

HOUSE BILL NO. 195

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws

on _____)

(Patron Prior to Substitute--Delegate Martinez)

A BILL to amend and reenact § 18.2-340.36:1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 59.1-404.1, relating to gaming in the Commonwealth; prohibition on use of term "casino" by non-casino gaming operators; civil penalties.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-340.36:1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 59.1-404.1 as follows:

§ 18.2-340.36:1. Civil penalty.

A. Any person or organization, whether permitted or qualified pursuant to this article or not, that (i) conducts charitable gaming without first obtaining a permit to do so; (ii) continues to conduct such games after revocation or suspension of such permit; (iii) uses the term "casino" in its entity name, in any advertisement in association with its product or service, or in any manner prohibited by Department regulations; or (iv) otherwise violates any provision of this article shall, in addition to any other penalties provided, be subject to a civil penalty of not less than \$25,000 and not more than \$50,000 per incident. Any civil penalties collected pursuant to this section shall be payable to the State Treasurer for remittance to the Department.

B. Any electronic gaming manufacturer, whether permitted pursuant to this article or not, shall, in addition to any other penalties provided, be subject to the penalty identified in subsection A for any violation of any provision of this article.

§ 59.1-404.1. Use of "casino" in entity name, advertising, etc., prohibited; civil penalty.

A. No person licensed pursuant to the provisions of this chapter or applicant for licensure under the provisions of this chapter shall use the term "casino" in its entity name, in any advertisement in

27 association with its product or service, or in any manner prohibited by Commission regulations. Any such
28 licensee or applicant that violates the provisions of this section shall be subject to a civil penalty of not
29 more than \$50,000. The Executive Secretary shall enforce the provisions of this section.

30 B. All civil penalties collected pursuant to this section shall accrue to the State Racing Operations
31 Fund established in § 59.1-370.1.

32 #