



WEST VIRGINIA SECRETARY OF STATE

KRIS WARNER

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: 179-01

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: W. Va. Code §§ 29-22-5, 29-22-9(b), 29-22-9(c), 29-22-10, 29-22-16, and 29-22-17

RULE NAME: 179-01 West Virginia Lottery State Lottery Rules

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 Lottery State Lottery Rules clarify and provide regulations that the Lottery Commission considers necessary for the successful administration and enforcement of the West Virginia State Lottery Act. Since its implementation, the Rule has proven to be a valuable regulatory framework that enables the lawful operation of traditional and mobile lottery draw games and instant scratch-off ticket sales throughout the state. The rule allows licensed retailers to offer a wide range of traditional lottery games, including instant scratch-off tickets, Daily 3 and Daily 4, Cash 25, Mega Millions, and Powerball tickets.

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

This regulated market has generated \$6.8 billion revenue (1986-2025), providing a steady and significant funding source for programs that benefit all West Virginians. Revenues from traditional sales support education, senior services, and tourism, helping to fund essential public needs without increasing the tax burden on residents. Extending the sunset date of the West Virginia Lottery State Lottery Rules is critical to sustaining these public benefits. It ensures continued oversight of Traditional gaming, protects consumers, prevents illegal market activity, and preserves an important revenue stream that directly supports good causes across the state.

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

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

Traditional Lottery sales generated in FY 2025 \$237.1M. Projected revenue for FY2026 is \$233M, and FY2027 is \$227M.

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

Traditional Lottery sales generated in FY 2025 \$237.1M. Projected revenue for FY2026 is \$233M, and FY2027 is \$227M.

C. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2026 Increase/Decrease (use "-")	2027 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost			
Personal Services			
Current Expenses			
Repairs and Alterations			
Assets			
Other			
2. Estimated Total Revenues	237,100,000	233,000,000	227,000,000

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

Revenue has exceeded yearly projections since the implementation of WV State Lottery 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.