §41-30-404. Inspection of records.

2173 All records of the corporation shall be deemed public
2174 records and subject to public inspection pursuant to the Alabama
2175 Public Records Act, Chapter 25A of Title 36, unless any of the
2176 following apply:

2177 (1) The record relates to or was provided by a
2178 confidential source or informant and relates to lottery
2179 security, applicant, vendor, or retailer qualifications or
2180 conduct.

2181 (2) The record involves a trade secret of the corporation
2182 or of a vendor.

2183 (3) The record pertains to the internal security
2184 operations of the lottery or its lottery retailers or the record



2185 is of such a sensitive nature that its disclosure would endanger
2186 the security of the lottery or its lottery retailers, including,
2187 but not limited to, records containing security procedures,
2188 investigative techniques, or internal security information.

2189 (4) The record is covered by another exemption under
2190 federal or state law.

2191 §41-30-405. Appointment of president of the Alabama
2192 Lottery Corporation.

2193 (a) (1) From time to time, the board may appoint an
2194 individual to serve as president of the corporation. The
2195 president shall serve at the pleasure of the board.

2196 (2) The Governor may approve or disapprove the
2197 appointment within 30 days of notice of the appointment. If the
2198 Governor does not disapprove the appointment as prescribed in
2199 this subsection, the appointment shall be deemed approved.

2200 (b) The president shall manage the daily affairs of the
2201 corporation and shall have the powers and duties specified by
2202 the board and this chapter and any rules adopted thereunder.

2203 (c) The president may employ personnel as he or she deems
2204 necessary. All personnel shall serve at the will and pleasure of
2205 the president, unless otherwise specified by the president.

2206 (d) Following his or her appointment and during his or
2207 her entire employment by the board, the president shall reside
2208 in this state.

2209 §41-30-406. Duties of the board.

2210 The board shall have the following powers and duties:

2211 (1) Approve, disapprove, amend, or modify the budget
2212 recommended by the president for the operation of the



2213 corporation.

2214 (2) Recommend rules for adoption to the Alabama Gaming
2215 Commission as necessary to carry out and implement the
2216 operations of the corporation, the conduct of lottery games in
2217 general, and any other matters necessary or desirable for the
2218 efficient and effective operation of the lottery or convenience
2219 of the public.

2220 (3) Establish the salary of the president.

2221 (4) Acquire and hold, in its own name, real property and
2222 improvements thereon by purchase, gift, lease, lease with the
2223 option to purchase, or other lawful means, except eminent
2224 domain, to carry out its duties; and transfer, sell, or convey
2225 real property and any improvements thereon. Any obligations
2226 created in connection with the purchase or improvement of real
2227 property shall not create debts, obligations, or liabilities of
2228 the State of Alabama.

2229 (5) Provide for the conduct of specific lottery games and
2230 operations, including, but not limited to, the following:

- 2231 a. The types of lottery games that may be conducted.
- 2232 b. The sale price of tickets.
- 2233 c. The number and amount of prizes.
- 2234 d. The methods that shall be used in selling tickets for
2235 lottery games.
- 2236 e. The methods and location of selecting or validating
2237 winning tickets.
- 2238 f. The manner of payment of prizes.
- 2239 g. The frequency of games and drawings.
- 2240 h. The manner and amount of compensation to lottery



2241 retailers, except all compensation shall be uniform.

2242 i. Any other matters necessary to carry out this act and
2243 necessary for the efficient and effective operation of the
2244 lottery.

2245 (6) Conduct hearings upon receiving a complaint alleging
2246 a violation of this article or rules adopted by the corporation
2247 or as otherwise provided by this article.

2248 (7) Periodically review the performance of the
2249 corporation and advise the president and make recommendations
2250 regarding operations of the corporation and identify potential
2251 statutory improvements to this article, the rules of the
2252 corporation, and the management of the corporation.

2253 (8) Request from the corporation any information the
2254 board determines to be relevant to its duties.

2255 (9) Conduct and administer lottery games to result in
2256 maximization of revenues to the State of Alabama. The
2257 corporation, its employees, and the members of the board shall
2258 provide for the efficient and effective operation of lottery
2259 games, ensure the integrity of the lottery, and maintain the
2260 dignity of the state and the general welfare of its residents.

2261 (10) Supervise and administer the lottery in accordance
2262 with this article and the rules adopted by the commission
2263 governing this article.

2264 (11) Submit quarterly and annual reports to the Governor,
2265 the Lieutenant Governor, the Speaker of the House of
2266 Representatives, the State Treasurer, the State Auditor, the
2267 Joint Legislative Committee on Performance Evaluation and
2268 Expenditure Review, the Alabama Gaming Commission, the Director



2269 of Finance, and the Commissioner of Revenue containing financial
2270 information and projections which include, but are not limited
2271 to, disclosure of gross revenues, expenses, and net proceeds for
2272 the period.

2273 (12) Establish a system of continuous internal audits.

2274 (13) Maintain weekly or more frequent records of lottery
2275 transactions, including distribution of tickets to lottery
2276 retailers, revenues received, claims for prizes, prizes paid,
2277 and all other financial transactions of the corporation.

2278 (14) Establish a code of ethics for officers and
2279 employees of the corporation to carry out the standards of
2280 conduct established by this article.

2281 (15) Establish guidelines for the disposal of lottery
2282 property if the corporation is dissolved.

2283 (16) Sue and be sued in its corporate name.

2284 (17) Adopt a corporate seal and a symbol.

2285 (18) Hold patents, copyrights, trademarks, and service
2286 marks and enforce its rights with respect thereto.

2287 (19) Register to do business in the State of Alabama and
2288 appoint agents upon which process may be served.

2289 (20) Enter into written agreements with one or more other
2290 states or sovereigns for the operation, marketing, and promotion
2291 of a joint lottery or joint-lottery games.

2292 (21) Make, solicit, and request proposals and offers, and
2293 execute and effectuate any and all agreements or contracts,
2294 including, but not limited to:

2295 a. Contracts that provide for the placement of commercial
2296 advertising on tickets.



2297 b. Contracts for the purchase or lease of real property
2298 as are necessary for the operation and promotion of the lottery.

2299 c. Contracts or agreements necessary for the
2300 implementation, operation, and promotion of the lottery and this
2301 article.

2302 (22) Adopt bylaws and recommend the adoption of rules to
2303 the Alabama Gaming Commission as necessary to administer this
2304 article.

2305 §41-30-407. Duties and obligations of the president.

2306 (a) The president, as chief executive officer of the
2307 corporation, shall do all of the following:

2308 (1) Direct and supervise all administrative and technical
2309 activities in accordance with this article and the rules adopted
2310 by the commission governing this article.

2311 (2) Supervise and administer the operation of the
2312 corporation, the lottery, and its games.

2313 (3) Employ, manage, and direct the personnel of the
2314 corporation and its facilities and services as necessary to
2315 implement this article.

2316 (4) Enter into contracts with lottery retailers.

2317 (5) Make available for inspection by the board or any
2318 member of the board, upon request, all books, records, files,
2319 and other information and documents of his or her office.

2320 (6) Advise and make recommendations to the board for the
2321 adoption of rules or other actions to improve the operation and
2322 administration of the lottery and the corporation.

2323 (7) Enter into any contract pursuant to this article with
2324 any person for the promotion and operation of the lottery or for



2325 the performance of any of the functions as provided in this
2326 article or rule of the commission unless the contract
2327 constitutes a major procurement. A major procurement shall
2328 require approval from the board.

2329 (8) Attend meetings of the board or appoint a designee to
2330 attend on his or her behalf.

2331 (9) Not later than 30 days before the beginning of the
2332 corporation's fiscal year, submit the proposed annual budget of
2333 the corporation and projected net proceeds to the board for
2334 review and approval.

2335 (10) Subject to the approval of the board, amend or
2336 modify the budget at any time in any manner deemed necessary for
2337 the proper operation of the corporation.

2338 (11) Require bond from employees of the corporation as he
2339 or she deems necessary; provided, the president shall require
2340 bond, in an amount determined by the board, from employees with
2341 access to corporate funds or lottery funds.

2342 (12) For good cause, suspend, revoke, or refuse to renew
2343 any contract entered into in accordance with this article or
2344 rule of the commission.

2345 (13) Upon specific or general approval of the board,
2346 conduct hearings and administer oaths to persons for the purpose
2347 of assuring the security or integrity of lottery operations, or
2348 to determine the qualifications or compliance by vendors and
2349 lottery retailers.

2350 (14) Upon receiving specific or general approval of the
2351 board, enter into contracts with consultants and technical
2352 assistants as may be required to implement and administer this



2353 article.

2354 (15) By agreement, secure information, goods, and
2355 services as necessary from any department, agency, or unit of
2356 the federal, state, or local government. To the extent allowed
2357 by federal or state law or rule, the president may compensate
2358 the department, agency, or unit of government for its
2359 information, goods, and services.

2360 (16) Supervise ticket validation and lottery drawings.

2361 (17) For just cause and subject to the terms of a vendor
2362 contract, inspect the facilities of any vendor in order to
2363 determine the integrity of the vendor's product and in order to
2364 determine whether the vendor is in compliance with its contract.

2365 (18) Report any suspected violations of this article to
2366 the Gaming Enforcement Division and the local district attorney
2367 or the Attorney General.

2368 (19) Upon request, provide assistance to the Gaming
2369 Enforcement Division, local district attorney, and the Attorney
2370 General during an investigation into a violation of this
2371 article.

2372 (b) The president and the board shall conduct an ongoing
2373 examination of the operation and administration of lotteries in
2374 other states and countries, including reviewing available
2375 literature on the subject; federal laws and regulations which
2376 may affect the operation of the lottery; and the reaction of
2377 residents of this state to existing or proposed features of
2378 lottery games with a view toward implementing improvements that
2379 will tend to serve the purposes of this article.

2380 (c) The president may also establish one or more market



2381 or equipment research centers for lottery products and may
2382 establish lottery player information centers.

2383 (d) There shall be no liability on the part of, and no
2384 cause of action shall arise against, the corporation or its
2385 governing board, staff, agents, vendors, or employees, arising
2386 out of or in connection with their duties and obligations as
2387 provided for under this article.

2388 §41-30-408. Exemption from state procurement law.

2389 (a) The corporation may purchase, lease, or lease-
2390 purchase any goods or services as necessary for implementing and
2391 administering this article.

2392 (b) The corporation shall be exempt from the requirements
2393 of the state procurement law, Article 5 of Chapter 4 of Title
2394 41, Code of Alabama 1975, and the requirements of Chapter 16 of
2395 Title 41, relating to the design and operation of the lottery or
2396 purchase of lottery equipment, tickets, and related materials.

2397 (c) The corporation may make procurements necessary for
2398 the function of the lottery, including procurements for the
2399 design of lottery games, the distribution of lottery tickets to
2400 lottery retailers, the supply of goods and services, and
2401 advertising. In all procurement decisions, the corporation shall
2402 take into account the particularly sensitive nature of the state
2403 lottery and shall promote and ensure security, honesty,
2404 fairness, and integrity in the operation and administration of
2405 the lottery and the objectives of raising net proceeds for the
2406 benefit of the state.

2407 §41-30-409. Agreements with other entities; exemption
2408 from Alabama Public Records Law.



2409 (a) The corporation may enter into intelligence sharing,
2410 reciprocal use, or restricted use agreements with the federal
2411 government, law enforcement agencies, lottery regulation
2412 agencies, and gaming enforcement agencies of other jurisdictions
2413 that provide for and regulate the use of information provided
2414 and received pursuant to the agreement.

2415 (b) Records, documents, and information in the possession
2416 of the corporation received pursuant to an intelligence sharing,
2417 reciprocal use, or restricted use agreement entered into by the
2418 corporation pursuant to subsection (a) shall be exempt from the
2419 Alabama Public Records Law of Chapter 13 of Title 41. The
2420 corporation may not release the record, document, or other
2421 information without the written permission of the person or
2422 agency providing the record or information to the corporation.

2423 §41-30-410. Advertising.

2424 (a) The corporation may enter into one or more commercial
2425 advertising contracts with a person for the purpose of promoting
2426 the lottery and the sale of lottery tickets.

2427 (b) The board shall recommend rules for adoption to the
2428 Alabama Gaming Commission which shall govern any advertising
2429 conducted pursuant to this section.

2430 §41-30-411. Criminal background checks.

2431 (a) The Alabama State Bureau of Investigation shall
2432 perform a criminal background check on potential vendors,
2433 including potential lottery retailers and potential employees of
2434 the corporation.

2435 (b) The required criminal background check shall be
2436 conducted prior to the finalization of any contract with a



2437 potential vendor or prior to the employment of any potential
2438 employee.

2439 (c) The corporation shall reimburse the Alabama State
2440 Bureau of Investigation for the actual costs of conducting the
2441 criminal background investigations.

2442 §41-30-412. Sale to minors; penalty, affirmative defense.

2443 (a) Any person who knowingly sells a lottery ticket to an
2444 individual under 18 years of age or permits an individual under
2445 18 years of age to play a lottery game shall be guilty of a
2446 Class C misdemeanor and fined as follows:

2447 (1) On a first violation, not less than one hundred
2448 dollars (\$100) nor more than five hundred dollars (\$500).

2449 (2) On a subsequent offense, not less than two hundred
2450 dollars (\$200) nor more than one thousand dollars (\$1,000).

2451 (b) It shall be an affirmative defense to a charge of
2452 violating this section that the retailer reasonably and in good
2453 faith relied upon presentation of proof of age in making the
2454 sale.

2455 §41-30-413. Claiming a prize.

2456 (a) The proceeds of any lottery prize of six hundred
2457 dollars (\$600) or more shall be subject to state and federal
2458 income tax withholding laws, as applicable. To claim a lottery
2459 prize of six hundred dollars (\$600) or more, an individual
2460 holding a winning lottery ticket must provide to the corporation
2461 the individual's name, address, and any other information
2462 required by rule of the Department of Revenue. The Department of
2463 Revenue shall adopt rules governing the administration of this
2464 subsection.



2465 (b) The corporation shall withhold any attachments,
2466 garnishments, or executions authorized and issued pursuant to
2467 law if timely served upon the process agent of the corporation.

2468 (c) The board shall adopt policies and procedures to
2469 establish a system of verifying the validity of tickets or
2470 shares claimed to win prizes and to effect payment of those
2471 prizes, subject to the following conditions:

2472 (1) No prize, portion of a prize, or right of a person to
2473 a prize shall be assignable. Any prize, or portion thereof,
2474 remaining unpaid at the death of a prizewinner shall be paid to
2475 the estate of the deceased prizewinner or to the trustee of a
2476 trust established by the deceased prizewinner if a copy of the
2477 trust document or instrument has been filed with the
2478 corporation, along with a notarized letter of direction from the
2479 deceased prizewinner, and no written notice of revocation has
2480 been received by the corporation prior to the deceased
2481 prizewinner's death. Following a deceased prizewinner's death
2482 and prior to any payment to a trustee, the corporation shall
2483 obtain from the trustee and each trust beneficiary a written
2484 agreement to indemnify and hold the corporation harmless with
2485 respect to any claims that may be asserted against the
2486 corporation arising from payment to or through the trust.

2487 (2) No prize shall be paid arising from a claimed ticket
2488 that is stolen, counterfeit, altered, fraudulent, unissued,
2489 produced or issued in error, unreadable, not received, unclaimed
2490 or not recorded by the corporation within the applicable
2491 deadline, lacking in captions that conform and agree with the
2492 play symbols as appropriate to the lottery game involved, or not



2493 in compliance with any additional specific rules and public or
2494 confidential validation and security tests of the corporation
2495 appropriate to the particular lottery game involved.

2496 (3) No particular prize in any lottery game shall be paid
2497 more than once, and in the event of a determination by the
2498 corporation or a court that more than one claimant is entitled
2499 to a particular prize, the sole remedy of the claimants shall be
2500 to award to each of them an equal share in the prize.

2501 (4) A holder of a winning ticket from an Alabama lottery
2502 game or from a multi-state or multi-jurisdiction lottery game
2503 shall claim a prize within the timeframe provided for by rule of
2504 the board. If a valid claim is not made for a prize within the
2505 applicable period, the prize shall constitute an unclaimed prize
2506 for purposes of this section.

2507 (5) The corporation shall not disclose the identity of
2508 the person holding a winning lottery ticket where the prize
2509 amount is in excess of one million dollars (\$1,000,000) without
2510 that person's written permission.

2511 (6) No prize shall be paid upon a lottery ticket
2512 purchased or sold in violation of this article or rule adopted
2513 thereunder. A lottery ticket purchased or sold in violation of
2514 this article or rule adopted thereunder shall constitute an
2515 unclaimed prize for purposes of this section.

2516 (d) Unclaimed prize money shall not constitute net
2517 lottery proceeds. Unclaimed prize money shall be held in trust
2518 by the corporation and used as provided in this section.
2519 Annually, the corporation shall distribute a portion of
2520 unclaimed prize money, not to exceed two hundred thousand



2521 dollars (\$200,000) each year, to the State General Fund to the
2522 credit of the Department of Mental Health for the treatment of
2523 compulsive gambling disorder and educational programs related to
2524 the disorder. In addition, unclaimed prize money may be added to
2525 the pool from which future prizes are to be awarded or used for
2526 special prize promotions.

2527 (e) The corporation is discharged of all liability upon
2528 payment of a prize.

2529 (f) No ticket shall be purchased by and no prize shall be
2530 paid to any of the following persons:

2531 (1) Any member of the board.

2532 (2) Any member, officer, or employee of the Alabama
2533 Gaming Commission.

2534 (3) Any officer or employee of the corporation.

2535 (4) Any vendor, including a lottery retailer.

2536 (5) Any spouse, child, brother, sister, or parent
2537 residing as a member of the same household in the principal
2538 place of abode of any individual listed in this subsection.

2539 §41-30-414. Withholding of lottery prizes of persons who
2540 have outstanding child support arrearages or debts owed to the
2541 state.

2542 (a) (1) The board shall coordinate with the Department of
2543 Human Resources to recommend rules for adoption to the Alabama
2544 Gaming Commission providing for the withholding of lottery
2545 prizes of individuals who have outstanding child support
2546 arrearages as reported to the corporation, beginning at prize
2547 levels to be determined by the board. The rules may require any
2548 agency reporting current child support arrearages to the



2549 corporation to provide information relating to the arrearages in
2550 a manner, format, or record approved by the corporation.

2551 (2) The corporation shall not be liable for withholding a
2552 lottery prize based upon child support arrearage information
2553 provided to the corporation.

2554 (b) (1) The corporation shall withhold any lottery prize
2555 of an individual who has had a delinquent debt claim reported by
2556 a state agency or a political subdivision of the state. The
2557 Department of Revenue and the corporation shall cooperate to
2558 implement this section.

2559 (2) The corporation shall not be liable for withholding a
2560 lottery prize based upon a delinquent debt claim provided to it
2561 by the Department of Revenue.

2562 (3) The commission shall adopt rules to implement this
2563 subsection.

2564 §41-30-415. Monies received from the sale of lottery
2565 tickets; creation of funds.

2566 (a) There is established in the State Treasury the
2567 Lottery Proceeds Fund. All lottery proceeds received by the
2568 corporation, including all monies from the sale of lottery
2569 tickets and all other sources of revenue, shall be deposited
2570 into the fund. All lottery proceeds shall be the property of the
2571 corporation.

2572 (b) The corporation shall use monies in the fund to first
2573 pay for its reasonable operating expenses, second for the
2574 payment of prize money, and all remaining funds shall be
2575 transferred to the Lottery for Education Fund as provided under
2576 subsection (c). The corporation shall endeavor to maximize the



2577 amount of revenues that may be generated for deposit into the
2578 Lottery for Education Fund.

2579 (c) (1) The Lottery for Education Fund is established in
2580 the State Treasury.

2581 (2) On or before the twentieth day of each month, the
2582 corporation shall transfer, from the Lottery Proceeds Fund to
2583 the Lottery for Education Fund, the amount of all net proceeds
2584 described in subsection (b). Upon their deposit into the Lottery
2585 for Education Fund, any monies representing net proceeds shall
2586 become the unencumbered property of the State of Alabama and the
2587 corporation shall have no power to agree or undertake otherwise.
2588 The monies shall be invested by the State Treasurer in
2589 accordance with state investment practices.

2590 §41-30-416. Funding of the corporation.

2591 (a) The corporation may enter into contracts to incur
2592 debt in its own name and enter into financing agreements with
2593 the state, agencies, or instrumentalities of the state, or with
2594 any commercial bank or credit provider. Any contract or
2595 financing agreement entered into pursuant to this subsection
2596 must be approved by the Finance Director of the Department of
2597 Finance. Any obligations created in connection with any
2598 contracts or financing agreements entered into pursuant to this
2599 section shall solely and exclusively be obligations of the
2600 corporation and shall not create debts, obligations, or
2601 liabilities of the State of Alabama.

2602 (b) The corporation shall be self-sustaining and self-
2603 funded. Monies in the State General Fund shall not be used or
2604 obligated to pay the prizes of the lottery, and no claim for the



2605 payment of an expense of the lottery or prizes of the lottery
2606 may be made against any monies other than monies credited to the
2607 Lottery Proceeds Fund.

2608 §41-30-417. Selection and maintenance of statewide
2609 network of lottery retailers.

2610 (a) The corporation shall develop and maintain a
2611 statewide network of lottery retailers that will serve the
2612 public convenience and promote the sale of lottery tickets,
2613 while ensuring the integrity of the lottery operations, games,
2614 and activities.

2615 (b) A lottery game may not be played except as authorized
2616 by general law and rules adopted by the commission. A lottery
2617 game may not be operated through the use of a video lottery
2618 terminal or any other mechanical, electromechanical, or other
2619 electronic device or machine that performs all the functions of
2620 a lottery by itself when networked with other similar devices or
2621 machines.

2622 (c) A lottery ticket may not be sold except by a licensed
2623 lottery retailer in accordance with general law and rules
2624 adopted by the commission.

2625 §41-30-418. Selection of lottery retailers.

2626 (a) To govern the selection of lottery retailers, the
2627 board shall recommend rules for adoption to the Alabama Gaming
2628 Commission which shall provide a list of objective criteria upon
2629 which the selection of lottery retailers shall be based. The
2630 criteria shall include, but not be limited to, the following
2631 with regard to the applicant:

2632 (1) Financial responsibility.



2633 (2) Location and security of place of business or
2634 activity.

2635 (3) Character, integrity, and reputation.

2636 (4) Whether the applicant is current in the filing of all
2637 applicable tax returns and the payment of all applicable taxes,
2638 interest, and penalties owed to the state or any political
2639 subdivision thereof, excluding items under formal appeal.

2640 (b) No person shall be selected as a lottery retailer for
2641 the sale of lottery tickets if the person has done any of the
2642 following:

2643 (1) Has been convicted of a criminal offense related to
2644 the security or integrity of the lottery in this state or any
2645 other jurisdiction.

2646 (2) Has been convicted of any illegal gambling activity,
2647 false statements, false swearing, or perjury in this state or
2648 any other jurisdiction.

2649 (3) Has been convicted of any felony in this state,
2650 unless more than five years have elapsed from the date of the
2651 individual's release from incarceration without a subsequent
2652 conviction of a crime described in this subsection.

2653 (4) Has been found to have violated this chapter or any
2654 rule adopted under this chapter, unless either 10 or more years
2655 have passed since the violation, or the president and the board
2656 find the violation both minor and unintentional in nature.

2657 (5) Is a vendor or an employee or agent of any vendor
2658 doing business with the corporation.

2659 (6) Resides in the same household as an officer or board
2660 member of the corporation.



2661 (7) Has knowingly made a false statement of material fact
2662 to the corporation.

2663 (c) The board shall not consider the applicant's
2664 political affiliation, political activities, or monetary
2665 contributions to political organizations or candidates for any
2666 public office.

2667 §41-30-419. Cancellation, denial, revocation, suspension,
2668 renewal rejection, or termination of contract with lottery
2669 retailer.

2670 (a) Any contract executed by the corporation with a
2671 lottery retailer pursuant to this article shall specify the
2672 reasons for which any contract may be canceled, denied, revoked,
2673 suspended, renewal rejected, or terminated by the corporation,
2674 including, but not limited to, the following:

2675 (1) Violation of this article or a rule adopted
2676 thereunder.

2677 (2) Failure to accurately account for lottery tickets,
2678 revenues, or prizes as required by this article and rules
2679 adopted thereunder.

2680 (3) Commission of any fraud, deceit, or
2681 misrepresentation.

2682 (4) Insufficient sale of tickets.

2683 (5) Conduct prejudicial to public confidence in the
2684 lottery.

2685 (6) Filing for or being placed in bankruptcy or
2686 receivership.

2687 (7) Any material change in any matter considered by the
2688 corporation in executing the contract with the lottery retailer.



2689 (8) Failure to meet any of the objective criteria
2690 established by the board pursuant to this article.

2691 (b) (1) Following a public hearing on the matter, if the
2692 president determines that the cancellation, denial, revocation,
2693 suspension, rejection of renewal, or termination of a lottery
2694 retailer contract is in the best interest of the lottery, the
2695 public welfare, or the State of Alabama, the president may
2696 cancel, deny, revoke, suspend, reject the renewal, or terminate
2697 the contract.

2698 (2) Notwithstanding subdivision (1), the president may
2699 temporarily suspend for not more than 60 consecutive calendar
2700 days any lottery retailer contract without prior notice, pending
2701 any investigation, prosecution, and public hearing.

2702 §41-30-420. Treatment of lottery proceeds by lottery
2703 retailers; insolvency.

2704 (a) (1) All proceeds from the sale of lottery tickets
2705 received by a lottery retailer shall be held in trust by the
2706 lottery retailer until paid to the corporation either directly
2707 or through the corporation's authorized collection
2708 representative.

2709 (2) A lottery retailer shall have a fiduciary duty to
2710 preserve and account for lottery proceeds and shall be
2711 personally liable for the lottery proceeds.

2712 (3) Lottery proceeds shall include unsold instant tickets
2713 received by a lottery retailer, cash proceeds of the sale of any
2714 lottery products, the net amount of allowable sales commissions,
2715 and credit for lottery prizes to winners by lottery retailers.

2716 (4) Sales proceeds and unused instant tickets shall be



2717 delivered to the corporation or its authorized collection
2718 representative upon demand.

2719 (b) (1) The board shall require each lottery retailer to
2720 place all lottery proceeds due the corporation in a bank account
2721 in an institution insured by the Federal Deposit Insurance
2722 Corporation not later than the close of the next banking day
2723 after the date of collection by the lottery retailer until the
2724 date the proceeds are paid over to the corporation.

2725 (2) Each lottery retailer shall establish a separate bank
2726 account for lottery proceeds. The lottery proceeds shall be kept
2727 separate and apart from all other funds and assets and shall not
2728 be commingled with any other funds or assets.

2729 (c) A lottery retailer that cashes a winning lottery
2730 ticket shall receive, as a cashing bonus, one percent of the
2731 cashed amount.

2732 (d) Whenever any individual who receives proceeds from
2733 the sale of lottery tickets in the capacity of a lottery
2734 retailer becomes insolvent, or dies insolvent, the proceeds due
2735 the corporation from the individual or his or her estate shall
2736 have preference over all other debts or demands.

2737 §41-30-421. Illegal lottery devices prohibited.

2738 (a) A lottery retailer or agent, associate, employee, or
2739 representative of a lottery retailer may not allow any illegal
2740 lottery device to be on the licensed premises of the lottery
2741 retailer. For purposes of this section, an illegal lottery
2742 device is any machine or other device that sells lottery tickets
2743 or otherwise participates in a lottery not approved by the
2744 corporation.



2745 (b) The corporation may assess a fine against a lottery
2746 retailer who violates this section, as follows:

2747 (1) For a first offense, a fine of not less than one
2748 hundred dollars (\$100) nor more than five hundred dollars
2749 (\$500).

2750 (2) For a subsequent offense, a fine of not less than two
2751 hundred dollars (\$200) nor more than one thousand dollars
2752 (\$1,000). In addition, the corporation may suspend, revoke, or
2753 take other disciplinary action against the lottery retailer
2754 license of the lottery retailer.

2755 §41-30-422. Sale to minors prohibited.

2756 (a) A lottery retailer or agent, associate, employee, or
2757 representative of a lottery retailer may not sell a lottery
2758 ticket to any individual unless the individual submits any one
2759 of the following forms of identification to establish that the
2760 individual is 18 years of age or older:

2761 (1) A valid and current Alabama driver license containing
2762 a photograph of the individual presenting the driver license.

2763 (2) A valid and current driver license of another state
2764 containing a photograph of the individual presenting the driver
2765 license.

2766 (3) A valid and current nondriver identification card
2767 issued by the State of Alabama containing a photograph of the
2768 individual presenting the identification card.

2769 (4) A valid and current passport or visa issued by the
2770 federal government or another country or nation which contains a
2771 permanently attached photograph of the individual presenting the
2772 passport or visa.



2773 (5) A valid and current military or federal
2774 identification card issued by the federal government containing
2775 a photograph of the individual presenting the identification
2776 card.

2777 (6) A valid and current tribal identification card issued
2778 by a federally recognized Indian tribe containing a photograph
2779 of the individual presenting the identification card.

2780 (b) (1) Each form of identification listed in subsection
2781 (a) must on its face establish the age of the individual as 18
2782 years of age or older and there must be no reason to doubt the
2783 authenticity or correctness of the identification.

2784 (2) No form of identification shall be accepted as proof
2785 of age if it is expired, defaced, mutilated, or altered. If the
2786 form of identification used is a duplicate, the presenting
2787 individual shall submit additional identification which contains
2788 the name, date of birth, and photograph of the individual.

2789 (3) An educational institution identification card,
2790 check-cashing identification card, or employee identification
2791 card shall not be considered as lawful identification for the
2792 purposes of this section.

2793 (c) The corporation shall assess a fine against any
2794 lottery retailer who sells a lottery ticket to an individual
2795 under 18 years of age in violation of this section, as 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 two
2800 hundred dollars (\$200) nor more than one thousand dollars



2829 (\$1,000). In addition, the corporation may suspend, revoke, or
2830 take other disciplinary action against the lottery retailer
2831 license of the lottery retailer.

2832 §41-30-423. Underage purchase of lottery ticket; penalty.

2833 (a) It is unlawful for any individual under 18 years of
2834 age to purchase a lottery ticket.

2835 (b) An individual who violates this section shall be
2836 guilty of a violation and fined not more than one hundred
2837 dollars (\$100) and shall be subject to the citation and arrest
2838 procedures of Section 11-45-9.1.

2839 §41-30-424. Counterfeit lottery tickets prohibited.

2840 (a) It shall be unlawful for any person, with intent to
2841 defraud, to falsely make, alter, forge, utter, pass, or
2842 counterfeit a lottery ticket.

2843 (b) A violation of this section is a Class C felony.

2844 §41-30-425. Theft of lottery prize by deception or fraud.

2845 (a) It shall be unlawful for any person to influence or
2846 attempt to influence the winning of a lottery prize through the
2847 use of coercion, fraud, or deception or by tampering with
2848 lottery equipment or materials.

2849 (b) A violation of this section is a Class B felony.

2850 §41-30-426. Prohibited actions for current and former
2851 board members and officers of the corporation.

2852 (a) A current or former board member or officer of the
2853 corporation, or a corporation or other entity owned in whole or
2854 in part by a former board member or officer of the corporation,
2855 may not solicit, accept employment, or enter into a contract for
2856 compensation of any kind with a vendor of the corporation during



2857 the member's service with the corporation or within one year
2858 after termination of service with the corporation.

2859 (b) The name of any individual who is a board member or
2860 an officer or employee of the corporation shall not appear upon
2861 any lottery ticket, lottery game, lottery form, or paper used in
2862 playing any lottery game.

2863 (c) A board member or an officer or employee of the
2864 corporation who violates this section shall be removed from
2865 office or dismissed from employment.

2866 (d) The prohibitions of subsection (a) and subsection (c)
2867 do not apply to ex officio members of the board.

2868 (e) The State Ethics Commission shall administer and
2869 enforce this section. The procedures and penalties provided for
2870 in Chapter 25 of Title 36 shall apply to the administration and
2871 enforcement of this section.

2872 §41-30-427. Skimming of lottery proceeds.

2873 (a) An individual may not knowingly exclude, or take any
2874 action in an attempt to exclude, anything or its value from the
2875 deposit, counting, collection, or computation of gross revenues
2876 or net proceeds from lottery activities. A person who violates
2877 this section commits the crime of skimming of lottery proceeds.

2878 (b) An individual who commits the crime of skimming of
2879 lottery proceeds shall be punished as follows:

2880 (1) If the offense involves less than one thousand
2881 dollars (\$1,000), the individual is guilty of a Class D felony.

2882 (2) If the offense involves one thousand dollars (\$1,000)
2883 or more but less than ten thousand dollars (\$10,000), the
2884 individual shall be guilty of a Class C felony. The individual



2885 shall serve a minimum period of incarceration of not less than
2886 three years without benefit of probation, parole, or suspension
2887 of sentence.

2888 (3) If the offense involves ten thousand dollars
2889 (\$10,000) or more, the individual shall be guilty of a Class B
2890 felony and shall serve a period of incarceration of not less 10
2891 years nor more than 25 years without benefit of probation,
2892 parole, or suspension of sentence.

2893 §41-30-428. Reserved.

2894 Reserved.

2895 §41-30-429. Lottery tickets.

2896 (a) The board may recommend rules for adoption to the
2897 Alabama Gaming Commission providing for the form of lottery
2898 tickets sold pursuant to this article.

2899 (b) Lottery tickets, including instant tickets, shall be
2900 printed onto paper, plastic, or other tangible material;
2901 provided, the form of any multi-jurisdiction lottery ticket
2902 shall be subject to any requirement to participate in any multi-
2903 jurisdiction draw-based lottery.

2904 §41-30-430. Financial integrity of lottery.

2905 (a) To ensure the financial integrity of the lottery, the
2906 corporation through its board shall do all of the following:

2907 (1) Compile and submit quarterly and annual reports and
2908 financial statements.

2909 (2) Contract with an independent auditor who is a
2910 certified public accountant or firm to conduct an annual
2911 financial audit of the books and records of the corporation. The
2912 cost of this annual financial audit shall be an operating



2913 expense of the corporation. The independent auditor shall have
2914 no financial interest in any vendor with whom the corporation is
2915 under contract.

2916 (b) A contract for an independent auditor under this
2917 section shall be reviewed by and subject to the approval of the
2918 Examiner of Public Accounts to ensure that the independent
2919 auditor is qualified to perform the audit.

2920 (c) The audit shall be completed by January 1 of each
2921 year.

2922 (d) A contract for audit services may not exceed a period
2923 of five years and the same firm may not receive two consecutive
2924 audit contracts.

2925 §41-30-431. Distribution of lottery funds.

2926 (a) Proceeds in the Lottery for Education Fund shall be
2927 annually appropriated by and through an independent supplemental
2928 appropriation bill for any non-recurring expenses related to
2929 education, including, but not limited to, the following:

2930 (1) The establishment and support of problem gaming and
2931 gaming addiction treatment centers and programs.

2932 (2)a. The establishment and provision of a last-dollar
2933 postsecondary scholarship program for public two-year community
2934 and technical colleges to provide degrees, certifications,
2935 course credit, and credentials for in-demand fields to meet
2936 instructional and workforce training needs throughout the state.
2937 For the purposes of this section, a last-dollar postsecondary
2938 scholarship is financial aid awarded to an applicant based on
2939 the gap between what has already been awarded to the applicant
2940 and what is still needed to help a student meet the cost of



2941 attendance at a postsecondary two-year community or technical
2942 college.

2943 b. To receive a scholarship under this scholarship
2944 program, an applicant must meet the following requirements:

2945 1. Have an Alabama driver license or Alabama nondriver
2946 identification card as provided in Division 1 of Article 1 of
2947 Chapter 6 of Title 32.

2948 2. Provide proof of current residency in the State of
2949 Alabama.

2950 3. Provide proof of residency in the State of Alabama for
2951 the immediately preceding 12 months prior to the filing of the
2952 application.

2953 4. Have received a high school diploma or G.E.D.
2954 equivalent within the immediately preceding five years prior to
2955 the filing of the application.

2956 c. Following receipt of a scholarship under this program,
2957 each student must maintain a minimum GPA of 2.0 or higher on a
2958 4.0 scale and satisfy any other requirement of the Board of
2959 Trustees of the Alabama Community College System to maintain his
2960 or her scholarship.

2961 (3) Support of dual enrollment costs at any public two-
2962 year or four-year university in the state. Monies distributed
2963 under this subdivision may be available to any high school
2964 student who attends a public or private high school or is
2965 homeschooled, who resides in this state, and who has a 2.5 GPA
2966 or higher on a 4.0 scale and who obtain written approval from
2967 his or her principal or administrator equivalent.

2968 (4) Distribution to local boards of education, based on



2969 average daily membership, for capital or other nonrecurring
2970 expenses, and school security purposes, including the hiring of
2971 student resource officers and the purchase of security doors.

2972 (5) The provision of funding for four-year colleges for
2973 research purposes.

2974 (b) Proceeds in the Lottery for Education Fund shall not
2975 be used for prison construction.

2976 §41-30-432. Rulemaking authority.

2977 The Alabama Gaming Commission may adopt rules subject to
2978 the Alabama Administrative Procedure Act under Chapter 22 of
2979 Title 41 to implement and administer this article.

2980 Article 10. State Tax on Gaming Revenue.

2981 §41-30-450. State tax on casino-style gaming revenues;
2982 distribution of proceeds.

2983 (a) Within 20 days after the end of each calendar month,
2984 a gaming establishment licensee shall pay to the commission a
2985 tax of 24 percent of the net gaming revenues for casino-style
2986 gaming activities for the immediately preceding calendar month.
2987 The commission shall timely remit all of the proceeds for
2988 deposit as follows:

2989 (1) First, to the General Fund Budget Reserve Fund
2990 established in Section 29-13-3, until the total balance in the
2991 fund is at least three hundred million dollars (\$300,000,000).

2992 (2) Upon the completion of payments described under
2993 subdivision (1), to the following:

2994 a. Ninety-five percent of the total gaming revenue
2995 generated each month shall be allocated to the Gaming Trust
2996 Fund.



2997 b. Three percent of the total gaming revenue generated
2998 each month shall be allocated among the counties where gaming
2999 establishments are located on a pro rata basis based on the
3000 share of net gaming revenue generated in each county. A minimum
3001 of 15 percent of the amount received by each county commission
3002 under this paragraph shall be distributed by the commission to
3003 nonprofit organizations within the respective county.

3004 c. Two percent of the total gaming revenue generated each
3005 month shall be allocated among the municipalities where gaming
3006 establishments are located on a pro rata basis based on the
3007 share of net gaming revenue generated in each municipality. If a
3008 gaming establishment is not located within the corporate limits
3009 of a municipality, the percentage distributed pursuant to this
3010 paragraph shall be remitted to the county commission of the
3011 county in which the licensed gaming establishment is located.

3012 (b) If the net gaming revenues under subsection (a)
3013 properly reflect a net loss, as substantiated by audit, for a
3014 calendar month, an adjustment for the amount of any remaining
3015 net loss shall be carried forward on the subsequent tax and fee
3016 schedules until the loss is offset by the entity's net gaming
3017 revenues.

3018 §41-30-451. State tax on sports wagering revenues;
3019 distribution of proceeds.

3020 (a) Within 20 days after the end of each quarter of the
3021 fiscal year, a sports wagering licensee shall pay to the
3022 commission a tax of 17 percent of the net gaming revenues for
3023 sports wagering activities for the immediately preceding
3024 quarter. The commission shall timely remit all of the proceeds



3025 for deposit into as follows:

3026 (1) Ninety percent to the Gaming Trust Fund.

3027 (2) Ten percent to be allocated among each county
3028 commission of the state to be used exclusively for law
3029 enforcement purposes of the respective sheriff's department.

3030 (b) If the net gaming revenues under subsection (a)
3031 properly reflect a net loss, as substantiated by audit, for a
3032 quarter, an adjustment for the amount of any remaining net loss
3033 shall be carried forward on the subsequent tax and fee schedules
3034 until the loss is offset by the entity's net gaming revenues.

3035 §41-30-452. Gaming taxes in lieu of state and local
3036 taxes.

3037 (a) (1) Except for any fees levied pursuant to this
3038 chapter, the tax on net gaming revenues levied under this
3039 article shall be in lieu of all other state or local taxes,
3040 license fees, or franchise fees levied with respect to the
3041 conduct of any gaming activities or the operation of any
3042 machines used to conduct casino-style gaming activities or
3043 sports wagering activities.

3044 (2) Any gaming establishment license fee or sports
3045 wagering license fee payable to the state pursuant to this
3046 chapter shall be in lieu of all other state or local license
3047 fees or franchise fees levied with respect to a licensee
3048 providing hotel services, dining, or services ancillary to its
3049 gaming activities, if the activities are conducted at gaming
3050 establishments, but such providers of hotel services, dining,
3051 other facilities, or ancillary services must meet the
3052 environmental, fire, health, and safety requirements of other



3053 similarly situated license holders in the county and
3054 municipality in which the facility is located.

3055 (3) Notwithstanding the foregoing, all gaming
3056 establishment licensees and sports wagering licensees are liable
3057 for all state and local property taxes, lodging taxes, and sales
3058 and use taxes on merchandise sold in gift shops or retail
3059 stores, and food and beverages. The taxes are generally
3060 applicable at uniform rates to all similarly situated businesses
3061 operating in the county and municipality in which the gaming
3062 establishment is located, and except with respect to those
3063 taxes, fees, or expenses expressly addressed in this chapter,
3064 all other state or local taxes which are generally imposed by
3065 the state or a local taxing entity if the taxes are generally
3066 applied at rates uniformly applied within reasonable
3067 classifications among all businesses operating in the county or
3068 municipality, or both.

3069 §41-30-453. Gaming Trust Fund created; distribution of
3070 gaming proceeds.

3071 (a) The Gaming Trust Fund is created within the State
3072 Treasury. Except as otherwise provided for lottery proceeds in
3073 Article 9, all state gaming tax proceeds as provided in Sections
3074 41-30-450 and 41-30-451 and all other fines, fees, and other
3075 revenues collected under this chapter shall be deposited into
3076 the fund and allocated and appropriated as provided in this
3077 section.

3078 (b) Proceeds in the fund shall be applied first to the
3079 payment of the reasonable annual expenses of the commission and
3080 the repayment of any startup costs appropriated to the



3081 commission for the establishment and initial operation of the
3082 commission; provided, all such startup costs shall be repaid by
3083 the commission to the State General Fund no later than September
3084 30, 2028. The commission shall report annually in writing to the
3085 Governor and the Legislature regarding its operational and
3086 administrative expenses.

3087 (c) Net proceeds remaining in the fund after payment of
3088 the expenses of the commission shall be annually appropriated by
3089 and through an independent supplemental appropriation bill for
3090 non-recurring, non-education purposes only, including, but not
3091 limited to, the following:

3092 (1) The provision of mental health care, including the
3093 care and treatment of individuals with behavioral health needs
3094 and developmental disabilities and associated prevention,
3095 treatment, and recovery services and supports.

3096 (2) The provision of rural health care services and
3097 telemedicine and virtual health care and the purchase of
3098 qualified health benefit plans for adults with income below 138
3099 percent of the federal poverty level and parents or other
3100 caretaker relatives of dependent children with income between 14
3101 and 138 percent of the federal poverty level to ensure residents
3102 have adequate health care services and ambulatory care. The
3103 Legislature shall determine which areas of the state have a
3104 critical lack of health care services and ambulatory care and
3105 shall each year prioritize these critical areas in the
3106 supplemental appropriation.

3107 (3) The improvement, repair, and construction of roads,
3108 bridges, and other infrastructure in counties and



3109 municipalities.

3110 (4) The development and improvement of state parks and
3111 historical sites.

3112 (5) The provision of non-recurring capital expenditures
3113 for volunteer fire departments.

3114 (6) Bonuses to state and education employees and bonuses
3115 to retirees of the Employees' Retirement System and the
3116 Teachers' Retirement System.

3117 (7) Establishment and support of drug courts, veteran's
3118 courts, and other court-approved deferred prosecution programs.

3119 Article 11. Disciplinary procedures.

3120 §41-30-500. Suspension, revocation, and forfeiture of
3121 licenses.

3122 (a) A license issued under this chapter may be suspended
3123 or revoked for cause by the commission for any of the following
3124 reasons:

3125 (1) Failure to pay a license fee to the commission.

3126 (2) Failure to remit applicable state taxes on gaming
3127 revenues as required by this chapter.

3128 (3) Failure to pay any fines and penalties assessed by
3129 the commission.

3130 (4) A violation of a law governing gaming activities,
3131 rules of the commission relating to the gaming activities of the
3132 licensee, or Section 17-5-15.2 for which all appeals have been
3133 exhausted.

3134 (5) Failure to maintain the reasonable operation and
3135 investment level, as determined by the commission, at the gaming
3136 establishment for a period of 18 consecutive months.



3137 (b) In the event a gaming establishment license is
3138 revoked as provided in subsection (a), the commission may award
3139 the revoked license to another qualified applicant pursuant to a
3140 competitive process and in accordance with the application
3141 procedures set out under this chapter.

3142 (c) The commission shall adopt rules to implement and
3143 administer this section.

3144 §41-30-501. Civil penalties.

3145 In addition to any criminal penalty provided by law, the
3146 commission may assess a civil penalty, not to exceed one hundred
3147 thousand dollars (\$100,000), on any person who violates any
3148 provision of this chapter or a rule adopted by the commission,
3149 whether or not the person is licensed under this chapter.

3150 §41-30-502. Hearing procedures.

3151 (a) Except as otherwise provided by law, before the
3152 commission may take any adverse action involving a licensee
3153 under this article, including the assessment of a civil penalty
3154 under Section 41-30-501, the commission shall give the person
3155 against whom the action is contemplated an opportunity for a
3156 hearing before the members of the commission or a hearing
3157 officer designated by the commission.

3158 (b) At least 30 days prior to any hearing under this
3159 section, the commission shall give notice of the hearing to the
3160 person by certified mail addressed to the last known address of
3161 the person. The person may be represented by legal counsel.

3162 (c) (1) If a person fails to comply with a subpoena issued
3163 for purposes of this section, on petition of the commission, the
3164 Court of Civil Appeals may compel obedience to the subpoena.



3165 (2) If, after due notice, the person against whom the
3166 action is contemplated fails or refuses to appear or provide the
3167 item or items for which a subpoena was issued, the commission or
3168 the commission's designated hearing officer may hear and
3169 determine the matter.

3170 (d) Within 30 days of a final order or decision of the
3171 commission in a contested case, any person aggrieved by the
3172 final order or decision may file a petition for appeal in the
3173 Court of Civil Appeals.

3174 Article 12. Prohibited conduct.

3175 §41-30-550. False statement on application prohibited.

3176 (a) It is unlawful for a person to knowingly make a false
3177 statement on any application for a license under this chapter or
3178 on an application for renewal of a license issued under this
3179 chapter.

3180 (b) A person who violates this section shall be guilty of
3181 a Class A misdemeanor.

3182 §41-30-551. Unlawful exertion of influence.

3183 (a) For the purposes of this section, the phrase "person
3184 who is connected with a licensee" includes, but is not limited
3185 to, any gaming establishment licensee or sports wagering
3186 licensee, or any officer or employee of the licensee.

3187 (b) A person who is connected with a licensee may not do
3188 any of the following:

3189 (1) Offer, promise, or give anything of value or benefit
3190 to a person who has an ownership or financial interest in, is
3191 employed by, or has a gaming services contract with a licensee
3192 or to that person's spouse or any dependent child or dependent



3193 parent, pursuant to an agreement or arrangement, in fact or
3194 implied from the circumstances, with the intent that the promise
3195 or thing of value or benefit will influence the actions of the
3196 person in order to affect or attempt to affect the outcome of
3197 any casino-style gaming activity or sports wager, or to
3198 influence official action of a member of the commission.

3199 (2) Solicit or knowingly accept or receive a promise of
3200 anything of value or benefit while the person is connected with
3201 a licensee under this chapter, pursuant to an understanding or
3202 arrangement in fact or implied from the circumstances, with the
3203 intent that the promise or thing of value or benefit will
3204 influence the actions of the person to affect or attempt to
3205 affect the outcome of any gaming activity or sports wager, or to
3206 influence official action of a member of the commission.

3207 (c) A person who violates this section shall be guilty of
3208 a Class C felony and shall be required to pay a fine of not more
3209 than one hundred thousand dollars (\$100,000).

3210 Section 2. (a) The Court of Civil Appeals shall have and
3211 exercise original jurisdiction in all cases where the Alabama
3212 Gaming Commission is made a party to the case and in all appeals
3213 of a final order or decision of the Alabama Gaming Commission
3214 under Article 11 of Chapter 30 of Title 41, Code of Alabama
3215 1975.

3216 (b) When exercising its original jurisdiction under this
3217 section, the Court of Civil Appeals may appoint, from time to
3218 time, a hearing officer for the purpose of presiding over and
3219 conducting hearings as may be necessary to the orderly conduct
3220 of the cases that arise under this section. The hearing officer



3221 shall be an attorney in good standing with the Alabama State
3222 Bar. The hearing officer may not have an interest in or be
3223 related to any of the parties. The compensation of the hearing
3224 officer shall be fixed by the Court of Civil Appeals.

3225 (c) The general duties of the hearing officer shall be to
3226 preside over and direct the course of cases arising under this
3227 section for the purpose of preparing a report as described in
3228 subsection (d). The hearing officer may do the following on
3229 behalf of the Court of Civil Appeals:

3230 (1) Issue procedural orders setting dates, deadlines, and
3231 timetables by which parties must submit or disclose evidentiary
3232 material or notices related to the orderly conduct of a
3233 contested case. The hearing officer may grant continuances or
3234 postponements of hearings at his or her discretion.

3235 (2) Issue subpoenas, protective orders, and discovery
3236 orders upon application of a party. The hearing officer may
3237 impose reasonable conditions and limitations on discovery in a
3238 contested case through limited written interrogatories, document
3239 production, and depositions.

3240 (3) Impose reasonable conditions and limitations on the
3241 parties' presentations during a contested case including, but
3242 not limited to, prescribing reasonable limitations on argument,
3243 prescribing the length of time allotted for the presentation of
3244 a party's case, directing that evidence relevant to the general
3245 character and reputation of the licensee be submitted in writing
3246 by affidavit, prescribing reasonable limitations upon the number
3247 of witnesses permitted to testify as to the character and
3248 reputation of the licensee, and requiring the parties to submit



3249 briefs or memoranda on issues put forth before the court.

3250 (4) Issue orders and rulings related to the attendance of
3251 parties, attorneys, and witnesses at hearings and conferences.

3252 (5) Hold and preside over pre-conferences of parties as
3253 may be necessary to the orderly conduct of the case.

3254 (6) Issue orders and rulings on all other matters of
3255 procedure and law necessary to the orderly conduct of the case.
3256 Dismissal of a complaint may only occur upon order of the Court
3257 of Civil Appeals.

3258 (7) Administer oaths and certify the authenticity of
3259 documents when required in the discharge of their duties as the
3260 hearing officer in the case.

3261 (d) The hearing officer shall prepare a report upon the
3262 matters submitted to the hearing officer by the order of
3263 reference and, if required to make findings of fact and
3264 conclusions of law, the hearing officer shall set them forth in
3265 the report. The hearing officer shall file the report with the
3266 clerk of the court and serve on all parties notice of the
3267 filing. The hearing officer shall include with the report a
3268 transcript of the proceedings and of the evidence of the
3269 original exhibits. The hearing officer shall serve a copy of the
3270 report on each party.

3271 (e) Where no hearing officer is appointed by the Court of
3272 Civil Appeals, the presiding judge of the court shall preside
3273 during hearings and perform all other duties of the hearing
3274 officer.

3275 (f) All proceedings under this section shall be conducted
3276 insofar as practicable in the same manner as a civil action in



3277 accordance with the applicable Alabama Rules of Civil Procedure.

3278 Section 3. Sections 13A-12-20, 13A-12-21, 13A-12-22, 13A-
3279 12-23, 13A-12-24, 13A-12-25, 13A-12-26, 13A-12-27, 13A-12-28,
3280 13A-12-30, Code of Alabama 1975, and Section 13A-11-9, Code of
3281 Alabama 1975, as last amended by Act 2023-245, 2023 Regular
3282 Session, are amended to read as follows:

3283 "§13A-12-20

3284 The following definitions apply to this article:

3285 ~~(1) ADVANCE GAMBLING ACTIVITY. A person "advances gambling~~
3286 ~~activity" if he engages in conduct that materially aids any form~~
3287 ~~of gambling activity. Conduct of this nature includes but is not~~
3288 ~~limited to conduct directed toward the creation or establishment~~
3289 ~~of the particular game, contest, scheme, device or activity~~
3290 ~~involved, toward the acquisition or maintenance of premises,~~
3291 ~~paraphernalia, equipment or apparatus therefor, toward the~~
3292 ~~solicitation or inducement of persons to participate therein,~~
3293 ~~toward the actual conduct of the playing phases thereof, toward~~
3294 ~~the arrangement of any of its financial or recording phases or~~
3295 ~~toward any other phase of its operation. A person advances~~
3296 ~~gambling activity if, having substantial proprietary control or~~
3297 ~~other authoritative control over premises being used with his~~
3298 ~~knowledge for purposes of gambling activity, he permits that~~
3299 ~~activity to occur or continue or makes no effort to prevent its~~
3300 ~~occurrence or continuation.~~

3301 ~~(2) BOOKMAKING. Advancing gambling activity by unlawfully~~
3302 ~~accepting bets from members of the public as a business, rather~~
3303 ~~than in a casual or personal fashion, upon the outcome of future~~
3304 ~~contingent events.~~



3305 ~~(3) CONTEST OF CHANCE. Any contest, game, gaming scheme or~~
3306 ~~gaming device in which the outcome depends in a material degree~~
3307 ~~upon an element of chance, notwithstanding that skill of the~~
3308 ~~contestants may also be a factor therein.~~

3309 (1) CASINO-STYLE GAME. As defined under Section 41-30-2.

3310 (2) COMMISSION. The Alabama Gaming Commission.

3311 ~~(4) GAMBLING. A person engages in gambling if he stakes or~~
3312 ~~risks something of value upon the outcome of a contest of chance~~
3313 ~~or a future contingent event not under his control or influence,~~
3314 ~~upon an agreement or understanding that he or someone else will~~
3315 ~~receive something of value in the event of a certain outcome.~~
3316 ~~Gambling does not include bona fide business transactions valid~~
3317 ~~under the law of contracts, including but not limited to~~
3318 ~~contracts for the purchase or sale at a future date of~~
3319 ~~securities or commodities, and agreements to compensate for loss~~
3320 ~~caused by the happening of chance, including but not limited to~~
3321 ~~contracts of indemnity or guaranty and life, health or accident~~
3322 ~~insurance.~~

3323 (3) GAME or GAMING. Engaging in a casino-style game or
3324 sports wagering or otherwise staking or risking something of
3325 value upon the outcome of a contest of chance or future
3326 contingent event not under his or her control or influence, upon
3327 an agreement or understanding that he or she or someone else
3328 will receive something of value in the event of a certain
3329 outcome. The term does not include participation in charitable
3330 games or social gaming conducted in accordance with Chapter 30
3331 of Title 41.

3332 ~~(5) GAMBLING~~ (4) GAMING DEVICE. Any device, machine,



3333 paraphernalia, or equipment that is normally used or usable in
3334 the playing phases of any ~~gambling activity, whether that~~
3335 ~~activity consists of gambling between persons or gambling by a~~
3336 ~~person involving the playing of a machine.~~ However, gaming
3337 authorized by law and approved by the commission. The term does
3338 not include lottery tickets, ~~policy slips and~~ other items used
3339 in the playing phases of lottery ~~and policy schemes are not~~
3340 ~~gambling devices within this definition,~~ or antique slot
3341 machines authorized under existing law.

3342 (5) GAMING ESTABLISHMENT. Any facility licensed by the
3343 commission to conduct casino-style gaming activity.

3344 ~~(6) LOTTERY or POLICY. An unlawful gambling scheme in~~
3345 ~~which:~~

3346 ~~a. The players pay or agree to pay something of value for~~
3347 ~~chances, represented and differentiated by numbers or by~~
3348 ~~combinations of numbers or by some other medium, one or more of~~
3349 ~~which chances are to be designated by the winning ones; and~~

3350 ~~b. The winning chances are to be determined by a drawing~~
3351 ~~or by some other fortuitous method; and~~

3352 ~~c. The holders of the winning chances are to receive~~
3353 ~~something of value.~~

3354 (6) LOTTERY or LOTTERY GAME. As defined under Section 41-
3355 30-2.

3356 (7) LOTTERY TICKET or TICKET. Tickets or other tangible
3357 evidence of participation used in lottery games or gaming
3358 systems.

3359 ~~(7) (8) PARI-MUTUEL WAGERING, ~~MUTUEL or THE NUMBERS GAME. A~~~~
3360 ~~form of lottery.~~ Wagering in which the winning chances or plays



3361 are not determined upon the basis of a drawing or other act on
3362 the part of persons conducting or connected with the scheme, but
3363 upon the basis of the outcome of a future contingent event or
3364 events otherwise unrelated to the particular scheme.

3365 ~~(8)~~ (9) PLAYER. A person who engages in any form of
3366 ~~gambling~~gaming solely as a contestant or bettor, without
3367 receiving or becoming entitled to receive any profit therefrom
3368 other than personal ~~gambling~~gaming winnings, and without
3369 otherwise rendering any material assistance to the
3370 establishment, conduct, or operation of the particular
3371 ~~gambling~~gaming activity.

3372 ~~(9)~~ (10) PROFIT FROM ~~GAMBLING~~ UNLAWFUL GAMING ACTIVITY. ~~A~~
3373 ~~person "profits from gambling activity" if he accepts or~~
3374 ~~receives~~ The acceptance or receipt of money or other property
3375 pursuant to an agreement or understanding with any person
3376 whereby he or she shares or is to share in the proceeds of
3377 ~~gambling~~unlawful gaming activity.

3378 ~~(10)~~ (11) SLOT MACHINE. A ~~gambling~~gaming device that, as a
3379 result of the insertion of a coin or other object, operates,
3380 either completely automatically or with the aid of some physical
3381 act by the player, in ~~such~~ a manner that, depending upon
3382 elements of chance, ~~it~~ the gaming device may eject something of
3383 value. A device so constructed or readily adaptable or
3384 convertible to such use is no less a slot machine because it is
3385 not in working order or because some mechanical act of
3386 manipulation or repair is required to accomplish its adaptation,
3387 conversion, or workability. Nor is it any less a slot machine
3388 because apart from its use or adaptability as such it may also



3417 sell or deliver something of value on a basis other than chance.
3418 The term includes any gaming device that meets the definition of
3419 slot machine as defined under 15 U.S.C. § 1171(a) (1).

3420 ~~(11)~~ (12) SOMETHING OF VALUE. Any money or property, any
3421 token, object, or article exchangeable for money or property, or
3422 any form of credit or promise directly or indirectly
3423 contemplating a transfer of money or property or of any interest
3424 therein, or involving extension of a service entertainment or a
3425 privilege of playing at a game or scheme without charge.

3426 (13) SPORTING EVENT. As defined under Section 41-30-2.

3427 (14) SPORTS WAGERING. As defined under Section 41-30-2.

3428 ~~(12)~~ (15) UNLAWFUL GAMING ACTIVITY. Not A game or gaming
3429 activity that is not specifically authorized by general law or
3430 rule of the commission."

3431 "§13A-12-21

3432 (a) A person commits the crime of ~~simple gambling~~ unlawful
3433 gaming if he or she knowingly ~~advances or~~ profits from or
3434 participates in unlawful ~~gambling~~ gaming activity as a player.

3435 (b) It is a defense to a prosecution under this section
3436 that a person charged ~~with being a player~~ with violating this
3437 section was engaged in playing a social game ~~in a private~~
3438 ~~place~~ pursuant to Section 41-30-350. The burden of injecting the
3439 issue is on the defendant, but this does not shift the burden of
3440 proof.

3441 (c) ~~Simple gambling~~ Unlawful gaming is a Class ~~EA~~
3442 misdemeanor."

3443 "§13A-12-22

3444 (a) A person commits the crime of promoting ~~gambling~~



3445 unlawful gaming activity if he or she knowingly ~~advances or~~
3446 profits from unlawful ~~gambling~~ gaming activity otherwise than as
3447 a player, or if having substantial proprietary control or other
3448 authoritative control over premises being used to conduct
3449 unlawful gaming activity, he or she permits that unlawful gaming
3450 activity to occur or makes no effort to prevent its occurrence
3451 or continuation.

3452 (b) (1) Promoting ~~gambling~~ unlawful gaming activity is a
3453 ~~Class A misdemeanor~~ Class D felony.

3454 (2) Notwithstanding subdivision (1), on a second or
3455 subsequent conviction of this section, promoting unlawful gaming
3456 activity is a Class B felony."

3457 "§13A-12-23

3458 (a) A person commits the crime of conspiracy to promote
3459 ~~gambling~~ unlawful gaming activities if ~~he~~ the person conspires to
3460 ~~advance or~~ profit from ~~gambling~~ unlawful gaming activity
3461 otherwise than as a player.

3462 (b) ~~"Conspire"~~ For the purposes of this section, "conspire"
3463 means to engage in activity constituting a criminal conspiracy
3464 as defined in Section 13A-4-3.

3465 (c) (1) Conspiracy to promote ~~gambling~~ unlawful gaming
3466 activity is a ~~Class A misdemeanor~~ Class D felony.

3467 (2) Notwithstanding subdivision (1), on a second or
3468 subsequent conviction of this section, conspiracy to promote
3469 unlawful gaming activity is a Class B felony."

3470 "§13A-12-24

3471 (a) A person commits the crime of unlawful possession of
3472 ~~gambling~~ gaming records in the first degree if, with knowledge of



3473 the contents thereof, ~~hethe person~~ possesses any writing, paper,
3474 instrument, or article commonly used in any of the following:

3475 (1) ~~Of a kind commonly used in the operation or promotion~~
3476 ~~of a bookmaking scheme or enterprise,~~The operation or promotion
3477 of any sports wagering activity not authorized by general law or
3478 rule of the commission~~and~~ constituting, reflecting, or
3479 representing more than five ~~bets, wagers~~ or more than ~~\$500.00;~~
3480 ~~or~~five thousand dollars (\$5,000).

3481 (2) ~~Of a kind commonly used in the operation, promotion or~~
3482 ~~playing of a lottery or mutuel scheme or enterprise,~~The
3483 operation, promotion, or playing of a lottery game not
3484 authorized by general law or the Alabama Lottery Corporation~~and~~
3485 constituting, reflecting, or representing more than five plays
3486 or chances ~~therein~~.

3487 (3) The operation, promotion, or playing of a casino-style
3488 game not authorized by general law or rule of the commission.

3489 (b) (1) ~~Possession of gambling~~Unlawful possession of gaming
3490 records in the first degree is a ~~Class A misdemeanor~~Class D
3491 felony.

3492 (2) Notwithstanding subdivision (1), on a second or
3493 subsequent conviction of this section, unlawful possession of
3494 gaming records in the first degree is a Class B felony."

3495 "§13A-12-25

3496 (a) A person commits the crime of unlawful possession of
3497 ~~gambling~~gaming records in the second degree if, with knowledge
3498 of the contents thereof, he or she possesses any writing, paper,
3499 instrument, or article commonly used in either of the following:

3500 (1) ~~Of a kind commonly and peculiarly used in the~~The



3501 operation or promotion of ~~a bookmaking scheme or enterprise;~~
3502 ~~or~~ sports wagering not authorized by general law or rule of the
3503 commission.

3504 (2) ~~Of a kind commonly and peculiarly used in the~~ The
3505 operation, promotion, , or playing of a lottery ~~or mutuel scheme~~
3506 ~~or enterprise~~ game not authorized by general law or rule of the
3507 commission.

3508 (b) (1) ~~Possession~~ Unlawful possession of ~~gambling~~ gaming
3509 records in the second degree is a ~~Class A misdemeanor~~ Class D
3510 felony.

3511 (2) Notwithstanding subdivision (1), on a second or
3512 subsequent conviction of this section, unlawful possession of
3513 gaming records in the second degree is a Class B felony."

3514 "§13A-12-26

3515 A person does not commit the crime of unlawful possession
3516 of ~~gambling~~ gaming records ~~in either degree~~ pursuant to Sections
3517 13A-12-24 or 13A-12-25 if the writing, paper, instrument, , or
3518 article possessed by the defendant is neither used nor intended
3519 to be used in the operation or promotion of ~~a bookmaking scheme~~
3520 ~~or enterprise~~ unlawful sports wagering, or in the operation,
3521 promotion, , or playing of ~~a~~ an unlawful lottery ~~or mutuel scheme~~
3522 ~~or enterprise~~ as described under Section 13A-12-24(a) (2). The
3523 burden of injecting the issue is on the defendant, but this does
3524 not shift the burden of proof."

3525 "§13A-12-27

3526 (a) A person commits the crime of unlawful possession of a
3527 ~~gambling~~ gaming device if, , with knowledge of the character
3528 ~~thereof~~ of the gaming device, he or she manufactures, sells,



3529 transports, places, or possesses, or conducts or negotiates any
3530 transaction affecting or designed to affect ownership, custody,
3531 or use of, either of the following:

3532 (1) A ~~slot machine, unless exempted pursuant to subsection~~
3533 ~~(e); or~~ casino-style game not authorized by law or rule of the
3534 commission.

3535 (2) ~~Any other gambling device, with the intention that it~~A
3536 gaming device to be used in ~~the advancement of~~ any unlawful
3537 ~~gambling~~gaming activity.

3538 (b) (1) PossessionUnlawful possession of a ~~gambling~~ gaming
3539 device is a Class ~~A misdemeanor~~ D felony.

3540 (2) Notwithstanding subdivision (1), on a second or
3541 subsequent conviction of this section, unlawful possession of a
3542 gaming device is a Class B felony.

3543 (c) The crime of unlawful possession of a ~~gambling~~ gaming
3544 device does not apply to a slot machine manufactured before
3545 1960, with the intention that the slot machine be used only for
3546 the personal and private use of the owner or for public display
3547 as a historical artifact in a manner that the slot machine is
3548 not accessible to the public."

3549 "§13A-12-28

3550 (a) Proof of possession of any ~~gambling~~ gaming device, as
3551 defined ~~by subdivision (5) of~~ in Section 13A-12-20, or any
3552 ~~gambling~~ unlawful gaming record, as specified in Sections 13A-12-
3553 24 and 13A-12-25, is prima facie evidence of possession ~~thereof~~
3554 with knowledge of its character or contents.

3555 (b) In any prosecution under this article in which it is
3556 necessary to prove the occurrence of a sporting event, either of



3557 the following shall be admissible and shall be prima facie proof
3558 of the occurrence of the event:

3559 (1) ~~a~~A published report of its occurrence in any daily
3560 newspaper, magazine, or other periodically printed publication
3561 of general circulation, ~~or.~~

3562 (2) ~~evidence~~Evidence that a description of some aspect of
3563 the event was written, printed, or otherwise noted at the place
3564 in which a violation of this chapter is alleged to have been
3565 committed, ~~shall be admissible in evidence and shall constitute~~
3566 ~~prima facie proof of the occurrence of the event."~~

3567 "§13A-12-30

3568 (a) Any ~~gambling~~gaming device or ~~gambling~~gaming record
3569 unlawfully possessed or used in violation of this article ~~is~~
3570 ~~forfeited to the state, and shall by court order be destroyed or~~
3571 ~~otherwise disposed of as the court directs~~shall be subject to
3572 forfeiture pursuant to the procedures set forth in Section 20-2-
3573 93.

3574 (b) Any vehicle possessed or used in violation of this
3575 article ~~may be forfeited to the state and disposed of by court~~
3576 ~~order as authorized by law~~shall be subject to forfeiture
3577 pursuant to the procedures set forth in Section 20-2-93.

3578 (c) Money used as ~~bets~~wagers or stakes in ~~gambling~~unlawful
3579 gaming activity in violation of this article ~~is forfeited to the~~
3580 ~~state and by court order shall be transmitted to the General~~
3581 ~~Fund of the state~~shall be subject to forfeiture pursuant to the
3582 procedures set forth in Section 20-2-93."

3583 "§13A-11-9

3584 (a) A person commits the crime of loitering if he or she



3585 does any of the following:

3586 (1) Loiters, remains, or wanders about in a public place
3587 for the purpose of begging.

3588 (2) Loiters or remains in a public place for the purpose
3589 of ~~gambling~~unlawful gaming activity.

3590 (3) Loiters or remains in a public place for the purpose
3591 of engaging or soliciting another person to engage in
3592 prostitution or sodomy, as defined under Section 13A-6-60.

3593 (4) Being masked, loiters, remains, or congregates in a
3594 public place.

3595 (5) Loiters or remains in or about a school, college, or
3596 university building or grounds after having been told to leave
3597 by any authorized official of the school, college, or
3598 university, not having any reason or relationship involving
3599 custody of or responsibility for a pupil or any other specific,
3600 legitimate reason for being there, and not having written
3601 permission from a school, college, or university administrator.

3602 (6) Loiters or remains in any transportation facility,
3603 unless specifically authorized to do so, for the purpose of
3604 soliciting or engaging in any business, trade, or commercial
3605 transactions involving the sale of merchandise or services.

3606 (7) Loiters or remains in any place with one or more
3607 persons for the purpose of unlawfully using or possessing a
3608 dangerous drug.

3609 (8) Loiters, or remains, on a public roadway maintained by
3610 the state or the right-of-way of a public roadway maintained by
3611 the state.

3612 (b) A person does not commit a crime under subdivision



3613 (a) (4) if he or she is going to or from or staying at a
3614 masquerade party, or is participating in a public parade or
3615 presentation of an educational, religious, or historical
3616 character or in an event as defined in Section 13A-11-140.

3617 ~~(e) Sodomy in subdivision (a) (3) is defined as in Section~~
3618 ~~13A-6-60.~~

3619 ~~(d) (c) Dangerous drug in subdivision (a) (7)~~ As used in this
3620 section, "dangerous drug" means any narcotic, drug, or
3621 controlled substance as defined in Chapter 2 of Title 20 and any
3622 schedule incorporated therein.

3623 ~~(e) (d)~~ Loitering is a violation. A second or subsequent
3624 violation of this section in the same jurisdiction is a Class C
3625 misdemeanor.

3626 ~~(f) (1)~~ (e) (1) Prior to making an arrest for a violation of
3627 subdivision (a) (1), a law enforcement officer may instruct any
3628 person in violation of subdivision (a) (1) to immediately and
3629 peaceably exit the public roadway maintained by the state or the
3630 right-of-way of the public roadway maintained by the state.

3631 (2)a. Prior to making an arrest for an initial violation
3632 of subdivision (a) (1), a law enforcement officer may offer to
3633 transport any person in violation of subdivision (a) (1) to a
3634 location in the jurisdiction that offers emergency housing, if
3635 applicable.

3636 b. If a person accepts an offer made pursuant to
3637 subdivision (1), a law enforcement officer may transport the
3638 person accordingly.

3639 ~~(g) (f)~~ Any actions undertaken by a law enforcement
3640 officer pursuant to this section shall be subject to Section 36-



3641 1-12."

3642 Section 4. Sections 13A-12-32 through 13A-12-39,
3643 inclusive, are added to Division 1 of Article 2 of Chapter 12 of
3644 Title 13A, Code of Alabama 1975, to read as follows:

3645 §13A-12-32

3646 (a) It is unlawful to intentionally use or possess, at a
3647 gaming establishment, an electronic, electrical, or mechanical
3648 device that is designed, constructed, or programmed to assist
3649 the user or another person to do any of the following:

3650 (1) Predict the outcome of any casino-style game.

3651 (2) Keep track of cards dealt or in play.

3652 (3) Analyze the probability of the occurrence of an event
3653 relating to any casino-style game.

3654 (4) Analyze the strategy for playing or wagering to be
3655 used in any casino-style game, except as permitted by the
3656 commission.

3657 (5) Obtain an advantage in playing any casino-style game.

3658 (b) A gaming establishment shall post notice of this
3659 prohibition and the penalties for violations in a manner
3660 determined by the commission.

3661 (c) A violation of this section is a Class A misdemeanor.

3662 §13A-12-33

3663 (a) It is unlawful for any individual to cheat at any
3664 casino-style game or sports wagering activity.

3665 (b) A violation of this section is a Class A misdemeanor.

3666 §13A-12-34

3667 (a) It is unlawful to manufacture, sell, or distribute
3668 any cards, chips, die, game, or device that is intended to be



3669 used to violate Chapter 30 of Title 41, this chapter, or the
3670 rules of the commission.

3671 (b) It is unlawful for any individual to use counterfeit
3672 chips in any casino-style game.

3673 (c) It is unlawful for any individual, in playing a
3674 casino-style game designed to be played with, received, or be
3675 operated by chips or tokens approved by the commission or lawful
3676 coins of the United States of America, to knowingly use chips or
3677 tokens not approved by the commission or otherwise not lawful
3678 currency of the United States of America.

3679 (d) A violation of this section is a Class D felony.

3680 §13A-12-35

3681 (a) It is unlawful to instruct an individual in cheating
3682 or in the use of a device for that purpose, with the knowledge
3683 or intent that the information or use may be employed to violate
3684 Chapter 30 of Title 41, this chapter, or rules adopted by the
3685 commission.

3686 (b) A violation of this section is a Class D felony.

3687 §13A-12-36

3688 (a) It is unlawful to place, increase, or decrease a
3689 wager or determine the course of play after acquiring knowledge,
3690 not available to all players, of the outcome of any casino-style
3691 game or sports wagering or event that affects the outcome of the
3692 game or that is the subject of the wager, or to aid an
3693 individual in acquiring such knowledge for the purpose of
3694 placing, increasing, or decreasing a wager or determining the
3695 course of play contingent on that event or outcome.

3696 (b) A violation of this section is a Class D felony.



3697 §13A-12-37

3698 (a) (1) It is unlawful to knowingly claim, collect, take,
3699 or attempt to claim, collect, or take money or anything of value
3700 into or from a casino-style game with the intent to defraud,
3701 without having made a wager contingent thereon.

3702 (2) It is unlawful to knowingly claim, collect, or take
3703 any amount of money or anything of value greater than the amount
3704 won in a casino-style game or sports wagering.

3705 (b) A violation of this section is a Class D felony.

3706 §13A-12-38

3707 (a) It is unlawful for an individual, other than a gaming
3708 establishment employee or agent acting in furtherance of his or
3709 her employment, to have in his or her possession on the grounds
3710 of a gaming establishment, or grounds contiguous to the gaming
3711 establishment, any device intended to be used to violate Chapter
3712 30 of Title 41, this chapter, or a rule of the commission.

3713 (b) A violation of this section is a Class D felony.

3714 §13A-12-39

3715 (a) It is unlawful for an individual, other than a gaming
3716 establishment employee or agent acting in furtherance of his or
3717 her employment, to have in his or her possession, within a
3718 gaming facility, a key or device known to have been designed for
3719 the purpose of opening, entering, or affecting the operation of
3720 any casino-style game, drop box, or any electronic or mechanical
3721 device connected thereto, or for removing money, tokens, chips,
3722 or any other contents.

3723 (b) A violation of this section is a Class D felony.

3724 Section 5. Section 17-5-15.2 is added to Chapter 5, Title



3725 17 of the Code of Alabama 1975, to read as follows:

3726 §17-5-15.2. Prohibited contributions by gaming interests.

3727 (a) The Legislature finds as follows:

3728 (1) Concerns with gaming-related corruption have long
3729 been a motivating factor for maintaining strict prohibitions on
3730 gaming in Alabama.

3731 (2) Notwithstanding the state's historically strict
3732 prohibitions on gaming, the state has experienced multiple
3733 instances of actual or apparent corruption in which gaming-
3734 related interests have sought, or appear to have sought, to
3735 corruptly influence public officials in the exercise of their
3736 official duties.

3737 (3) The state also recognizes the history of gaming-
3738 related corruption that has occurred outside of the State of
3739 Alabama.

3740 (4) The purpose of this section is to prevent quid pro
3741 quo corruption and any appearance thereof. Avoiding corruption
3742 and the appearance of corruption is a necessary condition of
3743 authorizing any type of gaming in the State of Alabama.

3744 (b) The following persons are prohibited or otherwise
3745 restricted from making contributions or expenditures to a
3746 principal campaign committee of a candidate for state or local
3747 office in the State of Alabama or a political action committee
3748 that contributes to any candidate for state or local office in
3749 the State of Alabama or from making an electioneering
3750 communication:

3751 (1) A person that holds a license issued by the Alabama
3752 Gaming Commission or a person that holds any interest greater



3753 than one percent in an entity that holds a license issued by the
3754 commission.

3755 (2) A person that executes a compact with the state
3756 pursuant to Section 65.04 of the Constitution of Alabama of
3757 2022, or a person that holds any interest greater than one
3758 percent in an entity that executes such a compact with the
3759 state.

3760 (3) A person that holds any interest greater than one
3761 percent in the buildings, facilities, or rooms connected,
3762 adjacent, or ancillary to the conduct of any gaming activity
3763 pursuant to a license issued by the commission or pursuant to a
3764 compact with the state pursuant to Section 65.04 of the
3765 Constitution of Alabama of 2022.

3766 (4) An officer or managerial employee of any person
3767 identified in this subsection.

3768 (5) A person that holds any interest greater than one
3769 percent in any entity identified in this subsection.

3770 (6) A separate segregated fund, including a fund
3771 established under Section 17-5-14.1, of any person identified in
3772 this subsection.

3773 (7) Any manufacturer or provider of gaming equipment, as
3774 defined under Section 41-30-2.

3775 (8) Any gaming services provider, as defined under
3776 Section 41-30-2.

3777 (c) Any person identified in subsection (b) is also
3778 prohibited from making contributions to a principal campaign
3779 committee or a political action committee that contributes to
3780 any candidate for state or local office in the State of Alabama



3781 through a legal entity established, directed, or controlled by
3782 that person.

3783 (d) No agent of a principal campaign committee of a
3784 candidate for state or local office in the State of Alabama or a
3785 political action committee shall knowingly accept a contribution
3786 from any person identified in subsection (b) if the principal
3787 campaign committee or political action committee has contributed
3788 to a candidate for state or local office in the State of Alabama
3789 or is reasonably likely to contribute to a candidate for state
3790 or local office in the State of Alabama.

3791 (e) No person identified in subsection (b) shall provide
3792 a monetary or in-kind donation to an inaugural committee or
3793 legislative caucus organization in this state; and no agent of
3794 an inaugural committee or legislative caucus organization shall
3795 accept a monetary or in-kind donation from a person known by the
3796 agent to be a person identified in subsection (b).

3797 (f) Any person who knowingly or intentionally violates
3798 this section shall be guilty of a Class A misdemeanor.

3799 (g) For the purposes of this section, "person" includes a
3800 federally recognized Indian tribe.

3801 Section 6. Sections 8-1-150 and 8-1-151, Code of Alabama
3802 1975, are amended to read as follows:

3803 "§8-1-150

3804 (a) All contracts founded in whole or in part on a
3805 ~~gambling~~unlawful gaming consideration are void. Any ~~person~~
3806 individual who has paid any money or delivered any thing of
3807 value lost upon any unlawful game or wager may recover such
3808 money, thing, or its value by an action commenced within six



3809 months from the time of such payment or delivery.

3810 (b) Any other person may also recover the amount of such
3811 money, thing, or its value by an action commenced within 12
3812 months after the payment or delivery thereof for the use of ~~the~~
3813 ~~wife or, if no wife, the~~ the individual's spouse or children or,
3814 if no children, the next of kin ~~of the loser~~.

3815 (c) A judgment under either subsection (a) or (b) for the
3816 amount of money paid, thing delivered, or its value is a good
3817 defense to any action brought for such money, thing, or its
3818 value under the provisions of the other subsection.

3819 (d) A judgment recovered under ~~the provisions of~~ this
3820 section is a defense to any proceeding on any garnishment served
3821 after the recovery of such judgment, and the court may make any
3822 order staying proceedings as may be necessary to protect the
3823 rights of the defendant.

3824 (e) For purposes of this section, a game, wager, or gaming
3825 consideration is unlawful if it is part of any of gaming
3826 activity that is not approved by the Alabama Gaming Commission."

3827 "§8-1-151

3828 (a) Any creditor of a losing party under ~~a gambling~~
3829 unlawful gaming contract may garnish the winner as other debtors
3830 are garnished at any time within two years from the payment of
3831 such money or delivery of such thing, ~~and if such~~. If the
3832 garnishee fails to appear, judgment may be entered against him
3833 or her as against other garnishees failing to answer, but the
3834 answer of a garnishee shall not be evidence against him or her
3835 in a criminal prosecution.

3836 (b) A judgment recovered by a creditor under ~~the~~



3837 ~~provisions of~~ this section is a defense to any action brought by
3838 any person under ~~the provisions of~~ Section 8-1-150.

3839 (c) For purposes of this section, a game, wager, or gaming
3840 consideration is unlawful if it is part of any of gaming
3841 activity that is not approved by the Alabama Gaming Commission."

3842 Section 7. Section 38-4-14, Code of Alabama 1975, is
3843 amended to read as follows:

3844 "§38-4-14

3845 (a) For the purposes of this section, the term "public
3846 assistance benefits" means money or property provided directly
3847 or indirectly to eligible persons through programs of the
3848 federal government, the state, or any political subdivision
3849 thereof, and administered by the Alabama Department of Human
3850 Resources.

3851 (b) (1) A recipient of public assistance benefits may not
3852 use any portion of the benefits for the purchase of any
3853 alcoholic beverage, tobacco product, or lottery ticket or for
3854 playing any form of gaming activity, as defined under Section
3855 41-30-2, without regard to whether the activity is authorized by
3856 or conducted in accordance with Section 65 of the Constitution
3857 of Alabama of 2022, and the laws of this state. Any person who
3858 violates this subsection shall reimburse the Alabama Department
3859 of Human Resources for the purchase and shall be subject to the
3860 following sanctions:

3861 a. Upon the first violation, the person shall be
3862 disqualified from receiving public assistance benefits by means
3863 of direct cash payment or an electronic benefits transfer access
3864 card for one month.



3865 b. Upon the second violation, the person shall be
3866 disqualified from receiving public assistance benefits by means
3867 of direct cash payment or electronic benefits transfer access
3868 card for three months.

3869 c. Upon a third or subsequent violation, the person shall
3870 be permanently disqualified from receiving public assistance
3871 benefits by means of direct cash payment or an electronic
3872 benefits transfer access card.

3873 (2) A person who is disqualified from receiving public
3874 assistance benefits under this subsection shall have the right
3875 to a hearing pursuant to the Alabama Administrative Procedure
3876 Act.

3877 (c) (1) A cash recipient of public assistance benefits may
3878 not withdraw or use cash benefits by means of an Electronic
3879 Benefits Transfer transaction for the purchase of goods or
3880 services in a retail establishment the primary purpose of which
3881 is the sale of alcoholic beverages, a casino, a tattoo or body
3882 piercing facility, a facility providing psychic services, or an
3883 establishment that provides adult-oriented entertainment in
3884 which performers disrobe or perform in an unclothed state. Any
3885 person who violates this subsection shall reimburse the [Alabama](#)
3886 Department of Human Resources for the amount withdrawn and used
3887 and shall be subject to the following sanctions:

3888 a. Upon the first violation, the person shall be
3889 disqualified from receiving public assistance benefits by means
3890 of direct cash payment or an electronic benefits transfer access
3891 card for a period of one month.

3892 b. Upon the second violation, the person shall be



3893 disqualified from receiving public assistance benefits by means
3894 of direct cash payment or electronic benefits transfer access
3895 card for a period of three months.

3896 c. Upon a third or subsequent violation, the person shall
3897 be permanently disqualified from receiving public assistance
3898 benefits by means of direct cash payment or an electronic
3899 benefits transfer access card.

3900 (2) A person who is disqualified from receiving public
3901 assistance benefits under this subsection shall have the right
3902 to a hearing pursuant to the Alabama Administrative Procedure
3903 Act.

3904 (d) If a parent is deemed permanently disqualified from
3905 receiving public assistance benefits under subsection (b) or
3906 (c), the dependent child or other adult family member's
3907 eligibility for public assistance benefits is not affected.

3908 (1) An appropriate protective payee shall be designated to
3909 receive benefits on behalf of the child members.

3910 (2) The parent may choose to designate another person to
3911 receive benefits for the minor child members. The designated
3912 person must be an immediate family member or, if an immediate
3913 family member is not available or the family member declines the
3914 option, another person may be designated. The designated person
3915 must be approved by the department.

3916 (e) The [Alabama](#) Department of Human Resources shall inform
3917 all applicants for and recipients of public assistance benefits
3918 of the restrictions contained in this section and the penalties
3919 for violating those restrictions through any means practical.

3920 (f) (1) The [Alabama](#) Department of Human Resources shall



3921 consult with providers of automatic teller machine services to
3922 consider the implementation of a program or method of blocking
3923 access to cash benefits from an electronic benefits transfer
3924 access card issued by the department at automatic teller
3925 machines located in or at a retail establishment the primary
3926 purpose of which is the sale of alcoholic beverages, a casino, a
3927 tattoo facility, a facility providing psychic services, or an
3928 establishment that provides adult-oriented entertainment in
3929 which performers disrobe or perform in an unclothed state. If
3930 the department determines the implementation of a program is
3931 feasible, the department shall initiate the program by October
3932 1, 2015.

3933 (2) If the department requires a federal waiver to comply
3934 with this section, the department shall apply immediately for
3935 the federal waiver.

3936 (g) The [Alabama](#) Department of Human Resources shall adopt
3937 rules to implement this section.

3938 (h) (1) The Alabama Department of Human Resources shall
3939 perform a monthly incarceration match to obtain information to
3940 assist in determining eligibility for public assistance benefits
3941 based on incarceration status.

3942 (2) If the department determines that a recipient of
3943 public assistance benefits is incarcerated at the time the
3944 incarceration match is performed, the department shall not issue
3945 an electronic benefits transfer access card to the incarcerated
3946 recipient. If an electronic benefits transfer access card has
3947 already been issued to the incarcerated recipient, the
3948 department shall deactivate the card.



3949 (i) The department shall perform a monthly match using the
3950 United States Social Security Death Index Database to determine
3951 if a recipient is deceased. If the department determines that
3952 the recipient is deceased at the time the index match is
3953 performed, the department shall not issue an electronic benefits
3954 transfer access card. If an electronic benefits transfer access
3955 card has already been issued to the deceased recipient, the
3956 department shall deactivate the card."

3957 Section 8. The following sections of the Code of Alabama
3958 1975 are repealed:

3959 (1) Section 11-47-111, Code of Alabama 1975, relating to
3960 prohibition of gambling houses.

3961 (2) Section 13A-12-29, Code of Alabama 1975, relating to
3962 lotteries drawn outside of the state.

3963 (3) Division 2, comprised of Sections 13A-12-50 through
3964 13A-12-58, of Article 2 of Chapter 12 of Title 13A, Code of
3965 Alabama 1975, relating to suppression of gambling places.

3966 (4) Division 3, comprised of Sections 13A-12-70 through
3967 13A-12-76, of Article 2 of Chapter 12 of Title 13A, Code of
3968 Alabama 1975, relating to the transportation of lottery
3969 paraphernalia.

3970 (5) Division 4, comprised of Sections 13A-12-90 through
3971 13A-12-92, of Article 2 of Chapter 12 of Title 13A, Code of
3972 Alabama 1975, relating to the federal wagering occupational tax
3973 stamp.

3974 Section 9. In the event the proposed constitutional
3975 amendment in House Bill ___ of the 2024 Regular Session is not
3976 ratified at the November 2024 General Election, this act shall



3977 be repealed.

3978 Section 10. Although this bill would have as its purpose
3979 or effect the requirement of a new or increased expenditure of
3980 local funds, the bill is excluded from further requirements and
3981 application under Section 111.05 of the Constitution of Alabama
3982 of 2022, because the bill defines a new crime or amends the
3983 definition of an existing crime.

3984 Section 11. Between the effective date of this act and
3985 the passage of the constitutional amendment proposed in House
3986 Bill ___ of the 2024 Regular Session, this act shall be
implemented to whatever extent it is not in conflict with the
Constitution of Alabama of 2022. Nothing in this act shall be
construed to authorize any gaming activity prior to ratification
of the constitutional amendment proposed by House Bill ___ of
the 2024 Regular Session.

 Section 12. This act shall become effective June 1, 2024,
following its passage and approval by the Governor or its
otherwise becoming law.