

## WEST VIRGINIA CODE: §29-22B-1708

### **§29-22B-1708. Criminal penalty for tampered game, terminal, device or other equipment.**

(a) A person who knowingly conducts, carries on, operates or exposes for play, or allows to be conducted, carried on, operated or exposed for play, any video lottery game, video lottery terminal or other device, equipment or material which has in any manner been tampered with or placed in a condition or operated in a manner the result of which tends to deceive the public or tends to alter the normal random selection of characteristics or the normal chance of the video lottery game which could determine or alter the result of the game 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 \$25,000 nor more than \$50,000.

(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 be not less than \$50,000 nor more than \$100,000.