WEST VIRGINIA CODE: §29-22B-1101

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

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

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

(c) No licensed limited video lottery retailer may be authorized to have on the premises for which the license was issued more than seven video lottery terminals except that on and after July 1, 2021, the Commission, upon recommendation of the Director, may authorize one or more licensed limited video lottery retailers to have on the premises for which the limited video lottery retailer's license was issued no more than ten video lottery terminals.

(2) Notwithstanding the limitation imposed by subdivision (1) of this subsection, a fraternal society or veterans' organization that is: (A) A fraternal beneficiary society that is exempt from federal income tax under section 501(c)(8) of the Internal Revenue Code of 1986, as amended; (B) a domestic fraternal society that is exempt from federal income tax under section 501(c)(10) of the Internal Revenue Code of 1986, as amended; or (C) a veterans' organization that is exempt from federal income tax under section 501(c)(19) of the Internal Revenue Code of 1986, as amended, may be authorized to have on the premises for which the license was issued not more than ten video lottery terminals.

(d) Pursuant to the increase of the number of video lottery terminals authorized in subsection (c) of this section, effective July 1, 2021, the commission shall conduct a bidding process no later than October 1, 2021, for permits for additional terminals. Any permits for which a successful bid is made shall expire June 30, 2031. The bidding process is open to current permit holders only and shall be conducted in accordance with §29-22B-1106, §29-22B-1107 and §29-22B-1109 of this article.

(e) The amendments to this section enacted in 2021 shall be effective on and after July 1, 2021.

WV Legislature