

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2621

**FISCAL
NOTE**

BY DELEGATES MARCUM, RODIGHIERO, ELDRIDGE,

PHILLIPS AND HICKS

[Introduced February 21, 2017; Referred
to the Committee on the Judiciary then Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §29-22-9b, relating to the state lottery; providing for a scratch-off game to fund
 3 a drug treatment facility on post-mine land in Mingo and Logan Counties; creating a
 4 special fund within the State Treasury; authorizing the Legislature to appropriate the
 5 special lottery funds to construct and operate the drug treatment facility on post-mine land
 6 in Mingo and Logan Counties; requiring the lottery commission to change the design or
 7 theme of game on a regular basis; requiring the health care authority to conduct a survey
 8 to determine need for beds at the prospective drug treatment facility in Mingo and Logan
 9 Counties; and requiring the authority to report its findings to the Joint Committee on
 10 Government and Finance.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §29-22-9b, to read as follows:

ARTICLE 22. MISCELLANEOUS BOARDS AND OFFICERS.

§29-22-9b. Say no to drugs instant lottery scratch-off game.

1 (a) On or before September 1, 2017, the commission shall establish an instant lottery
 2 scratch-off game designated as the "Say No to Drugs" game, which shall be offered by the lottery.

3 (b) Notwithstanding the provisions of section eighteen of this article, and subject to the
 4 provisions of subsection (d) of this section, all net profits received from the sale of "Say No to
 5 Drugs" lottery tickets, materials and games shall be deposited with the State Treasurer into the
 6 "Say No to Drugs" Lottery Fund created under this section.

7 (c) The Legislature may make appropriations from the "Say No to Drugs" Lottery Fund for
 8 the construction and operation of an inpatient drug treatment facility in Mingo and Logan Counties,
 9 which shall meet the following requirements:

10 (1) Be located on a reclaimed post-mining site;

11 (2) House a jail for persons convicted of offenses related to substance abuse and

- 12 sentenced to less than one year imprisonment;
- 13 (3) Provide long and short term substance abuse treatment; and
- 14 (4) Provide counseling and psychiatric services.
- 15 (d) There is hereby created in the State Treasury a Special Revenue Fund designated
- 16 and known as the "Say No to Drugs" Fund which shall consist of all revenues derived from the
- 17 "Say No to Drugs" game, any appropriations to the fund by the Legislature, and all interest earned
- 18 from investment of the fund and any gifts, grants or contributions received by the fund. Revenues
- 19 received by the "Say No to Drugs" Lottery Fund shall be deposited in the West Virginia
- 20 consolidated investment pool with the West Virginia Investment Management Board, with the
- 21 interest income a proper credit to all such funds.
- 22 (e) The commission shall change the design or theme of the "Say No to Drugs" game
- 23 regularly so that the game remains competitive with the other instant lottery scratch-off games
- 24 offered by the commission. The tickets for the instant lottery game created in this section shall
- 25 clearly state that the profits derived from the game are being used to benefit drug treatment efforts
- 26 in this state.
- 27 (f) The health care authority created under section five, article twenty-nine-b, chapter
- 28 sixteen of this code, shall conduct a survey to determine the number of beds needed for a drug
- 29 treatment facility in Mingo County. The authority shall report its findings to the Joint Committee
- 30 on Government and Finance by November 1, 2017.

NOTE: The purpose of this bill is to provide for a scratch-off game to fund a drug treatment facility in Mingo and Logan Counties; create a special fund within the State Treasury; authorize the Legislature to appropriate the special lottery funds to construct and operate the drug treatment facility in Mingo and Logan Counties; require the lottery commission to change design or theme of game on a regular basis; require the health care authority to conduct a survey to determine need for beds at the prospective drug treatment facility; and require the authority to report its findings to the Joint Committee on Government and Finance.

Strike-throughs indicate language that would be stricken from a heading or the present law,

and underscoring indicates new language that would be added.