

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 494**

**FISCAL  
NOTE**

By Senator Chapman

[Introduced January 19, 2026; referred  
to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding four new sections,  
2 designated §29-22-9b, §29-22-9c, §29-22-9d, and §29-22-9e, relating to authorizing the  
3 Lottery Commission to create new lottery tickets to fund specific purposes, such as the  
4 support of fire departments, emergency medical services, schools, and roads.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE                      22.                      STATE                      LOTTERY                      ACT.**

**§29-22-9b. Fire department instant lottery scratch-off game.**

1 (a) Beginning September 1, 2026, the commission shall establish an instant lottery  
2 scratch-off game designated as the fire department instant lottery scratch off game, which is  
3 offered by the lottery.

4 (b) Notwithstanding the provisions of §29-22-18 of this code, all net profits received from  
5 the sale of fire department instant lottery scratch off game tickets are deposited with the State  
6 Treasurer into the All County Fire Protection Fund, created pursuant to §7-5B-2 of this code.  
7 Appropriations from this fund will be made in accordance with the provisions of that section.

8 (c) The commission shall change the design or theme of the Fire department instant lottery  
9 scratch off game regularly so that the game remains competitive with the other instant lottery  
10 scratch-off games offered by the commission. The tickets for the instant lottery game created in  
11 this section shall clearly state that the profits derived from the game are being used to benefit fire  
12 departments in this state.

**§29-22-9c. Emergency medical services instant lottery scratch-off game.**

1 (a) Beginning September 1, 2026, the commission shall establish an instant lottery  
2 scratch-off game designated as the emergency medical services instant scratch off game, which is  
3 offered by the lottery.

4 (b) Notwithstanding the provisions of §29-22-18 of this code, all net profits received from  
5 the sale of emergency medical services instant scratch off game lottery tickets, materials, and  
6 games are deposited with the state Treasurer into the Emergency Medical Services Equipment

7 and Training Fund created under §16-4C-24 of this code. Appropriations from this fund will be  
8 made in accordance with the provisions of that section

9 (c) The commission shall change the design or theme of the Emergency Medical Services  
10 instant lottery scratch off game regularly so that the game remains competitive with the other  
11 instant lottery scratch-off games offered by the commission. The tickets for the instant lottery  
12 game created in this section shall clearly state that the profits derived from the game are being  
13 used to benefit emergency medical services in this state.

**§29-22-9d. Schools instant lottery scratch-off game.**

1 (a) Beginning September 1, 2026, the commission shall establish an instant lottery  
2 scratch-off game designated as the school lottery scratch off game, which is offered by the lottery.

3 (b) Notwithstanding the provisions of §29-22-18 of this code, all net profits received from  
4 the sale of school instant lottery scratch off game tickets are deposited with the State Treasurer  
5 into the Innovation in Education Fund, created pursuant to §18-5E-7 of this code. Appropriations  
6 from this fund will be made in accordance with the provisions of that section.

7 (c) The commission shall change the design or theme of the school instant lottery scratch  
8 off game regularly so that the game remains competitive with the other instant lottery scratch-off  
9 games offered by the commission. The tickets for the instant lottery game created in this section  
10 shall clearly state that the profits derived from the game are being used to benefit schools in this  
11 state.

**§29-22-9e. Roads instant lottery scratch-off game.**

1 (a) Beginning September 1, 2026, the commission shall establish an instant lottery  
2 scratch-off game designated as the roads lottery scratch off game, which is offered by the lottery.

3 (b) Notwithstanding the provisions of §29-22-18 of this code, all net profits received from  
4 the sale of roads instant lottery scratch off game tickets are deposited with the State Treasurer into  
5 the State Road Fund, created pursuant to §17-3-1 et seq. of this code. Appropriations from this  
6 fund will be made in accordance with the provisions of that section.

7           (c) The commission shall change the design or theme of the roads instant lottery scratch  
8 off game regularly so that the game remains competitive with the other instant lottery scratch-off  
9 games offered by the commission. The tickets for the instant lottery game created in this section  
10 shall clearly state that the profits derived from the game are being used to benefit roads in this  
11 state.

NOTE: The purpose of this bill is to create instant scratch off lottery ticket games to fund various projects of interest to the public; to create a fire department lottery ticket to fund the All County Fire Protection Fund; to create an emergency medical services lottery ticket to fund the Emergency Medical Services Equipment and Training Fund; to create an schools lottery ticket to fund the Innovation in Education Fund; and to create a roads lottery ticket to the fund the State Road Fund.

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