



WEST VIRGINIA SECRETARY OF STATE

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ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Lottery Commission

TITLE-SERIES: 179-10

RULE TYPE: Legislative

CITE STATUTORY AUTHORITY: §§29-22E-4(c), 29-22A-1 et seq., 29-A-3-15e),

RULE NAME: 179-10 West Virginia Lottery Interactive Wagering Rule

PLEASE SELECT A SUNSET PROVISION OPTION:

EXTEND THE SUNSET DATE OF THE RULE.

5 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS INCORPORATED BY REFERENCE

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

The West Virginia Interactive Wagering Rule sets forth the guidelines for regulating the operation of interactive wagering in WV. Interactive wagering is the wagering of money on the outcome of a game using the Internet. It includes poker and online casino games. The Rule provides regulations that the Commission considers necessary for the implementation of interactive wagering. The Rule requires certain systems to monitor and safeguard the placing of wagers on-site or via mobile applications, thus ensuring only individuals who are 21 years of age or older and are located in the state of West Virginia, may wager.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

The Interactive Wagering Rule is set to expire in 18 months on August 1, 2026. The Lottery is requesting an extension of the sunset date to August 1, 2031, without any amendments pursuant to W. Va. Code §29A-3A-20 (e).

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

Based on a privilege tax rate of 15%, interactive wagering generated \$28.6M in FY2024; projected revenue for FY2025 is \$16M; and projected revenue for FY2026 is 24.7M.

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

Based on a privilege tax rate of 15%, interactive wagering generated \$28.6M in FY2024; projected revenue for FY2025 is \$16M; and projected revenue for FY2026 is \$24.7M.

C. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2025 Increase/Decrease (use "-")	2026 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0	0	0
Personal Services	0	0	0
Current Expenses	0	0	0
Repairs and Alterations	0	0	0
Assets	0	0	0
Other	0	0	0
2. Estimated Total Revenues	\$16M	\$24.7M	0

D. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

Revenue has exceeded yearly projections since the implementation of the WV Lottery Interactive Wagering Act.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Anoop Bhasin -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.