

H. B. 4483

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(By Delegate Gearheart)

[Introduced February 12, 2014; referred to the
Committee on the Judiciary.]

10 A BILL to amend and reenact §29-22B-702 of the Code of West
11 Virginia, 1931, as amended, relating to removing limitations
12 on advertising and promotional activities by limited video
13 lottery retailers.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §29-22B-702 of the Code of West Virginia, 1931, as
16 amended, be amended and reenacted to read as follows:

17 **ARTICLE 22B. LIMITED VIDEO LOTTERY.**

18 **§29-22B-702. Additional duties of limited video lottery retailers.**

19 In addition to the general duties imposed on all licensees in
20 section ~~22B-701~~ seven hundred one of this article, a limited video
21 lottery retailer shall:

22 (1) Attend all commission mandated meetings, seminars and
23 training sessions concerning operation of video lottery terminals,

1 the validation and redemption of video lottery winning tickets and
2 the operation of all ticket validation terminals and equipment;

3 (2) Maintain all skills necessary for the accurate validation
4 of video lottery tickets;

5 (3) Supervise video lottery operations and ticket validation
6 procedures at the applicable location;

7 (4) Permit no person to tamper with or interfere with the
8 operation of any video lottery terminal;

9 (5) Ensure that telephone lines from the commission's central
10 control computer to the video lottery terminals located at the
11 approved location are at all times connected, and prevent any
12 person from tampering or interfering with the operation of the
13 telephone lines;

14 (6) Ensure that video lottery terminals are within the sight
15 and control of designated employees of the limited video lottery
16 retailer;

17 (7) Ensure that video lottery terminals are placed and remain
18 placed in the specific locations which have been approved by the
19 commission. A video lottery terminal in a restricted access
20 adult-only facility may not be relocated within the facility
21 without the prior written approval of the commission;

22 (8) Monitor video lottery terminals to prevent access to or
23 play by persons who are under the age of twenty-one years or who
24 are visibly intoxicated;

1 (9) Maintain at all times sufficient change and cash in the
2 denominations accepted by the video lottery terminals;

3 (10) Provide no access by a player to an automated teller
4 machine (ATM) in the restricted access adult-only facility where
5 video lottery games are played, accept no credit card or debit card
6 from a player for the exchange or purchase of video lottery game
7 credits or for an advance of coins or currency to be utilized by a
8 player to play video lottery games and extend no credit, in any
9 manner, to a player so as to enable the player to play a video
10 lottery game;

11 (11) Pay for all credits won upon presentment of a valid
12 winning video lottery ticket;

13 (12) Report promptly in writing to the operator and the
14 commission all video lottery terminal malfunctions and notify the
15 commission in writing of the failure of an operator or service
16 technician to provide prompt service and repair of the terminals
17 and associated equipment;

18 ~~(13) Conduct no video lottery advertising or promotional~~
19 ~~activities;~~

20 ~~(14) Not use the words "video lottery" in the name of the~~
21 ~~approved location, or in any directions or advertising visible from~~
22 ~~outside the retailer's establishment;~~

23 ~~(15)~~ (13) Install, post and display prominently within or
24 about the approved location signs, redemption information and other

1 promotional material as required by the commission;

2 ~~(16)~~ (14) Permit video lottery to be played only during those
3 hours established and approved by the commission: *Provided*, That
4 the limited video lottery retailer ~~shall~~ may not permit video
5 lottery to be played beyond the hour during which liquor may be
6 served;

7 ~~(17)~~ (15) Contract with no more than one licensed operator for
8 the placement of video lottery terminals at the licensed location;

9 ~~(18)~~ (16) Maintain insurance covering all losses as the result
10 of fire, theft or vandalism to video lottery terminals and
11 associated equipment; and

12 ~~(19)~~ (17) Comply with all applicable provisions of this
13 article and rules and orders of the commission.

NOTE: The purpose of this bill is to remove the limitations on advertising and promotional activities by limited video lottery retailers.

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