

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Committee Substitute

for

House Bill 5668

By Delegates Hanshaw (Mr. Speaker) and Fluharty

[Originating in the Committee on the Judiciary;

Reported on February 23, 2024]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §29-22-30, relating to the creation of the Responsible Gaming and Research
3 Act; creating a short title; providing for gaming data collection and sharing for scholarly
4 purposes, and providing for preparation of the report.

Be it enacted by the Legislature of West Virginia:

ARTICLE 22. STATE LOTTERY ACT.

**§29-22-30. Responsible Gaming and Research Act; gaming data collection and sharing for
scholarly purposes; preparation of report.**

1 (a) Short Title—The provisions of this section may be cited as "The Responsible Gaming
2 and Research Act."

3 (b) (1) Any operator, management service provider, racing operator, sports pool operator,
4 sports pool intermediary, Special Licensed Retailer, and/or iLottery operator or vendor, licensed
5 under by the provisions of §29-22-1 et seq., §29-22A-1 et seq., §29-22B-1 et seq., §29-22C-1 et
6 seq., §29-22D-1 et seq., and §29-22E-1 et seq. of this code, is required to provide to West Virginia
7 University on a monthly, a quarterly, or an annual basis, all transactional data and metrics related
8 to their gaming operations conducted in the state for the purpose of conducting research to assist
9 the Department of Human Services, State Lottery Commission, or a successor agency or
10 agencies, in ensuring the integrity of gaming or to improve state-funded services related to, or
11 general understanding of, responsible gambling, and problem gambling.

12 (2) Data thus shared is:

13 (A) To be transmitted in a manner approved by the university and anonymized, upon
14 receipt by the university, through hashing, or other means, excluding any personally identifiable
15 information;

16 (B) Not a public record, and

17 (C) Is exempt from public inspection and copying under the West Virginia Freedom of
18 Information Act, §29B-1-1 et seq. of this code;

19 (3) The university, upon receiving this data, shall not disclose the data provided as required
20 by this section to any person, except for:

21 (A) The purpose of conducting the research described in this section;

22 (B) As part of a peer-reviewed research report, or

23 (C) Pursuant to an agreement between the university and the proprietor, operator, vendor,
24 or licensee: *Provided*, That the university may contract with a third-party to help facilitate the data
25 collection, analysis, and research.

26 (c) Commencing on January 1, 2026, and continuing annually thereafter, the Department
27 of Human Services, or a successor agency or agencies, shall annually cause a comprehensive
28 report to be prepared and distributed to the Joint Committee on Government and Finance on the
29 impact of casino, iGaming, racing, iLottery, and sports wagering, on problem gamblers and
30 gambling addiction in West Virginia. The report shall be prepared and distributed under the
31 supervision of the Department of Human Services, and in coordination with the State Lottery
32 Commission, or a successor agency or agencies.

NOTE: The purpose of this bill is to create the Responsible Gaming and Research Act. The bill creates a short title. The bill provides for gaming data collection and sharing for scholarly purposes. The bill provides for preparation of the report.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.