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SENATE JOINT RESOLUTION NO. 261

Offered January 12, 2023

Establishing a joint subcommittee to study the feasibility of establishing the Virginia Gaming Commission to regulate and oversee all forms of gaming in the Commonwealth. Report.

Patrons—Reeves, Bell, Boysko, Ebbin, Edwards, Hackworth, Hanger, Howell, Locke, Newman, Norment, Peake, Ruff, Saslaw, Spruill and Surovell

Unanimous consent to introduce

Referred to Committee on Rules

WHEREAS, there are currently six forms of legalized gaming in the Commonwealth, and there has been an increased interest in the legalization of games of skill and electronic video game terminals; and

WHEREAS, there are currently three separate entities governing the oversight of legalized gaming in the Commonwealth; and

WHEREAS, several states have established a central gaming agency to regulate and oversee all forms of legal gaming; and

WHEREAS, a central gaming agency can focus on gaming regulation as its core mission and more readily develop the expertise to understand and react appropriately to the rapidly changing gaming industry; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee of the Senate Committee on General Laws and Technology, the Senate Committee on Finance and Appropriations, the House Committee on General Laws, and the House Committee on Appropriations be established to study the feasibility of establishing the Virginia Gaming Commission to regulate and oversee all forms of gaming in the Commonwealth. The joint subcommittee shall have a total membership of eight members that shall consist of two members from each committee, to be appointed by the respective committee chairmen. The joint subcommittee shall elect a chairman and vice-chairman from among its membership.

In conducting its study, the joint subcommittee shall analyze and make recommendations, as appropriate, with respect to (i) the feasibility of establishing a new agency in the executive branch of state government, to be known as the Virginia Gaming Commission (the Commission), under which all legal forms of gaming in the Commonwealth, except for the state lottery established and operated pursuant to the Virginia Lottery Law (§ 58.1-4000 et seq.), shall be consolidated for the purposes of regulation and oversight; (ii) the timely and orderly transition of the regulatory authority over casino gaming and sports betting, charitable gaming, and pari-mutuel wagering on horse racing from the Virginia Lottery, the Virginia Department of Agriculture and Consumer Services, and the Virginia Racing Commission, respectively, to the Commission; and (iii) ways to effectively prioritize problem gambling prevention and treatment efforts. The joint subcommittee may take into consideration gaming oversight models used by other states and shall consider the feasibility, costs, and benefits of creating the Commission.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. All agencies of the Commonwealth, including (i) the Virginia Lottery, (ii) the Department of Agriculture and Consumer Services' Office of Charitable and Regulatory Programs, and (iii) the Virginia Racing Commission, shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2023 interim. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

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

The joint subcommittee shall complete its meetings by November 30, 2023, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2024 Regular Session of the General Assembly. The executive summary shall state whether the joint subcommittee intends to submit to the General

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58 Assembly and the Governor a report of its findings and recommendations for publication as a House or
59 Senate document. The executive summary and report shall be submitted as provided in the procedures of
60 the Division of Legislative Automated Systems for the processing of legislative documents and reports
61 and shall be posted on the General Assembly's website.
62 Implementation of this resolution is subject to subsequent approval and certification by the Joint
63 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
64 delay the period for the conduct of the study, or authorize additional meetings during the 2023 interim.