# WEST VIRGINIA CODE: §29-22B-1707

**§29-22B-1707. Criminal penalty for possession of altered or nonconforming video lottery terminal, device or related material.**

(a) A person who possesses any video lottery terminal that is not a video gambling machine or possesses any other device, equipment or material which the person knows has been manufactured, distributed, sold, tampered with or serviced in violation of the provisions of this article is guilty of a misdemeanor and, upon conviction thereof, shall for a first conviction be confined in a county or regional jail not more than one year and fined not less than $1,000 nor more than $5,000, except that, in the case of a person other than an individual, the amount of the fine imposed may be not less than $5,000 nor more than $25,000.

(b) A second and each subsequent offense under this section shall be a felony and, upon conviction thereof, the person shall be confined in a state correctional facility for a term of not less than one year nor more than three years and fined not less than $5,000 nor more than $25,000, except that in the case of a person other than an individual, the fine may not be less than $50,000 nor more than $100,000.

WV Legislature