

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 5668

BY DELEGATES HANSHAW (MR. SPEAKER) AND FLUHARTY

[Passed March 9, 2024; in effect ninety days from
passage.]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §29-22-30, relating to the creation of the Responsible Gaming and Research
3 and Industry Development Act; creating a short title; providing for gaming data collection
4 by West Virginia University; permitting sharing of such data for research purposes,
5 exempting the data from the Freedom of Information Act; requiring and providing for
6 preparation of the report; requiring West Virginia University of develop new programs or
7 expand upon existing programs relating to responsible gaming, entertainment, and
8 hospitality.

Be it enacted by the Legislature of West Virginia:

ARTICLE 22. STATE LOTTERY ACT.

**§29-22-30. Responsible Gaming and Research and Industry Development Act; gaming data
research and analysis for scholarly purposes; higher education curriculum
development; preparation of report.**

1 (a) *Short Title* – The provisions of this section may be cited as “The Responsible Gaming
2 and Research and Industry Development Act.”

3 (b)(1) For the purposes of research only, West Virginia University shall be permitted to
4 analyze transactional data and metrics of the type collected and maintained by the West Virginia
5 Lottery as of March 1, 2024, related to gaming operations conducted in the state. For purposes
6 of this section, “transactional data and metrics” refers to items such as demographic data, usage
7 data, utilization of responsible gaming features, account suspension, complaints and financial
8 information, including deposits, withdrawals, bonus usage, balance statements and bet-level
9 data, as determined in the sole discretion of the West Virginia Lottery.

10 (2) Data provided by the West Virginia Lottery to West Virginia University for research
11 purposes pursuant to this section is:

12 (A) To be transmitted in an anonymized manner by the West Virginia Lottery to West
13 Virginia University, through hashing or other means, and excluding all personally identifiable
14 information;

15 (B) Not a public record; and

16 (C) Is exempt from public inspection and copying under the West Virginia Freedom of
17 Information Act, §29B-1-1 *et seq.* of this code.

18 (3) The university, upon receiving data, shall not disclose the data provided to this section
19 to any person, except:

20 (A) For the purpose of conducting the research described in this section;

21 (B) As part of a peer-reviewed research report; or

22 (C) To gaming operators pursuant to a written request delivered to the West Virginia
23 Lottery.

24 (c) West Virginia University shall develop a new program or alter or expand existing
25 programs to include courses, training, certificates, initiatives or other methods designated to foster
26 innovation in gaming technology development, and prepare students for careers in racing,
27 gaming, gaming operations, hospitality management, guest relations, entertainment, and other
28 amenities typically offered in conjunction with gaming operations.

29 (d) Commencing on January 1, 2026, and continuing annually thereafter, the State Lottery
30 Commission, or a successor agency or agencies, shall annually cause a comprehensive report
31 to be prepared and distributed to the Joint Committee on Government and Finance on the impact
32 of casino, video lottery, iGaming, racing, iLottery, and sports wagering on players and on the
33 state's economy, innovation in gaming technologies and gaming operations resulting from West
34 Virginia University's research authorized under this section, curriculum developed to educate
35 future leaders in the state's gaming and racing industries, and policy proposals developed by the
36 West Virginia Lottery from the research authorized under this section. The report shall be
37 prepared and distributed with the cooperation of West Virginia University.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect ninety days from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2024.

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Governor