

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 281

**FISCAL
NOTE**

BY SENATORS BOSO, STOLLINGS, TAKUBO, MARONEY

AND TRUMP

[Introduced February 14, 2017; Referred
to the Committee on the Judiciary; and then to the
Committee on Finance]

1 A BILL to amend and reenact §29-22B-1101 of the Code of West Virginia, 1931, as amended,
 2 relating to increasing number of limited video lottery terminals allowed at a retail location;
 3 increasing the number of limited video lottery terminals located on the premises of certain
 4 tax exempt organizations; and requiring Lottery Commission to conduct a bid for permits
 5 held by current permit holders expiring June 30, 2021, prior to September 1, 2017.

Be it enacted by the Legislature of West Virginia:

1 That §29-22B-1101 of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted to read as follows:

ARTICLE 22B. LIMITED VIDEO LOTTERY.

PART 11. ALLOCATION AND DISTRIBUTION OF VIDEO LOTTERY TERMINALS.

§29-22B-1101. Limitation on number and location of video lottery terminals.

1 (a) The Lottery Commission may not authorize the placement of more than nine thousand
 2 video lottery terminals in restricted access adult-only facilities in this state.

3 (b) No person may directly or indirectly operate more than seven and one-half percent of
 4 the number of video lottery terminals authorized in this section, which ~~shall~~ may only be located
 5 only in restricted access adult-only facilities.

6 (c) No licensed limited video lottery retailer may be authorized to have on the premises for
 7 which the license was issued more than ~~five~~ seven video lottery terminals except that a fraternal
 8 society or veteran's organization that is (A) a fraternal beneficiary society that is exempt from
 9 federal income tax under section 501(c)(8) of the Internal Revenue Code of 1986, as amended,
 10 (B) a domestic fraternal society that is exempt from federal income tax under section 501(c)(10),
 11 or (C) a veterans' organization that is exempt from federal income tax under section 501(c)(19)
 12 of the Internal Revenue Code may be authorized to have on the premises for which the license
 13 was issued not more than ~~ten~~ twelve video lottery terminals.

14 (d) To help accommodate the change in the number of terminals authorized by the

15 amendment to this section enacted during the 2017 regular session of the Legislature, the
16 commission shall conduct a bid no later than September 1, 2017, for permits expiring June 30,
17 2021, which bid is open to current permit holders only and which shall be conducted in accordance
18 with sections one thousand one hundred six, one thousand one hundred seven and one thousand
19 one hundred nine of this article.

NOTE: The purpose of this bill is to increase the number of limited video lottery machines that a retailer may have from five to seven. The bill increases the number of limited video lottery terminals certain tax exempt organizations may have. The bill requires the Lottery Commission to conduct a bid for permits held by current permit holders expiring June 30, 2021 prior to September 1, 2017.

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