

H. B. 2190

(By Delegates Gearheart, Householder, R. Smith, Faircloth and Storch)

[Introduced January 21, 2015; referred to the

Committee on the Judiciary.]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 22B. LIMITED VIDEO LOTTERY.

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

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

- (1) Attend all commission mandated meetings, seminars and training sessions concerning operation of video lottery terminals, the validation and redemption of video lottery winning tickets and the operation of all ticket validation terminals and equipment;

- 1 (2) Maintain all skills necessary for the accurate validation of video lottery tickets;
- 2 (3) Supervise video lottery operations and ticket validation procedures at the applicable
3 location;
- 4 (4) Permit no person to tamper with or interfere with the operation of any video lottery
5 terminal;
- 6 (5) Ensure that telephone lines from the commission's central control computer to the video
7 lottery terminals located at the approved location are at all times connected, and prevent any person
8 from tampering or interfering with the operation of the telephone lines;
- 9 (6) Ensure that video lottery terminals are within the sight and control of designated
10 employees of the limited video lottery retailer;
- 11 (7) Ensure that video lottery terminals are placed and remain placed in the specific locations
12 which have been approved by the commission. A video lottery terminal in a restricted access
13 adult-only facility may not be relocated within the facility without the prior written approval of the
14 commission;
- 15 (8) Monitor video lottery terminals to prevent access to or play by persons who are under the
16 age of twenty-one years or who are visibly intoxicated;
- 17 (9) Maintain at all times sufficient change and cash in the denominations accepted by the
18 video lottery terminals;
- 19 (10) Provide no access by a player to an automated teller machine (ATM) in the restricted
20 access adult-only facility where video lottery games are played, accept no credit card or debit card
21 from a player for the exchange or purchase of video lottery game credits or for an advance of coins
22 or currency to be utilized by a player to play video lottery games and extend no credit, in any manner,

- 1 to a player so as to enable the player to play a video lottery game;
- 2 (11) Pay for all credits won upon presentment of a valid winning video lottery ticket;
- 3 (12) Report promptly in writing to the operator and the commission all video lottery terminal
- 4 malfunctions and notify the commission in writing of the failure of an operator or service technician
- 5 to provide prompt service and repair of the terminals and associated equipment;
- 6 ~~(13) Conduct no video lottery advertising or promotional activities;~~
- 7 ~~(14) Not use the words “video lottery” in the name of the approved location, or in any~~
- 8 ~~directions or advertising visible from outside the retailer’s establishment;~~
- 9 ~~(15)~~ (13) Install, post and display prominently within or about the approved location signs,
- 10 redemption information and other promotional material as required by the commission;
- 11 ~~(16)~~ (14) Permit video lottery to be played only during those hours established and approved
- 12 by the commission: *Provided*, That the limited video lottery retailer ~~shall~~ may not permit video
- 13 lottery to be played beyond the hour during which liquor may be served;
- 14 ~~(17)~~ (15) Contract with no more than one licensed operator for the placement of video lottery
- 15 terminals at the licensed location;
- 16 ~~(18)~~ (16) Maintain insurance covering all losses as the result of fire, theft or vandalism to
- 17 video lottery terminals and associated equipment; and
- 18 ~~(19)~~ (17) Comply with all applicable provisions of this article and rules and orders of the
- 19 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.