

1 reducing certain table games adjusted gross receipts
2 distributions by fifteen percent; and reducing certain
3 distributions from adjusted gross receipts and net terminal
4 income from the historic resort hotel by fifteen percent.

5 *Be it enacted by the Legislature of West Virginia:*

6 That §29-22-18d of the Code of West Virginia, 1931, as
7 amended, be amended and reenacted; that said code be amended by
8 adding thereto two new sections, designated §29-22A-10d and
9 §29-22A-10e; that said code be amended by adding thereto a new
10 section, designated §29-22B-1409; that said code be amended by
11 adding thereto a new section, designated §29-22C-27a; and that said
12 code be amended by adding thereto a new section, designated
13 §29-25-22b, all to read as follows:

14 **ARTICLE 22. STATE LOTTERY ACT.**

15 **§29-22-18d. Increase in allocation to West Virginia**
16 **Infrastructure Fund from State Excess Lottery**
17 **Revenue Fund.**

18 Notwithstanding any provision of subsection (d), section
19 eighteen-a of this article to the contrary, the deposit of \$40
20 million into the West Virginia Infrastructure Fund set forth above
21 is for the fiscal year beginning July 1, 2010, only. For the fiscal
22 year beginning July 1, 2011, and each fiscal year thereafter, in

1 lieu of the deposits required under subdivision (5), subsection
2 (d), section eighteen-a of this article, the commission shall,
3 first, deposit \$6 million into the West Virginia Infrastructure
4 Lottery Revenue Debt Service Fund created in subsection (h),
5 section nine, article fifteen-a, chapter thirty-one of this code,
6 to be spent in accordance with the provisions of that subsection,
7 and, second deposit \$40 million into the West Virginia
8 Infrastructure Fund created in subsection (a), section nine,
9 article fifteen-a, chapter thirty-one of this code, to be spent in
10 accordance with the provisions of that article: Provided, That for
11 the fiscal year beginning July 1, 2014, and for two additional
12 fiscal years thereafter, the deposit to the West Virginia
13 Infrastructure Fund shall be \$20 million.

14 **ARTICLE 22A. RACETRACK VIDEO LOTTERY ACT.**

15 **§29-22A-10d. Changes in distribution of net terminal income.**

16 (1) Notwithstanding any provision of subsection (c), section
17 ten of this article to the contrary, for the fiscal year beginning
18 July 1, 2014, and each year thereafter, each distribution expressed
19 as a percentage of net terminal income, except those distributions
20 to be made pursuant to subdivisions (1), (7), paragraph (A) of
21 subdivision (9), and subparagraphs (I) and (ii), paragraph (B) of
22 subdivision (10), subsection (c), section 10 of this article, shall

1 be reduced by fifteen percent. All distributions expressed as a
2 dollar amount shall not be reduced.

3 (2) The total amount of reductions resulting from subsection
4 (1) of this section shall be paid into the State Excess Lottery
5 Revenue Fund, created by section eighteen-a, article twenty-two of
6 this chapter.

7 **§29-22A-10e. Changes in distribution of excess net terminal**
8 **income.**

9 (1) Notwithstanding any provision of subsection (a), section
10 ten-b of this article to the contrary, for the fiscal year
11 beginning July 1, 2014, and each year thereafter, each distribution
12 expressed as a percentage of net terminal income, except those
13 distributions to be made pursuant to subdivisions (1), (7),
14 paragraph (A) of subdivision (9), and paragraph (B) of subdivision
15 (10), subsection (a), section 10-b of this article, shall be
16 reduced by fifteen percent. All distributions expressed as a
17 dollar amount shall not be reduced.

18 (2) The total amount of reductions resulting from subsection
19 (1) of this section shall be paid into the State Excess Lottery
20 Revenue Fund created in section eighteen-a, article twenty-two of
21 this chapter.

22 **ARTICLE 22B. THE LIMITED VIDEO LOTTERY ACT.**

1 **§29-22b-1409. Changes in distribution of net terminal income.**

2 For the fiscal year beginning July 1, 2014, and each year
3 thereafter, the distribution made pursuant to section 1408(b)(1)(A)
4 shall be reduced by fifteen percent. The total amount of
5 reductions shall be paid into the State Excess Lottery Revenue Fund
6 created in section eighteen-a, article twenty-two of this chapter.

7 **ARTICLE 22C. WEST VIRGINIA LOTTERY RACETRACK TABLE GAMES ACT.**

8 **§29-22C-27a. Changes in distribution of adjusted gross receipts.**

9 (1) Notwithstanding any provision of section twenty-seven of
10 this article to the contrary, for the fiscal year beginning July 1,
11 2014, and each year thereafter, each distribution expressed as a
12 percentage of adjusted gross receipts found in subsection (c),
13 except subdivisions (1) and (7) of that subsection, and subsection
14 (d), except subdivision (1) of that subsection, section
15 twenty-seven of this article, shall be reduced by fifteen percent.

16 (2) The total amount of reductions resulting from subsection
17 (1) of this section shall be paid into the State Excess Lottery
18 Revenue Fund created in section eighteen-a, article twenty-two of
19 this chapter.

20 **ARTICLE 25. AUTHORIZED GAMING FACILITY.**

21 **§29-25-22b. Changes in distribution of adjusted gross receipts and**
22 **net terminal income.**

1 (1) Notwithstanding any provision of section twenty-two of
2 this article to the contrary, for the fiscal year beginning July 1,
3 2014, and each year thereafter, after payment of the commission's
4 expenses pursuant to subsection (b), section twenty-two of this
5 article, each distribution made in subsection (d) of section
6 twenty-two from the balance of the Historic Resort Hotel Fund,
7 except subdivisions (1) and (2) of that subsection, shall be
8 reduced by fifteen percent.

9 (2) For the fiscal year beginning July 1, 2014, and each year
10 thereafter, distributions made pursuant to subsection (a), section
11 twenty-two-a of this article shall be reduced by fifteen percent.

12 (3) The total amount of reductions resulting from subsections
13 (1) and (2) of this section shall be paid into the State Excess
14 Lottery Revenue Fund created in section eighteen-a, article
15 twenty-two of this chapter.

NOTE: The purpose of this bill is to effect a fifteen percent reduction in all statutory transfers that are made outside of the budget process and redirect those funds to the State Excess Lottery Revenue Fund.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.

§29-22A-10d, §29-22A-10e, §29-22B-1409, §29-22C-27a and §29-25-22b are new; therefore, strike-throughs and underscoring have been omitted.