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1 SENATE BILL NO. 579

2 Offered January 14, 2026

3 Prefiled January 14, 2026

4 A BILL to amend and reenact §§ 18.2-325 and 18.2-334 of the Code of Virginia and to amend the Code of
5 Virginia by adding a section numbered 18.2-326.1, relating to illegal gambling; online sweepstakes
6 games; civil penalty.

7 Patron—Reeves

8 Referred to Committee for Courts of Justice

9 Be it enacted by the General Assembly of Virginia:

10 1. That §§ 18.2-325 and 18.2-334 of the Code of Virginia are amended and reenacted and that the Code
11 of Virginia is amended by adding a section numbered 18.2-326.1 as follows:

12 § 18.2-325. Definitions.

13 *1. As used in this article, unless the context requires a different meaning:*14 "Gambling device" means (i) any device, machine, paraphernalia, equipment, or other thing, including
15 books, records, and other papers, that is actually used in an illegal gambling operation or activity; (ii) any
16 machine, apparatus, implement, instrument, contrivance, board, or other thing, or electronic or video version
17 thereof, including those dependent upon the insertion of a coin or other object for their operation, that
18 operates, either completely automatically or with the aid of some physical act by the player or operator, in
19 such a manner that, depending upon elements of chance, it may eject something of value or determine the
20 prize or other thing of value to which the player is entitled, provided, however, that the return to the user of
21 nothing more than additional chances or the right to use such machine is not deemed something of value
22 within the meaning of this definition, and provided further that machines that only sell, or entitle the user to
23 obtain, items of merchandise of equivalent value that may differ from each other in composition, size, shape,
24 or color shall not be deemed gambling devices within the meaning of this definition; and (iii) skill games.25 Such devices are no less gambling devices if they indicate beforehand the definite result of one or more
26 operations but not all the operations, nor are they any less a gambling device because, apart from their use
27 or adaptability as such, they may also sell or deliver something of value on a basis other than chance.28 "Illegal gambling" means the making, placing, or receipt of any bet or wager in the Commonwealth of
29 money or other consideration or thing of value, made in exchange for a chance to win a prize, stake, or other
30 consideration or thing of value, dependent upon the result of any game, contest, or any other event the
31 outcome of which is uncertain or a matter of chance, whether such game, contest, or event occurs or is to
32 occur inside or outside the limits of the Commonwealth.33 For the purposes of this subdivision definition and notwithstanding any provision in this section to the
34 contrary, the making, placing, or receipt of any bet or wager of money or other consideration or thing of
35 value shall include includes the purchase of a product, Internet internet access, or other thing made in
36 exchange for a chance to win a prize, stake, or other consideration or thing of value by means of the operation
37 of a gambling device as described in subdivision 3 b, clause (ii) of the definition of "gambling device,"
38 regardless of whether the chance to win such prize, stake, or other consideration or thing of value may be
39 offered in the absence of a purchase.40 "Illegal gambling" also means the (i) playing or offering for play of any skill game; (ii) operating,
41 conducting, or promoting of any online sweepstakes game; and (iii) supporting or assisting in the operating,
42 conducting, or promoting of any online sweepstakes game.43 2. "Interstate gambling" means the conduct of an enterprise for profit that engages in the purchase or sale
44 within the Commonwealth of any interest in a lottery of another state or country whether or not such interest
45 is an actual lottery ticket, receipt, contingent promise to pay, order to purchase, or other record of such
46 interest.

47 3. "Gambling device" includes:

48 a. Any device, machine, paraphernalia, equipment, or other thing, including books, records, and other
49 papers, which are actually used in an illegal gambling operation or activity;50 b. Any machine, apparatus, implement, instrument, contrivance, board, or other thing, or electronic or
51 video versions thereof, including but not limited to those dependent upon the insertion of a coin or other
52 object for their operation, which operates, either completely automatically or with the aid of some physical
53 act by the player or operator, in such a manner that, depending upon elements of chance, it may eject
54 something of value or determine the prize or other thing of value to which the player is entitled, provided,
55 however, that the return to the user of nothing more than additional chances or the right to use such machine
56 is not deemed something of value within the meaning of this subsection; and provided further, that machines

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59 that only sell, or entitle the user to, items of merchandise of equivalent value that may differ from each other
60 in composition, size, shape, or color, shall not be deemed gambling devices within the meaning of this
61 subsection; and

62 e. Skill games.

63 Such devices are no less gambling devices if they indicate beforehand the definite result of one or more
64 operations but not all the operations. Nor are they any less a gambling device because, apart from their use or
65 adaptability as such, they may also sell or deliver something of value on a basis other than chance.

66 4. "Online sweepstakes game" means any game, contest, or promotion in which a prize is awarded based
67 on chance that (i) is available on the internet and accessible on a mobile phone, computer, or similar device;
68 (ii) utilizes a dual currency system of payment allowing the player to exchange the currency for any prize,
69 award, cash, or cash equivalent; and (iii) simulates casino-style gaming, including slot machines, video
70 poker, table games, lottery games, and sports betting.

71 "Operator" includes any person, firm, or association of persons, who conducts, finances, manages,
72 supervises, directs, or owns all or part of an illegal gambling enterprise, activity, or operation.

73 5. "Skill" means the knowledge, dexterity, or any other ability or expertise of a natural person.

74 6. "Skill game" means an electronic, computerized, or mechanical contrivance, terminal, machine, or
75 other device that requires the insertion of a coin, currency, ticket, token, or similar object to operate, activate,
76 or play a game, the outcome of which is determined by any element of skill of the player and that may deliver
77 or entitle the person playing or operating the device to receive cash or cash equivalents, gift cards, vouchers,
78 billets, tickets, tokens, or electronic credits to be exchanged for cash or cash equivalents whether the payoff is
79 made automatically from the device or manually. "Skill game" includes (i) a device that contains a meter or
80 measurement device that records the number of free games or portions of games that are rewarded and (ii) a
81 device designed or adapted to enable a person using the device to increase the chances of winning free games
82 or portions of games by paying more than the amount that is ordinarily required to play the game. "Skill
83 game" does not include any amusement device, as defined in § 18.2-334.6.

84 7. "Unregulated location" means any location that is not regulated or operated by the Virginia Lottery or
85 the Virginia Lottery Board, the Department of Agriculture and Consumer Services, the Virginia Alcoholic
86 Beverage Control Authority, or the Virginia Racing Commission.

87 **§ 18.2-326.1. Penalty for online sweepstakes games.**

88 Any person who operates, conducts, or promotes online sweepstakes games in the Commonwealth or
89 takes any action to support or assist in the operation, conduct, or promotion of online sweepstakes games in
90 the Commonwealth shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000
91 per violation. Any civil penalties collected pursuant to this section shall be paid into the Literary Fund.

92 **§ 18.2-334. Exception to article; private residences.**

93 Nothing in this article shall be construed to make it illegal to participate in a game of chance conducted in
94 a private residence, provided such private residence is not commonly used for such games of chance and
95 there is no operator as defined in subsection 4 of § 18.2-325.