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SENATE JOINT RESOLUTION NO. 24

Offered January 12, 2022

Prefiled January 11, 2022

Establishing a joint subcommittee to study the necessity for and feasibility of the creation of a unified gaming commission to oversee, regulate, and enforce violations of all types of legal gaming in the Commonwealth. Report.

Patrons—Reeves; Delegate: Krizek

Referred to Committee on Rules

WHEREAS, the Commonwealth of Virginia has seen an expansion in the types of legalized gaming over the past decade, and there has been an increased interest in the expansion of charitable gaming and the legalization of games of skill and electronic video game terminals; and

WHEREAS, there are currently three separate entities governing the oversight of gaming in the Commonwealth; and

WHEREAS, several states combine multiple types of gaming into a single agency, and New York has a single gaming commission that oversees all forms of legal gaming; and

WHEREAS, the Joint Legislative Audit and Review Commission (JLARC) conducted a study in 2019 that focused largely on casino gaming in the Commonwealth and noted in its report that Virginia's oversight approach should be evaluated over time if additional forms of gaming are authorized; and

WHEREAS, in conducting the 2019 gaming study, JLARC staff did not evaluate whether Virginia's authorized forms of gaming at the time should be subsumed by a new regulatory structure; and

WHEREAS, consolidation of gaming oversight and enforcement responsibilities could allow for consistency across gaming regulations and a more efficient and focused use of staffing resources; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee of the Senate Committee on General Laws and Technology, the Senate Committee on the Judiciary, the House Committee on General Laws, and the House Committee for Courts of Justice be established to study the necessity for and feasibility of the creation of a unified gaming commission to oversee, regulate, and enforce violations of all types of legal gaming in the Commonwealth. The joint subcommittee shall have a total membership of eight members that shall consist of two members from each committee, to be appointed by the respective committee chairmen.

The joint subcommittee shall elect a chairman and vice-chairman from among its membership.

In conducting its study, the joint subcommittee shall analyze and make recommendations, as appropriate, regarding (i) the current types of games operating legally and illegally in the Commonwealth; (ii) any enforcement mechanisms and efforts currently taking place; (iii) the staffing and regulatory oversight needed to eliminate illegal gaming; (iv) an analysis of state-by-state tax rates on gaming; (v) the appropriate amount of funding to provide for stricter enforcement of gaming laws in the Commonwealth, including the potential creation of a special division within the Department of State Police; and (vi) the resources and funding needed for local attorneys for the Commonwealth to effectively oversee the investigation and prosecution of illegal gaming activities in the Commonwealth.

Administrative staff support shall be provided by the Office of the Clerk of the Senate. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

No recommendation of the joint subcommittee shall be adopted if a majority of the Senate members or a majority of the House members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

The joint subcommittee shall complete its meetings by November 30, 2022, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2023 Regular Session of the General Assembly. The executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint

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59 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
60 delay the period for the conduct of the study, or authorize additional meetings during the 2022 interim.