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SENATE BILL NO. 819

Offered January 23, 2026

A BILL to amend and reenact §§ 58.1-4007 and 58.1-4015 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 58.1-4007.4, relating to Virginia Lottery; powers of the Virginia Lottery Board; advertising restrictions; age verification.

Patron—Suetterlein

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. That §§ 58.1-4007 and 58.1-4015 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 58.1-4007.4 as follows:

§ 58.1-4007. Powers of the Board.

A. The Board shall have the power to adopt regulations governing the establishment and operation of a lottery pursuant to this article and sports betting pursuant to Article 2 (§ 58.1-4030 et seq.). The regulations governing the establishment and operation of the lottery and sports betting shall be promulgated by the Board after consultation with the Director. Such regulations shall be in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). The regulations shall provide for all matters necessary or desirable for the efficient, honest, and economical operation and administration of the lottery and sports betting and for the convenience of the purchasers of tickets or shares, the holders of winning tickets or shares, and sports bettors. The regulations, which may be amended, repealed, or supplemented as necessary, shall include the following:

- 1. The type or types of lottery or game to be conducted in accordance with § 58.1-4001.
- 2. The price or prices of tickets or shares in the lottery.
- 3. The numbers and sizes of the prizes on the winning tickets or shares, including informing the public of the approximate odds of winning and the proportion of lottery revenues (i) disbursed as prizes and (ii) returned to the Commonwealth as net revenues.
- 4. The manner of selecting the winning tickets or shares.
- 5. The manner of payment of prizes to the holders of winning tickets or shares.
- 6. The frequency of the drawings or selections of winning tickets or shares without limitation.
- 7. Without limitation as to number, the type or types of locations at which tickets or shares may be sold.
- 8. The method to be used in selling tickets or shares, including the sale of tickets or shares over the Internet.

9. The advertisement of the lottery in accordance with the provisions of § 58.1-4007.4 and subsection E of § 58.1-4022.

10. The licensing of agents to sell tickets or shares who will best serve the public convenience and promote the sale of tickets or shares. No person under the age of 18 shall be licensed as an agent. A licensed agent may employ a person who is 16 years of age or older to sell or otherwise vend tickets at the agent's place of business so long as the employee is supervised in the selling or vending of tickets by the manager or supervisor in charge at the location where the tickets are being sold. Employment of such person shall be in compliance with Chapter 5 (§ 40.1-78 et seq.) of Title 40.1.

11. The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the public. Notwithstanding the provisions of this subdivision, the Board shall not be required to approve temporary bonus or incentive programs for payments to licensed sales agents.

12. Apportionment of the total revenues accruing from the sale of tickets or shares and from all other sources and establishment of the amount of the special reserve fund as provided in § 58.1-4022.

13. Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery.

14. The operation of sports betting pursuant to Article 2 (§ 58.1-4030 et seq.). In adopting such regulations, the Board shall establish a consumer protection program and publish a consumer protection bill of rights. Such program and bill of rights shall include measures to protect sports bettors, as defined in § 58.1-4030, with respect to identity, funds and accounts, consumer complaints, self-exclusion, and any other consumer protection measure the Board determines to be reasonable.

15. The administration of a voluntary exclusion program as provided in § 58.1-4015.1.

The Department shall not be subject to the provisions of Chapter 43 (§ 2.2-4300 et seq.) of Title 2.2; however, the Board shall promulgate regulations, after consultation with the Director, relative to departmental procurement which include standards of ethics for procurement consistent with the provisions of Article 6 (§ 2.2-4367 et seq.) of Chapter 43 of Title 2.2 and which ensure that departmental procurement

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59 will be based on competitive principles.

60 The Board shall have the power to advise and recommend, but shall have no power to veto or modify  
61 administrative decisions of the Director. However, the Board shall have the power to accept, modify or reject  
62 any revenue projections before such projections are forwarded to the Governor.

63 B. The Board shall carry on a continuous study and investigation of the lottery and sports betting  
64 throughout the Commonwealth to:

65 1. Ascertain any defects of this chapter or the regulations issued hereunder which cause abuses in the  
66 administration and operation of the lottery and sports betting and any evasions of such provisions.

67 2. Formulate, with the Director, recommendations for changes in this chapter and the regulations  
68 promulgated hereunder to prevent such abuses and evasions.

69 3. Guard against the use of this chapter and the regulations promulgated hereunder as a subterfuge for  
70 organized crime and illegal gambling.

71 4. Ensure that this law and the regulations of the Board are in such form and are so administered as to  
72 serve the true purpose of this chapter.

73 C. The Board shall make a continuous study and investigation of (i) the operation and the administration  
74 of similar laws that may be in effect in other states or countries, (ii) any literature on the subject that may be  
75 published or available, (iii) any federal laws that may affect the operation of the lottery and sports betting,  
76 and (iv) the reaction of Virginia citizens to the potential features of the lottery and sports betting with a view  
77 to recommending or effecting changes that will serve the purpose of this chapter.

78 D. The Board shall hear and decide an appeal of any denial by the Director of the licensing or revocation  
79 of a license of a lottery agent pursuant to subdivision A 10 of this section and subdivision B 5 of § 58.1-4006.  
80 The Board shall hear and decide an appeal of any penalty, denial of a permit or renewal, or suspension or  
81 revocation of a permit imposed by the Director pursuant to Article 2 (§ 58.1-4030 et seq.).

82 E. The Board shall have the authority to initiate procedures for the planning, acquisition, and construction  
83 of capital projects as set forth in Article 4 (§ 2.2-1129 et seq.) of Chapter 11 and Article 3 (§ 2.2-1819 et seq.)  
84 of Chapter 18 of Title 2.2.

85 F. The Board may adjust the percentage of uncollectible gaming receivables allowed to be subtracted from  
86 adjusted gross revenue, as defined in § 58.1-4030, if it determines that a different percentage is reasonable  
87 and customary in the sports betting industry.

88 **§ 58.1-4007.4. Advertising restrictions.**

89 *The Board shall promulgate regulations for the advertisement of the lottery subject to the following*  
90 *restrictions:*

91 *1. No advertising shall be conducted through email or Short Message Service (SMS) text messages.*

92 *2. Targeted digital advertising using personal data, including through the use of geolocation, consumer*  
93 *profiles, or consumer purchase history, is prohibited.*

94 *3. The use of individual player data for marketing and advertising purposes is prohibited.*

95 *4. Every advertisement shall require a warning that the lottery is only for persons age 18 or older and*  
96 *that playing the lottery can be addictive and include the toll-free telephone number for the Virginia Problem*  
97 *Gambling Helpline.*

98 **§ 58.1-4015. Sale of ticket or share to person younger than 18 years of age prohibited; penalty.**

99 A. No ticket or share shall be sold to or redeemed from any person ~~under the age of eighteen~~ *younger than*  
100 *18 years of age.* Any licensee who knowingly sells or offers to sell or redeem a lottery ticket or share to or  
101 from any person ~~under the age of eighteen~~ *younger than 18 years of age* is guilty of a Class 1 misdemeanor.

102 B. *The Board shall promulgate regulations requiring all lottery terminals to possess proper age*  
103 *verification software to ensure that a consumer is 18 years of age or older. For purposes of this subsection,*  
104 *"terminal" means a device that is authorized by the Department to function in an interactive mode with the*  
105 *Department's computer gaming system or systems for the purpose of issuing tickets, plays, or an electronic*  
106 *facsimile thereof, and entering, receiving, and processing game-related transactions.*