

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

Senate Bill 75

BY SENATORS FERNS AND MARONEY

[Introduced January 10, 2018; Referred
to the Committee on the Judiciary]

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:

ARTICLE 22B. LIMITED VIDEO LOTTERY.

PART 5. 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 §29-22B-318 of this code.

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 11 of this article~~ Part XI
 12 of §29-22B-1101 through §29-22B-1113 of this code may obtain video lottery terminals only from
 13 a licensed manufacturer.

14 (d) A video lottery retailer's license is required for all persons conducting limited video
 15 lottery on their premises. Each person licensed as a retailer shall have and maintain sole and

16 exclusive legal possession of the entire premises for which the retail license is issued.

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

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

NOTE: The purpose of this bill is to permit limited video lottery retailers with more than one location to sell one or more of their operations to another person.

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