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## HOUSE BILL NO. 2321

Offered January 9, 2019

Prefiled January 8, 2019

A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 60, consisting of sections numbered 30-376 through 30-383, relating to Commission on Gaming.

Patrons—Peace and Webert

Referred to Committee on Rules

**Be it enacted by the General Assembly of Virginia:**

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 60, consisting of sections numbered 30-376 through 30-383, as follows:

## CHAPTER 60.

## COMMISSION ON GAMING.

**§ 30-376. Commission on Gaming; purpose.**

A. The Commission on Gaming (the Commission) is established in the legislative branch of state government. The purposes of the Commission shall be to study and provide recommendations relating to expansion of gaming in the Commonwealth. In conducting its work, the Commission shall analyze legislation to expand gaming to determine if such proposals are consistent with desired outcomes and objectives of the Commonwealth and shall advise on the structure, organization, and regulations for any gaming expansion, including revenue sharing and any other necessary agreements.

**§ 30-377. Membership; terms; vacancies; chair and vice-chair.**

A. The Commission shall consist of 20 members that include 12 legislative members and eight nonlegislative citizen members. Members shall be appointed as follows: seven members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; five members of the Senate to be appointed by the Senate Committee on Rules; five nonlegislative citizen members to be appointed by the Speaker of the House of Delegates; and three nonlegislative citizen members to be appointed by the Senate Committee on Rules. Nonlegislative citizen members shall be citizens of the Commonwealth. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

B. Legislative members shall serve terms coincident with their terms of office. After the initial staggering of terms, nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

C. The Commission shall elect from its legislative membership a chairman and vice-chairman for a three-year term. Upon the expiration of such three-year term, the Commission shall elect a new chairman and vice-chairman for a two-year term. The chairman and vice-chairman may not succeed themselves to the same position. The Commission shall hold meetings quarterly or upon the call of the chairman. A majority of members of the Commission shall constitute a quorum.

**§ 30-378. Quorum; meetings; voting on recommendations.**

A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

No recommendation of the Commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

**§ 30-379. Compensation; expenses.**

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission or, if

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59 *unfunded, shall be approved by the Joint Rules Committee.*

60 **§ 30-380. Powers and duties of the Commission; report.**

61 *The Commission shall have the power and duty to:*

62 *1. Undertake studies, gather information and data, and pursue such other activities as may be*  
63 *desirable to accomplish its purposes as set forth in § 30-376;*

64 *2. Coordinate the legislative recommendations of all other state entities having responsibilities with*  
65 *respect to gaming issues in the Commonwealth;*

66 *3. Develop such recommendations as may be appropriate for legislative and administrative*  
67 *consideration; and*

68 *4. Report on or before December 1 of each year on its activities and findings, including any*  
69 *recommendations for legislation, to the General Assembly and the Governor. The annual report shall be*  
70 *submitted by the chairman as provided in the procedures of the Division of Legislative Automated*  
71 *Systems for the processing of legislative documents and reports and shall be published as a state*  
72 *document.*

73 **§ 30-381. Staffing.**

74 *Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates or*  
75 *the Office of the Clerk of the Senate as may be appropriate for the house in which the chairman of the*  
76 *Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis,*  
77 *and other services as requested by the Commission. Technical assistance shall be provided by the*  
78 *Department of Agriculture and Consumer Services, Virginia Racing Commission, and the Virginia*  
79 *Lottery.*

80 **§ 30-382. Cooperation of agencies of state and local government.**

81 *Every department, division, board, bureau, commission, authority, or political subdivision of the*  
82 *Commonwealth shall cooperate with, and provide such assistance to, the Council as the Council may*  
83 *request.*

84 **§ 30-383. Sunset.**

85 *This chapter shall expire on July 1, 2024.*

86 **2. That the initial appointments of nonlegislative citizen members to the Virginia Gaming**  
87 **Commission, as created by this act, shall be staggered as follows: two members for a term of two**  
88 **years and three members for a term of three years to be appointed by the Speaker of the House**  
89 **of Delegates, and two members for a term of one year and one member for a term of three years**  
90 **to be appointed by the Senate Committee on Rules.**

91 **3. That, for its first year of existence, if the Commission is not funded by a separate appropriation**  
92 **in the appropriation act, the Commission may be funded from the operating budgets of the Clerk**  
93 **of the House of Delegates and the Clerk of the Senate upon the approval of the Joint Rules**  
94 **Committee. If the Commission is not funded by a separate appropriation in the appropriation act**  
95 **for any year thereafter, this chapter shall expire on July 1 of the fiscal year in which the**  
96 **Commission fails to receive such funding.**