

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: SB819

Patron: Suetterlein

Bill Title: Virginia Lottery; powers of the Virginia Lottery Board; advertising restrictions; age verification.

Bill Summary: Directs the Virginia Lottery Board to promulgate regulations for the advertisement of the lottery, subject to certain restrictions. Such restrictions include prohibitions on email and text message advertising, targeted digital advertising using personal data, and the use of individual player data for marketing and advertising purposes. The bill also requires the Board to promulgate regulations requiring all lottery terminals to possess proper age verification software to ensure that a consumer is 18 years of age or older.

Budget Amendment Necessary: No

Items Impacted: None

Explanation: This bill is not expected to require additional appropriation.

Fiscal Summary: This bill creates age verification requirements and restricts digital marketing. There is no expected cost to implement the provisions of this bill for the Virginia Lottery (Lottery), however, there is a potential unknown negative revenue impact.

Fiscal Analysis: This bill restricts Virginia Lottery (Lottery) advertisement, including targeted digital advertising, text messaging, and the use of individual player data for marketing. It also requires warnings on all advertisements. The Lottery indicates that the advertising restrictions could limit the Lottery's ability to effectively market and could result in a negative impact on Lottery sales. Advertising opt-out and voluntary exclusion program restrictions already exist to restrict communications to players.

In addition, this bill requires the Lottery to promulgate regulations requiring all lottery terminals to have age verification software. The Lottery indicates that requiring players to provide age verification through Lottery self-service terminals could cause additional friction resulting in a negative impact on revenue since some players may prefer to play anonymously, and players may view a request to provide their driver's license as compromising the promised anonymity. Currently, the Lottery requires retailers to adopt safeguards to ensure that they will not sell lottery tickets or pay prizes to persons under the age of 18 years, and the Lottery may suspend or revoke the retailer's license for noncompliance. According to the Lottery, other lottery jurisdictions have experienced negative impacts after requiring driver's license scan at self-service terminals. For example, there has been a 5% decline in annual scratch ticket sales in Texas. There could be a negative profit impact to the Lottery if the same sales friction for adult players were seen in Virginia as has been seen in other states.

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Other: None.