

GAMING IN THE COMMONWEALTH

Gaming in the Commonwealth, 2019

Responsible gaming plan ► The General Assembly may wish to consider including in any legislation authorizing additional forms of gaming a requirement that applicants for a gaming license submit a responsible gaming plan as part of their application and require casino operators to obtain accreditation for responsible gaming practices. (Recommendation 1)

Self-exclusion program ► The General Assembly may wish to consider including in any legislation authorizing additional forms of gaming a requirement that Virginia's gaming oversight agency develop and administer a voluntary self-exclusion program and implement the program before any casinos open. (Recommendation 2)

Evaluating problem gambling prevention and treatment efforts ► The General Assembly may wish to consider including in any legislation authorizing additional forms of gaming a requirement that the Department of Behavioral Health and Developmental Services contract with a university or other expert to conduct an ongoing evaluation of problem gambling in Virginia and the effectiveness of the state's prevention and treatment efforts. (Recommendation 3)

Funding problem gambling prevention and treatment ► The General Assembly may wish to consider amending the Appropriation Act to establish a dedicated stable funding source for problem gambling prevention and treatment, even if gaming is not expanded, and designate the Department of Behavioral Health and Developmental Services to administer the funding. (Recommendation 4)

Problem gambling prevention and treatment plan ► The General Assembly may wish to consider amending the Appropriation Act to direct the Department of Behavioral Health and Developmental Services to develop a plan and framework for a comprehensive problem gambling prevention and treatment program and to identify key elements, resource needs, and a schedule for implementation. (Recommendation 5)

Competitive casino selection process ► The General Assembly may wish to consider including a requirement in any casino authorizing legislation that casino licenses will be awarded through a competitive selection process. (Recommendation 6)

Casino proposal selection committee ► The General Assembly may wish to consider including a provision in any casino authorizing legislation that establishes a committee to evaluate and select proposals for the operation and development of casinos, and which comprises individuals with business, finance, and operations experience and who represent both the statewide and local perspectives. (Recommendation 7)

Independent consultant to review casino proposals ► The General Assembly may wish to consider including a provision in any casino authorizing legislation that establishes a committee to evaluate and select proposals for the operation and development of casinos, and which comprises individuals with business, finance, and operations experience and who represent both the statewide and local perspectives. (Recommendation 8)

Hiring an independent consultant to review casino proposals ► The General Assembly may wish to consider including language in any casino authorizing legislation that requires casino operators to pay a fee for receiving a casino license. (Recommendation 9)

Background investigations of casino owners and executives ► The General Assembly may wish to consider including a requirement in any casino authorizing legislation that the owners and executive officers of any company applying for a casino operator's license, as well as employees responsible for overseeing and managing the company's operations and finances, submit to in-depth background and financial investigations in order for the company to qualify for a casino license. (Recommendation 10)

Licensure of casino employees and gaming vendors ► The General Assembly may wish to consider including a requirement in any casino authorizing legislation that casino employees and gaming vendors and manufacturers be licensed by the gaming oversight agency and that licenses be awarded only after the prospective employees submit to a background check and a financial investigation appropriate to the position. (Recommendation 11)

Revocable privileges ► The General Assembly may wish to consider including in any casino authorizing legislation a provision that designates state-issued licenses to casino owners or operators, their employees, and vendors as revocable privileges. (Recommendation 12)

Licensing costs ► The General Assembly may wish to consider including language in any casino authorizing legislation that requires all casino personnel and companies subject to licensure to pay licensing fees to help defray the costs of licensure investigations and other licensing activities. (Recommendation 13)

Virginia Lottery Board membership ► If the Virginia Lottery Board's responsibilities are broadened to include governing additional forms of gaming, the General Assembly may wish to consider amending §58.1-4004 of the Code of Virginia to increase the number of lottery board members from five to seven. (Recommendation 14)

Virginia Lottery Board membership ► If the Virginia Lottery Board's responsibilities are broadened to include governing additional forms of gaming, the General Assembly may wish to consider amending §58.1-4004 of the Code of Virginia to designate one member who is a law enforcement officer, one member who is a certified public accountant, and one member who is a licensed and practicing attorney in Virginia. (Recommendation 15)

Virginia Lottery Board conflict of interest ► If the Virginia Lottery Board’s responsibilities are broadened to include governing additional forms of gaming, the General Assembly may wish to consider amending the Code of Virginia §58.1-4004 to require board members to adhere to additional ethics requirements related to the additional forms of gaming designed to prevent board members from engaging in activity that could present, or be perceived to present, a personal or financial conflict of interest. (Recommendation 16)

Virginia Administrative Process Act training for lottery board members ► If the Virginia Lottery Board’s responsibilities are broadened to include governing additional forms of gaming, the lottery should arrange for training to be provided to the board on how to conduct its regulatory responsibilities in conformance with the Virginia Administrative Process Act. (Recommendation 17)

Regulation of grey machines ► The General Assembly may wish to consider amending the Code of Virginia to require the regulation of grey machines to ensure gaming integrity, protection to consumers, protection to businesses hosting the devices, and minimization of the adverse impacts to Virginia’s existing authorized gaming. (Recommendation 18)

OPTION Stakeholder group ► The General Assembly may wish to consider amending the Code of Virginia to require the regulation of grey machines to ensure gaming integrity, protection to consumers, protection to businesses hosting the devices, and minimization of the adverse impacts to Virginia’s existing authorized gaming. (Option 1)

OPTION Preferences in casino selection process for tribal ownership ► The General Assembly may wish to consider amending the Code of Virginia to require the regulation of grey machines to ensure gaming integrity, protection to consumers, protection to businesses hosting the devices, and minimization of the adverse impacts to Virginia’s existing authorized gaming. (Option 2)

OPTION Licensure of nongaming vendors and employees ► The General Assembly could consider including language in any casino authorizing legislation a requirement that nongaming vendors and nongaming employees be licensed by the gaming oversight agency. (Option 3)

OPTION Evaluation of future gaming oversight ► The General Assembly could consider including language in any casino authorizing legislation that requires an evaluation of the roles, responsibilities, and performance of all Virginia gaming oversight agencies after additional forms of gaming have been implemented to determine whether any consolidation of gaming oversight responsibilities is warranted. (Option 4)