

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Committee Substitute

for

Senate Bill 559

BY SENATOR FERNNS

[Originating in the Committee on the Judiciary;

reported on March 15, 2017]

1 A BILL to amend and reenact §29-22B-501 of the Code of West Virginia, 1931, as amended,
2 relating to video lottery in general; providing that a limited video lottery retailer may sell or
3 transfer ownership of one or more locations, including the limited video lottery retailer's
4 license associated with that location; providing that a purchaser or transferee shall satisfy
5 the requirements for a limited video lottery retailer's license; and providing that the State
6 Lottery Commission be given prior written notice of the sale or transfer.

Be it enacted by the Legislature of West Virginia:

1 That §29-22B-501 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 22B. LIMITED VIDEO LOTTERY.

PART V. REQUIREMENTS AND QUALIFICATIONS FOR LICENSURE.

§29-22B-501. Types of licenses issued for participation in limited video lottery activities.

1 (a) The Lottery Commission may issue four types of limited video lottery licenses, as
2 follows:

- 3 (1) A manufacturer's license;
- 4 (2) An operator's license;
- 5 (3) A limited video lottery retailer's license; and
- 6 (4) A service technician's license.

7 (b) A manufacturer's license is required for all persons who act as a manufacturer, as
8 defined in section ~~22B-319~~ three hundred eighteen of this article.

9 (c) An operator's license is required for all persons who engage in the business of placing
10 and operating video gaming machines on the premises of a retailer. A licensed operator and a
11 licensed limited video lottery retailer who hold a permit issued under part ~~14~~ eleven of this article
12 may obtain video lottery terminals only from a licensed manufacturer.

13 (d) A video lottery retailer's license is required for all persons conducting limited video

14 lottery on their premises. Each person licensed as a retailer shall have and maintain sole and
15 exclusive legal possession of the entire premises for which the retail license is issued.

16 (e) A limited video lottery retailer may sell or transfer his, her or its ownership interest in
17 one or more of his, her or its locations, including the limited video lottery retailer's license
18 associated with that location, to another individual or entity: Provided, That the purchaser or
19 transferee satisfies the requirements for a limited video lottery retailer's license under this article
20 and the State Lottery Commission is given prior written notice of the sale or transfer.

21 ~~(e)~~ (f) Each license issued pursuant to this section expires one year from the date of its
22 issuance but may be successively renewed upon the filing and approval of an application for
23 renewal, except as otherwise provided in this article.

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