
Casino Embedded in "Destination Resort" Center

Q. Does Georgia have a "destination resort" (as defined in H.B. 158 and S.B. 79) within its borders?

A. Not yet, but Georgia will have two destination resorts with casinos, if H.B. 158 or S.B. 79 passes.

Q. What does a destination resort have besides a casino?

A. Its freestanding, land based development has hotels, restaurants, villas, "limited gaming" (casino) facilities, convention and meeting sites, shopping centers, attractions, entertainment facilities, and service centers.

Q. Will destination resorts interfere with existing gambling available on maritime vessels?

A. Maritime gambling in Georgia's jurisdiction before January 1, 2016 will not be affected.

H.B. 158 Destination Resort Act or Resort Act by Representative Ron Stephens is identical to **S.B. 79 Destination Resort Act or Resort Act** by Senator Brandon Beach, and both introduced their bills on January 30th. Both bills create a five-member Georgia Gaming Commission (GGC) comprised of Georgia residents who are U.S. citizens. The five would be appointed as follows: The Governor appoints three members, the Lieutenant Governor appoints one, and the Speaker of the House appoints one. Meaning, it would be controlled by the Governor.

The commission will establish the Destination Resort Trust Fund into which the commission will deposit all excise taxes, fees, and other revenue received by the commission. The fund will finance the operation of the commission, its investigations¹, the regulation of casinos, and enforcement of the law governing casinos, but salaries for commissioners is not mentioned.

Absolute power of GGC: (a) Select the county in which a destination resort license is awarded; (b) issue state licenses for casinos, manufacturers, sellers and distributors of gambling devices, supplies and equipment; (c) inspect equipment and supplies in, upon, or about the premises; (d) remove, seize, and impound such, along with documents or records; (e) demand access to records of applicants, licensees, and other entities; (f) investigate suspected violators who may be prosecuted; (g) issue subpoenas; and (h) appoint hearing examiners to interrogate under oath.

Destination Resorts may operate 24 hours, 365 days of the year. No one company may hold two destination resort licenses concurrently and applicants must demonstrate a plan for the project to derive over 60 percent of its revenue from nongaming.

- A county with a population over 900,000, based on the most recent census, would be selected for the larger investment. As of July 1, 2016, Georgia's most densely populated counties were Fulton², 1,010,562; Gwinnett, 895,832; Cobb, 741,334; and DeKalb, 734,871.

The licensee for the first locale must be able to invest \$2 billion into the project, include a hotel with 1,000 guest rooms, and be near a convention center district within the same county.

- The second county selected for a resort must be populated with at least 250,000 residents, but no more than 900,000. Populations of Chatham, Clayton and Cherokee currently qualify. Licensees must invest at least \$450 million, and a convention center must be nearby.

¹ The commission may investigate, for the purpose of prosecution, any suspected criminal violation.

² Public Library Serv. projects increase for 2018: Fulton, 1,070,062; Gwinnett, 948,365; Cobb, 763,778; DeKalb, 745,417.

Casinos: Cash Cow for the State; Trouble and Expense for the Culture Fees¹ and Taxes¹ on Resort Licensees and Job Applicants

- A **\$1 million nonrefundable application fee** for each destination resort license will be required of deep-pocket investors with tons of money. This *first* \$1 million will be used to defray costs of background checks of the applicant and other entities involved.
- A **licensing fee of \$50 million (\$50,000,000)** must be submitted with each resort license application. This \$50 million is an application fee for anyone *seeking* a “resort” license in Georgia. An applicant who is denied a license will receive a full refund. However, any applicant who withdraws an application will be refunded only 80 percent of the fee.
- A **\$5 million (\$5,000,000) nonrefundable annual license fee** is the annual cost of doing such “resort” business in Georgia. The money will be deposited in the Destination Resort Trust Fund, which the General Assembly will appropriate to finance GGC operations.
- An **additional 20 percent gross tax on receipts**, an annual operating tax on such “resort” in Georgia, will be paid into the Destination Resort Trust Fund to finance the GGC.
- For suppliers, a **\$5,000.00 license fee initially, and annually**, thereafter, will be required.
- A **nonrefundable regulatory annual fee of \$250,000.00** from each “resort” licensee will be paid to the GGC to finance a compulsive or addictive gambling prevention program.
- **Occupational license fees for as much as \$250.00** for four years’ employment must include the applicant’s fingerprints. No one under age 21 will be allowed to gamble or perform any task directly relating to gaming by patrons, although 18-year-olds may work in non-gaming jobs. The Georgia Crime Information Center will receive fingerprints obtained by the GGC.

More Work for GBI and Law Enforcement

The Federal Bureau of Investigation (FBI) and Georgia Bureau of Investigation (GBI) will have added responsibilities. The GBI must cooperate with GGC in investigations, while regulating, monitoring (24/365, on a real-time basis), policing, and enforcing this Code. In addition, local authorities will be expected to cooperate with GGC investigations.

If there is reasonable suspicion of manipulation or tampering, the GGC or GBI may suspend play in the casinos. The GGC, GBI, or other law enforcement agencies may audit and inspect all records during the resort’s regular business hours, which is 24 hours every day of the year.

ACTION – Oppose H.B. 158. Call Regulated Industries Committee members: Representatives Maxwell, Ch., 404 656-5143; Harrell, V-Ch., 463-3793; Hawkins, Sec., 0213; Bennett, 656-0203; Beskin, 656-0254; Chandler, 656-0254; Cooke, 656-0188; Cooper, 656-5069; Deffenbaugh, 656-0202; Golick, 656-5943; Jones, 657-0498; Kirby, 656-0177; Martin, 656-5064; Mitchell, 656-0126; Powell, 463-3793; Rakestraw, 656-0177; Rogers, 651-7737; Rutledge, 656-0254; Stephens, M., 656-0265; Welch, 656-5912; and Williams, Rick, 656-0287.

ACTION – Oppose S.B. 79. Call Regulated Industries and Utilities Committee Senators Jeffares, Ch., 463-1376; Ginn, V-Ch., 404 656-4700; McKoon, Sec., 463-3931; Cowsert, 463-1366; Gooch, 656-9221; Harbison, 656-0074; Henson, 656-0085; Hill, 656-5038; Kennedy, 656-0045; Lucas, 656-5035; Miller, 656-7454; Mullis, 656-0057; Shafer, 656-0048; Unterman, 463-1368.

Gambling Bills that Died in the 2016 General Assembly

H.B. 677 to legalize casinos; **H.R. 807** to authorize casinos in the Georgia Constitution

H.R. 1 and **S.R. 135** to authorize horse racing and gambling in the Georgia Constitution

S.R. 143 to authorizing horse racing, casinos and gambling in the Georgia Constitution

¹ On June 30 of each year, all unappropriated funds in excess of \$5 million in the Destination Resort Trust Fund will be transferred to the Georgia lottery Corporation to be distributed as follows: (a) 70 percent to fund HOPE scholarships, and (b) 30 percent for needs-based scholarships.

Protecting Georgians Against Terrorism

S.B. 1, The Protect Act, introduced January 10, 2017 by Senator Cowser, would strengthen Georgia's homeland security and intelligence gathering efforts. It creates a real time method of communicating intelligence "up and down the chain of command" concerning any suspected terroristic threat or act. That "chain" would expedite communication and collaboration between local, state, and federal authorities.

Georgia State Authorities Directly Engaged in Combating Terrorism

- **Ministry of Internal Affairs of Georgia (MIAG)**, as the main authority combatting terrorism, heads all emergency operations. In efforts to reveal, prevent and suppress terrorist activities, MIAG strategies include: (a) using special operative, operative-technical, and operative-searching measures; (b) gathering and systematizing data on activities of foreign and international terrorist organizations; (c) using its Counter-terrorist Centre (CTC) to coordinate activities of other agencies combating terrorism; and (d) ensuring implementation of counter-terrorist tactics¹. Other MIAG divisions are responsible for allocating necessary forces and means to ensure effective use of operations.
- **Ministry of Defense of Georgia (MDG)** ensures the protection of weapons; ammunition; explosive and toxic substances in military units or stored in specific places; organizes the preparation and use of ground troops of the Georgia Armed forces, if a terrorist act occurs in Georgia air space; and participates in anti-terrorist operations at military facilities.
- **Intelligence Service of Georgia (ISG)** gathers and processes data about international and foreign terrorist organizations acting outside of Georgia and participates in counter-terrorist operations within its authority, as well.
- **Special State Protection Service of Georgia (SSPSG)** participates in operations to suppress terrorist acts against officials and objects under the protection of the SSPSG.

S.B. 1 was introduced to tighten the definition of domestic terrorism that current law identifies as terrorism only when ten people would be affected. S.B. 1 states that an act may be classified as terrorism if it affects *only one person*, and the person or persons affected may be at anytime, anywhere – in church; pumping gas; at a store, business, flea market; at a rally, home, doctor, in a sports arena; on a bus, public road, right-of-way, sidewalk, etc.

S.B. 1, also, defines domestic terrorism as violations of the law or attempted violations that are **intended to advance, further, or effectuate any ideology or belief** whether committed alone or as part of a command structure of an identifiable set of individuals.

S.B. 1 further expands the definition of domestic terrorism to include the terrorizing of civilian populations of Georgia or any of its political subdivisions.

"Suspected terrorist" is defined as a person reasonably suspected to be, or has been, engaged in global or domestic conduct constituting, in preparation for, in aid of or related to terrorism.

ACTION – Support. Call Public Safety Committee Senators Harper, Ch., 463-5263; Albers, V-Ch., 463-8055; Dugan, Sec., 463-2478; Anderson, Tonya, 463-2598; Anderson, Lee, 656-5114; Hill, Hunter, Ex-Of., 463-2518; Jones, Harold, 463-3942; Seay, 656-5095; Williams, 656-7127.

¹ The emergency operations center may use necessary forces and the means of executive and local self-government authorities to suppress terrorist acts, allocate weapons, special equipment, transportation, communication and other materials necessary for counter-terrorist operations. The intensity of the weapons, special equipment and **physical coercion** used is determined by specific situations, character of the crime of terrorism, and characteristics of the terrorist.

Identity Protection

H.B. 82 Notification when Personal Data is Released, introduced by Representative Gilligan, on January 24th, requires information brokers and data collectors to provide notice when personal information maintained on individuals is released to unauthorized persons, whether the breach in the security system is intentional, inadvertent, or accidental.

ACTION – Support. Call the following House Judiciary Committee members: Representative Willard, Ch., 404 656-5125; Fleming, V-Ch., 656-0152; Kelley, Sec., 657-1803; Beskin, 656-0254; Bruce, 656-7859; Caldwell, 656-5087; Dreyer, 656-0265; Evans, 656-0116; Golick, 656-5943; Hanson, 656-0325; Holcomb, 656-6372; Oliver, 463-2634; Powell, 656-5103; Rutledge, 656-0254; Stephenson, 656-4889; Welch, 656-5912; and Nix, 656-5146, Ex Officio.

Q. Will Non-Citizens Govern Georgians?

Q. Should any U.S. citizens be governed by non-U.S. citizens?

H.B. 33 Local Government; Individuals appointed to Authorities and Boards places a new Code section in Georgia Code Titles 36, 45, and 50 to authorize residents who are NOT U.S. citizens to occupy public office in counties, municipal corporations, and other governmental entities. H.B. 33 would allow non-citizens to govern Georgia's U.S. citizens. The non-U.S.-citizens who would be eligible for governmental appointment (emphasized in bold print below) as listed in the bill:

“Except for ex officio, nonvoting members, no individual shall be appointed to serve on an authority, school district, commission, council, or board for a local governing body which establishes policy, spends public funds, levies taxes, or assesses, imposes, or collects fees or charges unless:

- (1)(A) He or she is a citizen or **national of the U.S.**, a **lawful permanent resident**, or an **alien having lawful status** to be present in the U.S.; and*
- (B) He or she is a **legal resident of the State of Georgia**; provided, however, that an **individual who resides in another state who either owns an interest in a business in the State of Georgia or is employed within the State of Georgia shall be eligible**; or*
- (2) He or she is an **active duty member of the armed forces of the U.S.** or an **immediate family member of such person.**”*

ACTION – Oppose. Call House Judiciary Committee members listed above under H.B. 82.

IRS Terms and Definitions

Alien An individual who is not a U.S. citizen or U.S. national

U.S. National An individual who owes his sole allegiance to the United States, including all U.S. citizens, and including some individuals who are not U.S. citizens. For tax purposes the term “U.S. national” refers to individuals who were born in American Samoa or were born in the Commonwealth of the Northern Mariana Islands who have made the election to be treated as U.S. nationals and not as U.S. citizens.

U.S. Citizen An individual born in the U.S.; An individual whose parent is a U.S. citizen; A former alien who has been naturalized as a U.S. citizen; An individual born in Puerto Rico; An individual born in Guam; or An individual born in the U.S. Virgin Islands

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