

26109035D

**HOUSE BILL NO. 161****AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Senate Committee on Finance and Appropriations  
on March 3, 2026)

(Patron Prior to Substitute—Delegate Simon)

A *BILL to amend and reenact §§ 58.1-4100 and 58.1-4102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 41 of Title 58.1 an article numbered 12, consisting of sections numbered 58.1-4142 through 58.1-4157, relating to Virginia Lottery; casinos; internet gaming authorized; penalties.*

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 58.1-4100 and 58.1-4102 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 41 of Title 58.1 an article numbered 12, consisting of sections numbered 58.1-4142 through 58.1-4157, as follows:**

**§ 58.1-4100. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Adjusted gross internet gaming revenue" means the amount of money paid as internet wagers minus (i) all winnings and the cash value of merchandise paid out as winnings to bettors and (ii) uncollectible gaming receivables, which shall not exceed two percent, or a different percentage as determined by the Board, of gross revenue minus all cash paid out as winnings to bettors.

"Adjusted gross receipts" means the gross receipts from casino gaming less winnings paid to winners.

"Board" means the Virginia Lottery Board established in the Virginia Lottery Law (§ 58.1-4000 et seq.).

"Casino gaming" or "game" means baccarat, blackjack, twenty-one, poker, craps, dice, slot machines, roulette wheels, Klondike tables, Mah Jongg, electronic table games, hybrid table games, punchboards, faro layouts, numbers tickets, push cards, jar tickets, or pull tabs, or any variation of the aforementioned games, and any other activity that is authorized by the Board as a wagering game or device under this chapter.

"Casino gaming" or "game" includes on-premises mobile casino gaming.

"Casino gaming establishment" means the premises, including the entire property located at the address of the licensed casino, upon which lawful casino gaming is authorized and licensed as provided in this chapter.

"Casino gaming establishment" does not include a riverboat or similar vessel.

"Casino gaming operator" means any person issued a license by the Board to operate a casino gaming establishment.

"Cheat" means to alter the selection criteria that determine the result of a game or the amount or frequency of payment in a game for the purpose of obtaining an advantage for one or more participants in a game over other participants in a game.

"Counter check" means an interest-free negotiable instrument for a specified amount executed by a player and held by the casino that serves as evidence of the casino gaming patron's obligation to pay the casino and that can be exchanged by the casino gaming patron for the specified amount in chips, tokens, credits, electronic credits, electronic cash, or electronic cards.

"Department" means the independent agency responsible for the administration of the Virginia Lottery created in the Virginia Lottery Law (§ 58.1-4000 et seq.).

"Director" means the Director of the Virginia Lottery.

"Eligible host city" means any city described in § 58.1-4107 in which a casino gaming establishment is authorized to be located.

"Entity" means a person that is not a natural person.

"Gaming operation" means the conduct of authorized casino gaming within a casino gaming establishment.

"Gross receipts" means the total amount of money exchanged for the purchase of chips, tokens, electronic credits, electronic cash, or electronic cards by casino gaming patrons. "Gross receipts" shall not include the cash value of promotions or credits provided to and exchanged by casino gaming patrons for chips, tokens, electronic credits, electronic cash, or electronic cards. "Gross receipts" shall also not include uncollectable counter checks.

"Immediate family" means (i) a spouse and (ii) any other person residing in the same household as an officer or employee and who is a dependent of the officer or employee or of whom the officer or employee is a dependent.

"Individual" means a natural person.

"Internet game" means a game that is offered for play through the internet in which an individual wagers money or something of monetary value for the opportunity to win money or something of monetary value.

"Internet gaming" means operating, conducting, or offering for play an internet game.

"Internet gaming account" means an electronic ledger in which all of the following types of transactions

60 *relative to an authorized account holder are recorded: (i) deposits and credits; (ii) withdrawals; (iii) internet*  
61 *wagers; (iv) monetary value of winnings; (v) service or other transaction-related charges authorized by the*  
62 *account holder, if any; and (vi) adjustments to the account.*

63 *"Internet gaming operator" means a person that is issued an internet gaming operator license by the*  
64 *Board pursuant to § 58.1-4143.*

65 *"Internet gaming operator license" means a license issued by the Board to a person to operate, conduct,*  
66 *or offer internet gaming.*

67 *"Internet gaming platform" means an integrated system of hardware, software, applications, including*  
68 *mobile applications, and servers through which an internet gaming operator operates, conducts, or offers*  
69 *internet gaming.*

70 *"Internet gaming platform provider license" means a license issued by the Board to a person for the*  
71 *purpose of providing an internet gaming platform to an internet gaming operator.*

72 *"Internet gaming supplier" means an entity that provides ancillary services, goods, software, or other*  
73 *components necessary for the offering of internet games and the determination of internet gaming outcomes*  
74 *to any internet gaming operator or internet gaming platform provider, including customer identity services,*  
75 *age verification services, geolocation services, payment processing and similar financial services, live*  
76 *internet game studios, and any other providers of internet gaming services authorized by the Department.*

77 *"Internet gaming supplier" does not include telecommunications providers, internet service providers, or any*  
78 *other goods or services not specifically designed for, or designed for use in connection with, internet gaming.*

79 *"Internet gaming supplier license" means a license issued by the Board to a person to act as an internet*  
80 *gaming supplier.*

81 *"Internet wager" means money or something of monetary value risked on an internet game.*

82 *"Internet wagering" means risking money or something of monetary value for the opportunity to win*  
83 *money or something of monetary value on an internet game.*

84 *"Licensee" or "license holder" means any person holding an operator's license under § 58.1-4111.*

85 *"Live dealer internet game" means an internet game conducted by a gaming attendant or gaming*  
86 *equipment, or both, in a live internet game studio in which video is streamed on an internet gaming platform*  
87 *and patrons have the ability to communicate game decisions through the internet gaming platform and may*  
88 *be permitted to interact with game attendants and fellow patrons.*

89 *"Live internet game simulcast" means an internet live feed of a live dealer internet game that is conducted*  
90 *in a live internet game studio and in which participants have the ability to wager in real-time.*

91 *"Live internet game studio" means a physical location that utilizes live video and audio streaming*  
92 *technology to provide an internet gaming licensee with a live internet game simulcast.*

93 *"Mobile application" means an application on a mobile phone or other electronic device through which*  
94 *an individual is able to place an internet wager.*

95 *"On-premises mobile casino gaming" means casino gaming offered by a casino gaming operator at a*  
96 *casino gaming establishment using a computer network of both federal and nonfederal interoperable packet-*  
97 *switched data networks through which the casino gaming operator may offer casino gaming to individuals*  
98 *who have established an on-premises mobile casino gaming account with the casino gaming operator and*  
99 *who are physically present on the premises of the casino gaming establishment, as authorized by regulations*  
100 *promulgated by the Board.*

101 *"Permit holder" means any person holding a supplier or service permit pursuant to this chapter.*

102 *"Person" means an individual, partnership, joint venture, association, limited liability company, stock*  
103 *corporation, or nonstock corporation and includes any person that directly or indirectly controls or is under*  
104 *common control with another person.*

105 *"Preferred casino gaming operator" means the proposed casino gaming establishment and operator thereof*  
106 *submitted by an eligible host city to the Board as an applicant for licensure.*

107 *"Prepaid access instrument" means a system device that allows a casino gaming patron access to funds*  
108 *that have been paid in advance and can be retrieved or transferred at some point in the future through such a*  
109 *device. In order to transfer funds for gaming purposes, a prepaid access instrument shall be redeemed for*  
110 *tokens, chips, credits, electronic credits, electronic cash, electronic cards, or used in conjunction with an*  
111 *approved cashless wagering system or interactive gaming account.*

112 *"Principal" means any individual who solely or together with his immediate family members (i) owns or*  
113 *controls, directly or indirectly, five percent or more of the pecuniary interest in any entity that is a licensee or*  
114 *(ii) has the power to vote or cause the vote of five percent or more of the voting securities or other ownership*  
115 *interests of such entity, and any person who manages a gaming operation on behalf of a licensee.*

116 *"Professional sports" means the same as such term is defined in § 58.1-4030.*

117 *"Promotional free play spend" means the value of the play of a casino game or internet game that does*  
118 *not require the player to provide anything of value in return for that specific instance of play.*

119 *"Qualified entertainment company" means an entity that (i) operates in the Commonwealth; (ii) meets size*  
120 *or revenue thresholds, as established by Board regulation; (iii) conducts outreach in historically*  
121 *underrepresented communities; and (iv) submits documentation of a diversity, equity, and inclusion plan*

122 describing their efforts to promote participation by small businesses and disadvantaged enterprises in  
123 ownership, management, employment, and contracting.

124 "Qualified internet gaming entity" means an entity that offers internet gaming as an operator, platform  
125 provider, or similar, pursuant to a valid license in two or more jurisdictions in the United States.

126 "Security" has the same meaning as provided in § 13.1-501. If the Board finds that any obligation, stock,  
127 or other equity interest creates control of or voice in the management operations of an entity in the manner of  
128 a security, then such interest shall be considered a security.

129 "Sports betting" means the same as such term is defined in § 58.1-4030.

130 "Sports betting facility" means an area, kiosk, or device located inside a casino gaming establishment  
131 licensed pursuant to this chapter that is designated for sports betting.

132 "Supplier" means any person that sells or leases, or contracts to sell or lease, any casino gaming  
133 equipment, devices, or supplies, or provides any management services, to a licensee.

134 "Sweepstakes" means a promotional, advertising, or marketing event, contest, or game, whether played  
135 online or in person, in which a prize or prize equivalent is awarded, either directly or indirectly through  
136 means such as a dual currency system of payment, as determined by the Board, that allows a participant to  
137 exchange the currency for a prize or prize equivalent.

138 "Voluntary exclusion program" means a program established by the Board pursuant to § 58.1-4103 that  
139 allows individuals to voluntarily exclude themselves from engaging in the activities described in subdivision  
140 B 1 of § 58.1-4103 by placing their names on a voluntary exclusion list and following the procedures set forth  
141 by the Board.

142 "Youth sports" means the same as such term is defined in § 58.1-4030.

143 **§ 58.1-4102. Powers and duties of the Board; regulations.**

144 The Board shall have the power and duty to:

145 1. Issue permits and licenses under this chapter and supervise all gaming operations licensed under the  
146 provisions of this chapter, including all persons conducting or participating in any gaming operation. The  
147 Board shall employ such persons to be present during gaming operations as are necessary to ensure that such  
148 gaming operations are conducted with order and the highest degree of integrity.

149 2. Adopt regulations regarding the conditions under which casino gaming shall be conducted in the  
150 Commonwealth and all such other regulations it deems necessary and appropriate to further the purposes of  
151 this chapter.

152 3. Adopt regulations regarding the conditions under which internet gaming shall be conducted in the  
153 Commonwealth, and enter into multijurisdictional agreements as necessary pursuant to the provisions of  
154 Article 12 (§ 58.1-4142 et seq.). Such regulations shall be consistent, to the extent practicable, with the  
155 Board's regulations governing sports betting.

156 4. Issue an operator's license only to a person who meets the criteria of § 58.1-4107.

157 4- 5. Issue subpoenas for the attendance of witnesses before the Board, administer oaths, and compel  
158 production of records or other documents and testimony of such witnesses whenever in the judgment of the  
159 Board it is necessary to do so for the effectual discharge of its duties.

160 ~~5-~~ 6. Order such audits as it deems necessary and desirable.

161 ~~6-~~ 7. Provide for the withholding of the applicable amount of state and federal income tax of persons  
162 claiming a prize or payoff for winning a game and establish the thresholds for such withholdings.

163 8. Investigate and take enforcement action, including issuing cease and desist orders and obtaining  
164 injunctive relief, against a person that offers internet gaming, sports betting, or sweepstakes games in the  
165 Commonwealth without an appropriate license issued by the Board.

166 Article 12.

167 Internet Gaming.

168 **§ 58.1-4142. Authorized internet gaming.**

169 Internet gaming is prohibited except when offered by an internet gaming operator licensed pursuant to the  
170 provisions of this article. Any authorized internet gaming shall comply with the provisions of this article and  
171 any regulations promulgated by the Board related to internet gaming.

172 An internet gaming operator or internet gaming platform provider shall be permitted to offer live internet  
173 game simulcasts from any live internet game studio premises located within the Commonwealth. The Board  
174 shall require all live internet game studios to be licensed as an internet gaming supplier.

175 **§ 58.1-4143. Internet gaming operator license; fees.**

176 A. The Board may issue an internet gaming operator license to a casino gaming operator licensed to  
177 operate a casino gaming establishment in the eligible host cities described in subdivisions A 1 through 4 of  
178 § 58.1-4107. Such internet gaming operator license shall be issued as an amendment to a casino gaming  
179 operator's license issued pursuant to § 58.1-4108. The Board may issue an internet gaming operator license  
180 to a casino gaming operator that submits an application on forms approved by the Board, meets the  
181 qualifications set herein and by the Board in regulations, and pays an initial licensing fee of \$500,000.

182 B. All applicants for an internet gaming operator license that submit an application within 30 days of the  
183 date on which the Department first begins to accept applications for an internet gaming operator license

184 shall be given an equal opportunity to commence offering, conducting, or operating internet gaming in the  
185 Commonwealth upon confirmation by the Board that the applicant's application is complete on the same day.  
186 An internet gaming operator's application for an internet gaming operator license shall be deemed complete  
187 when:

188 1. The casino gaming operator has submitted an application on the form provided by the Board and  
189 remitted the required application fee; and

190 2. The casino gaming operator has submitted a plan for the mitigation of job loss in the gaming industry,  
191 as required by subsection F.

192 C. An internet gaming operator license issued pursuant to this section shall be valid for a period of five  
193 years from the date of issuance or for the remaining duration of the casino gaming operator's license issued  
194 pursuant to § 58.1-4108, whichever is shorter. The fee for renewal of an internet gaming operator license  
195 shall be \$250,000.

196 D. Except as provided in subsection E, an internet gaming operator may offer up to three internet gaming  
197 platforms, either directly or through a licensed internet gaming platform provider. An internet gaming  
198 operator may contract with up to three internet gaming platform providers to operate the internet gaming  
199 platforms on its behalf. Each internet gaming platform shall be offered under a single distinct brand, except  
200 that each internet gaming platform may use a second distinct brand to offer poker. The internet gaming  
201 platforms shall not be required to be branded or co-branded with the brand of the internet gaming operator  
202 or its casino gaming operator. The provisions of this subsection shall not prohibit a holder of an internet  
203 gaming operator license from using fewer than three internet gaming platforms or from using a single brand  
204 to offer both internet poker and other internet games on an internet gaming platform.

205 E. The Board shall allow an internet gaming operator to offer a fourth internet gaming platform if, and  
206 only if, such internet gaming platform provider contracts with a qualified entertainment company to operate  
207 the internet gaming platform.

208 F. As a requirement to be considered for an internet gaming operator license, and as an ongoing  
209 requirement of licensure, a casino gaming operator shall maintain a plan for the mitigation of job loss in the  
210 gaming industry, describing its plan to reduce the impact of internet gaming on jobs in its casino gaming  
211 establishment. The plan shall include, at a minimum, (i) an estimate of the impact of internet gaming on jobs  
212 at the casino gaming establishment, if any; (ii) any plan to retrain impacted employees for jobs associated  
213 with internet gaming; and (iii) any other plan to mitigate any negative impact of internet gaming on jobs at  
214 the casino gaming establishment. The Director shall make the mitigation plan publicly available during the  
215 pendency of the casino gaming operator's application for an internet gaming operator's license and  
216 throughout the term of the internet gaming operator license, including through publication on the  
217 Department's website.

218 G. As a condition of an internet gaming operator license and an internet gaming platform provider  
219 license, each internet gaming operator and internet gaming platform provider shall commit that a minimum  
220 of 25 percent of total annual promotional free play spend offered through the internet gaming platform  
221 associated with the internet gaming platform provider license shall be promotional free play spend  
222 redeemable either through (i) the internet gaming platform or (ii) in-person, on-premises play on casino  
223 gaming at the casino gaming establishment associated with the internet gaming platform provider license.

224 Each licensee subject to this subsection shall maintain adequate records documenting promotional free  
225 play spend offered (i) through the internet gaming platform and (ii) at the casino gaming establishment  
226 associated with the internet gaming platform provider license.

227 The Board shall promulgate regulations describing the method that shall be used for determining the  
228 value of promotional free play spend for purposes of this subsection.

229 **§ 58.1-4144. Internet gaming platform provider license; fees; temporary internet gaming platform**  
230 **authorization.**

231 A. The Board may issue an internet gaming platform provider license to a platform provider that submits  
232 an application on forms approved by the Board, meets the qualifications set by the Board in regulations, and  
233 pays an application fee of \$2 million concurrently with its internet gaming operator license.

234 B. The Board may use information obtained from the applicant in connection with such applicant's sports  
235 betting permit issued pursuant to the provisions of Article 2 (§ 58.1-4030 et seq.) of Chapter 40, or  
236 information furnished by the applicant to other jurisdictions in which the applicant is authorized to conduct  
237 internet gaming.

238 C. A qualified internet gaming entity may submit to the Board a request for a temporary internet gaming  
239 platform provider license. Such request shall include a supplemental platform fee of \$10,000 payable to the  
240 Board. Upon receiving a request for a temporary license, the Director shall review the request. If the  
241 Director determines that the entity requesting the temporary license is a qualified internet gaming entity and  
242 has paid the temporary licensing fee, the Board shall authorize the qualified internet gaming entity to  
243 conduct internet gaming for a period of one year under a temporary license or until a final determination on  
244 its internet gaming platform provider license application is made, whichever is later.

245 D. An internet gaming platform provider license issued pursuant to this section shall be valid for a period

246 of five years from the date of issuance. An internet gaming platform provider shall pay a platform renewal fee  
247 of \$1 million per internet gaming platform concurrently with its internet gaming operator license renewal.

248 E. All applicants for an internet gaming platform provider license that submit an application within 30  
249 days of the date on which the Department first begins to accept applications for an internet gaming platform  
250 provider license shall be given an equal opportunity to commence offering, conducting, or operating internet  
251 gaming in the Commonwealth on the same day, provided the internet gaming operator with whom the  
252 applicant has contracted has submitted a complete application.

253 **§ 58.1-4145. Multijurisdictional contracts permitted.**

254 The Board may enter into agreements with other jurisdictions to facilitate, administer, and regulate  
255 multijurisdictional internet gaming by internet gaming operators to the extent that entering into the  
256 agreement is consistent with state and federal laws and if the internet gaming conducted under such  
257 agreement is conducted only in the United States.

258 **§ 58.1-4146. Age and identity requirements; verification; geolocation.**

259 A. An internet gaming operator shall provide, or shall require its internet gaming platform provider to  
260 provide, one or more mechanisms on the internet gaming platform that the internet gaming operator uses that  
261 are designed to reasonably verify that an individual is 21 years of age or older and that internet wagering is  
262 limited to transactions that are initiated and received or otherwise made by an authorized participant located  
263 in the Commonwealth or, if the Board authorizes multijurisdictional internet gaming, another jurisdiction in  
264 the United States authorized by such multijurisdictional agreement.

265 B. An individual who wishes to place an internet wager pursuant to the provisions of this article shall  
266 satisfy the verification requirements pursuant to subsection A before such individual may establish an  
267 internet wagering account or make an internet wager on an internet game offered by the internet gaming  
268 operator.

269 C. An internet gaming operator shall include, or shall require its internet gaming platform provider to  
270 include, mechanisms on its internet gaming platform that are designed to detect and prevent the unauthorized  
271 use of internet wagering accounts and to detect and prevent fraud, money laundering, and collusion.

272 D. Internet gaming operators and internet gaming platform providers may permit patrons to make  
273 deposits and withdrawals from an internet gaming account using the following methods:

- 274 1. Online and mobile payment systems that support online money transfers;
- 275 2. Debit card; and
- 276 3. Any other form approved by the Board.

277 E. A patron shall be permitted to use the same account to participate in internet gaming and sports  
278 betting pursuant to Article 2 (§ 58.1-4030 et seq.) of Chapter 40 with an operator or platform provider  
279 licensed to conduct both internet gaming and sports betting.

280 F. An internet gaming operator, or its internet gaming platform provider, shall not knowingly authorize  
281 any of the following individuals to establish an internet wagering account or knowingly allow them to wager  
282 on internet games offered by the internet gaming operator:

- 283 1. An individual who is younger than 21 years of age; or
- 284 2. An individual who participates in the voluntary exclusion program.

285 G. An internet gaming operator shall display, or shall require its internet gaming platform provider to  
286 display, in a clear, conspicuous, and accessible manner, evidence of the internet gaming operator's internet  
287 gaming license issued pursuant to this article.

288 **§ 58.1-4147. Consumer protections; problem gambling.**

289 A. The Board shall promulgate regulations to promote problem gaming prevention, identification, and  
290 curtailment. Such regulations shall include:

- 291 1. Educating potential gamblers of methods and types of games and fairly informing potential gamblers of  
292 the odds or likelihood of winning such games;
- 293 2. Establishing and administering programs for educating potential gamblers about responsible  
294 gambling, the warning signs of problem or compulsive gambling, and how to prevent and treat problem or  
295 compulsive gambling;
- 296 3. Developing and funding responsible gaming education campaigns coupled with prevention and  
297 education efforts within communities that raise awareness of potential signs or risk factors of problem or  
298 compulsive gambling;
- 299 4. Encouraging the use of harm-minimizing measures by bettors, such as excluding or limiting oneself  
300 from cashing checks and making automated teller machine withdrawals, as well as utilizing limit-setting tools  
301 and personal data and information to make informed decisions about gambling;
- 302 5. Establishing rules and regulations that enable bettors to cool off, self-limit, and self-exclude from  
303 gaming activities statewide and across multiple jurisdictions;
- 304 6. Adopting processes for individuals to express concerns related to problem or compulsive gambling to  
305 the Board;
- 306 7. Developing statewide advertising guidelines to ensure that the marketing of internet gaming is not  
307 targeted to minors and does not include content, themes, and promotions that have special appeal to problem

308 *or compulsive gamblers;*

309 8. *Requiring the electronic posting of signs or notifications on internet gaming platforms that bear a toll-*  
310 *free number for an organization that provides assistance to problem or compulsive gamblers; and*

311 9. *Establishing rules and regulations to limit wagering when such bettor has exhibited signs of problem or*  
312 *compulsive gambling.*

313 B. *The Board shall promulgate rules and regulations that require an internet gaming operator to*  
314 *implement responsible gaming programs. Such rules and regulations shall require an internet gaming*  
315 *operator to develop a strategic implementation plan with the details as to the (i) use of player data and*  
316 *technology to aid in identifying potential problem gamblers; (ii) use of automated triggers to identify and*  
317 *manage accounts of potential problem gamblers; and (iii) levels of intervention and education provided to*  
318 *identified at-risk players, which shall include at a minimum a (a) first phase involving communications with*  
319 *the individual in order to educate the individual on the availability of various responsible gaming features*  
320 *and resources offered by the licensee; (b) second phase that includes a video tutorial displayed to the*  
321 *individual either as one or multiple videos that provide education on the features and resources available;*  
322 *and (c) third phase, when warranted, that includes access to a responsible gaming professional provided by*  
323 *the internet gaming operator to advise the individual on possible corrective actions to address at-risk*  
324 *behavior.*

325 C. *The Board shall work with national and local organizations to provide services for individuals with*  
326 *problem gambling or a betting or gambling disorder and to establish prevention initiatives to reduce the*  
327 *number of individuals with problem gambling or a gambling disorder, including utilizing currently*  
328 *established programs for problem gambling or gambling disorders.*

329 D. *The Board shall annually generate a report outlining activities with respect to problem gambling or*  
330 *gambling disorders, including descriptions of programs, grants, and other resources made available, the*  
331 *number of individuals seeking assistance, the number of individuals who reported completing programs and*  
332 *therapies, and the rate of recidivism, if known to the Board. The Board shall file the annual report with the*  
333 *Governor, the Speaker of the House of Delegates, and the Chair of the Senate Committee on Rules and shall*  
334 *publish such report on its website no later than January 1 of each year.*

335 E. *In order to encourage responsible play, an internet gaming operator shall:*

336 1. *Conspicuously display on each applicable internet website or mobile application a means to initiate a*  
337 *break in play, such as a periodic pop-up message indicating the amount of time an individual has spent on*  
338 *the internet gaming operator's website or mobile application; and*

339 2. *Provide access to an account statement that shall include detailed account activity for at least 12 prior*  
340 *months, including, at a minimum, information relating to deposits, withdrawals, and win and loss statistics.*

341 F. *In order to assist those persons who may have a gambling problem, an internet gaming operator shall:*

342 1. *Cause the words "If you or someone you know has a gambling problem and wants help, call 1-800-*  
343 *GAMBLER," or some comparable language approved by the Department, which language shall include the*  
344 *words "gambling problem" and "call 1-800-GAMBLER," or other helpline phone number or contact*  
345 *information approved by the Department, to be displayed prominently to any person visiting or logged onto*  
346 *an internet gaming platform; and*

347 2. *Provide a mechanism by which an account holder may establish the following controls on internet*  
348 *wagering through the internet gaming account, and at the request of a bettor, share the following information*  
349 *with the Board for the sole purpose of disseminating the request to other internet gaming operators:*

350 a. *A limit on the amount of money deposited within a specified period of time and the length of time the*  
351 *account holder will be unable to participate in internet gaming if the account holder reaches the established*  
352 *deposit limit; and*

353 b. *A temporary suspension of internet gaming through the account holder's internet gaming account for a*  
354 *specified number of hours or days.*

355 G. *The internet gaming operator shall not send internet gaming-related electronic mail to an account*  
356 *holder while his internet gaming account is suspended if the suspension is for at least 72 hours. The internet*  
357 *gaming operator shall provide a mechanism by which an account holder may change these controls, except*  
358 *that the account holder may not change gaming controls until the suspension expires. The account holder*  
359 *shall be permitted to withdraw funds from such account upon proper application therefor.*

360 H. *Prior to the commencement of internet gaming, an internet gaming operator shall submit proposed*  
361 *internal controls for internet gaming operations to the Board for approval, as required by the Board*  
362 *pursuant to regulations.*

363 I. *A person shall not provide or make available computers or other internet access devices in a place of*  
364 *public accommodation in the Commonwealth, including a club or other association, to enable individuals to*  
365 *place internet wagers or play an internet game. The prohibition under this subsection does not apply to an*  
366 *internet gaming operator aggregating, providing, or making available computers or other internet access*  
367 *devices at its own casino gaming establishment.*

368 **§ 58.1-4148. Disposition of inactive, dormant internet gaming accounts.**

369 *All amounts remaining in internet gaming accounts inactive or dormant for such period and under such*

370 conditions as established by regulation by the Board shall be closed. Any funds remaining in the account at  
 371 such time shall be paid 50 percent to the internet gaming operator and 50 percent to the general fund. Before  
 372 closing an internet gaming account pursuant to this section, the internet gaming operator shall attempt to  
 373 contact the account holder by mail, phone, and electronic mail.

374 **§ 58.1-4149. Operating, conducting, or offering internet gaming without a license; penalties.**

375 Any person who operates, conducts, or offers internet gaming without a license is guilty of a Class 6  
 376 felony and subject to a fine of not more than \$25,000 and, in the case of a person other than a natural person,  
 377 to a fine of not more than \$1 million.

378 **§ 58.1-4150. Tampering with equipment; penalties.**

379 A. Any person who knowingly tampers with software, computers, or other equipment used to operate,  
 380 conduct, or offer internet gaming to alter the odds or the payout of a game or disables the game from  
 381 operating according to the rules of the game as promulgated by the Board is guilty of a Class 5 felony and  
 382 subject to a fine of not more than \$50,000 and, in the case of a person other than a natural person, to a fine  
 383 of not more than \$200,000.

384 B. In addition to the penalties provided in subsection A, an employee of a casino gaming operator who  
 385 violates this section shall have his permit revoked and shall be subject to such further penalty as the  
 386 Department deems appropriate.

387 C. In addition to the penalties provided in subsection A, a casino gaming operator that violates this  
 388 section shall have its license to conduct casino gaming suspended for a period determined by the Department  
 389 and shall be subject to such further penalty as the Department deems appropriate.

390 **§ 58.1-4151. Tampering affecting odds, payout; penalties.**

391 A. Any person who knowingly operates, conducts, or offers or allows to be operated, conducted, or  
 392 offered any internet game that has been tampered with in a way that affects the odds or the payout of a game  
 393 or disables the game from operating according to the rules of the game is guilty of a Class 5 felony and  
 394 subject to a fine of not more than \$50,000 and, in the case of a person other than a natural person, to a fine  
 395 of not more than \$200,000.

396 B. In addition to the penalties provided in subsection A, an employee of a casino gaming operator who  
 397 violates this section shall have his permit suspended for a period of not less than 30 days.

398 C. In addition to the penalties provided in subsection A, a casino gaming operator who violates this  
 399 section shall have its license to conduct casino gaming suspended for a period of not less than 30 days.

400 **§ 58.1-4152. Tax on adjusted gross internet gaming revenue.**

401 A. There shall be imposed a tax of 20 percent on an internet gaming operator's adjusted gross internet  
 402 gaming revenue.

403 B. The tax imposed pursuant to this section is due monthly to the Department, and the operator shall remit  
 404 it on or before the twentieth day of the next succeeding calendar month. If the operator's accounting  
 405 necessitates corrections to a previously remitted tax, the operator shall document such corrections when it  
 406 pays the following month's taxes.

407 C. With the exception of licensing fees and the fee imposed pursuant to § 58.1-4156, the tax imposed  
 408 pursuant to this section shall be in lieu of all other taxes and fees imposed on the operation of internet  
 409 gaming or on the proceeds from the operation of internet gaming in the Commonwealth.

410 **§ 58.1-4153. Distribution of tax revenue.**

411 A. Notwithstanding any other provision of law, the Department shall allocate three percent of the tax  
 412 revenue collected pursuant to § 58.1-4152 to the Gaming Regulatory Fund established pursuant to  
 413 § 58.1-4048 for the costs associated with the operation, administration, and enforcement of this article.

414 B. The Department shall allocate two percent of the tax revenue collected pursuant to § 58.1-4152 to the  
 415 Problem Gambling Treatment and Support Fund established pursuant to § 37.2-314.2.

416 C. The Department shall allocate 95 percent of the tax revenue collected pursuant to § 58.1-4152 to the  
 417 Modern Public Education Fund established pursuant to § 58.1-4155.

418 **§ 58.1-4154. Unlicensed sweepstakes games prohibited; civil penalties.**

419 A. Except if conducted by a licensed internet gaming operator, offering or conducting a sweepstakes in  
 420 which a person present in the Commonwealth may participate by paying or proffering something of value,  
 421 including an entry fee for the opportunity to win or receive cash or a cash equivalent, shall constitute illegal  
 422 internet gaming in violation of this section, and shall subject the operator or sponsor, or any officer,  
 423 employee, or agent of the operator or sponsor, to civil liability under this section.

424 B. Any person who violates this section shall, in addition to any other sanctions authorized by law, be  
 425 liable for a civil penalty of not more than \$100,000 for the first offense and not more than \$250,000 for the  
 426 second and each subsequent offense. Each day that such violation continues shall be deemed a separate  
 427 offense.

428 C. The Board, the Office of the Attorney General, and the Department of State Police may conduct  
 429 investigations into violations of this section. The Board and the Office of the Attorney General shall have the  
 430 authority to enforce the provisions of this section, including conducting hearings, issuing cease and desist  
 431 letters, and issuing subpoenas to ensure compliance with the provisions of this section.

432 **§ 58.1-4155. Modern Public Education Fund.**

433 A. There is hereby created in the state treasury a special nonreverting fund to be known as the Modern  
434 Public Education Fund, referred to in this section as "the Fund." The Fund shall be established on the books  
435 of the Comptroller. All distributions pursuant to subsection C of § 58.1-4153 and all funds appropriated for  
436 such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid  
437 into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the  
438 Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each  
439 fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used  
440 solely as provided in the appropriation act for public education purposes. Expenditures and disbursements  
441 from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written  
442 request signed by the Director.

443 **§ 58.1-4156. Economic development fee on adjusted gross internet gaming revenue; distribution.**

444 A. In addition to the tax imposed pursuant to § 58.1-4152, there shall be a fee imposed of six percent on  
445 an internet gaming operator's adjusted gross internet gaming revenue.

446 B. The tax imposed pursuant to this section is due monthly to the Department, and the operator shall remit  
447 it on or before the twentieth day of the next succeeding calendar month. If the operator's accounting  
448 necessitates corrections to a previously remitted tax, the operator shall document such corrections when it  
449 pays the following month's taxes.

450 C. The Department shall allocate the revenue collected pursuant to this section to the Casino Gaming  
451 Hold Harmless Fund established pursuant to § 58.1-4157.

452 **§ 58.1-4157. Casino Gaming Hold Harmless Fund.**

453 A. There is hereby created in the state treasury a special nonreverting fund to be known as the Casino  
454 Gaming Hold Harmless Fund, referred to in this section as "the Fund." The Fund shall be established on the  
455 books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests,  
456 and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest  
457 earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the  
458 Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall  
459 remain in the Fund. Until July 1, 2032, moneys in the Fund shall be used solely for the purposes of  
460 distributing equal monthly payments to casino gaming operators licensed to operate a casino gaming  
461 establishment in the eligible host cities described in subdivisions A 1 through 4 of § 58.1-4107, referred to in  
462 this section as "eligible casino gaming operators." Beginning July 1, 2032, the eligible casino gaming  
463 operators shall be required to demonstrate a loss of revenue attributable to internet gaming in order to  
464 receive such funds. As a condition of receiving such funds and to promote on-premises casino gaming, an  
465 eligible casino gaming operator shall agree to spend no less than 25 percent of the funds received on their  
466 total promotional spending. Expenditures and disbursements from the Fund shall be made by the State  
467 Treasurer on warrants issued by the Comptroller upon written request signed by the Director.

468 B. The Department shall promulgate regulations for the distribution of monthly payments to eligible  
469 casino gaming operators from the Fund. The Board shall also promulgate regulations establishing an annual  
470 schedule for the acceptance of applications from eligible casino gaming operators that are able to  
471 demonstrate, beginning July 1, 2032, to the satisfaction of the Department, that they experienced a loss of  
472 revenue attributable to internet gaming. Any such eligible casino gaming operator seeking to recover from  
473 the Fund on or after July 1, 2032, shall, at a minimum, demonstrate at the time of application a loss of net  
474 revenue compared to the eligible casino gaming operator's net revenue ending June 30, 2027. The  
475 Department shall determine the form and manner in which applications shall be made, the criteria for  
476 verifying the amount of each applicant's revenue loss, and the date on which distributions from the Fund are  
477 to be made.

478 **2. That, by January 1, 2028, the Virginia Lottery Board (the Board) shall promulgate regulations**  
479 **necessary to implement the provisions of this act. The Board's initial adoption of such regulations shall**  
480 **be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), provided**  
481 **that, prior to the final adoption of such regulations, the Board publishes in the Virginia Register of**  
482 **Regulations and posts on the Virginia Regulatory Town Hall an action that provides (i) a 30-day**  
483 **comment period; (ii) a summary of the proposed regulations, the text of the proposed regulations, and**  
484 **the name, address, email address, and telephone number of the agency contact person responsible for**  
485 **receiving public comments; and (iii) the statutory authority to promulgate the regulations.**

486 **3. That the provisions of this act may result in a net increase in periods of imprisonment or**  
487 **commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary**  
488 **appropriation cannot be determined for periods of imprisonment in state adult correctional facilities;**  
489 **therefore, Chapter 725 of the Acts of Assembly of 2025 requires the Virginia Criminal Sentencing**  
490 **Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of**  
491 **Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of**  
492 **commitment to the custody of the Department of Juvenile Justice.**

493 **4. That the provisions of this act shall not become effective unless reenacted by the 2027 Session of the**

494 General Assembly.

**SENATE SUBSTITUTE**

**HB161S1**