

Enrolled Senate Bill 83

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CHAPTER

AN ACT

Relating to devices for playing state lottery games; creating new provisions; and amending ORS 461.215 and 461.217.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 461.

SECTION 2. Devices for playing lottery games, including video lottery game terminals, operated under the authority of the Oregon State Lottery Commission are exempted from the provisions of 15 U.S.C. 1172.

SECTION 3. ORS 461.215 is amended to read:

461.215. (1) The Oregon State Lottery Commission may initiate a game or games using video devices, the proceeds from which shall be transferred to the Administrative Services Economic Development Fund for allocation as provided by law.

(2) In the approval and purchase of video lottery games, game terminals and equipment, the lottery commission and any game operator, distributor, retailer or owner shall prefer goods or services that have been manufactured in this state if price, fitness and quality are otherwise equal.

(3) The lottery commission shall separately record and account for the costs and net proceeds of games operated under this section. At such time as the lottery commission makes the quarterly transfer of net proceeds provided for by ORS 461.540, it shall certify to the Oregon Department of Administrative Services the amount of such transfer which represents the net proceeds of games provided for in subsection (1) of this section.

[(4) Video lottery terminals operated under authority of the lottery commission are specifically exempted from the provisions of 15 U.S.C. §1172.]

SECTION 4. ORS 461.217 is amended to read:

461.217. (1) As used in this section, "video lottery game retailer" means a contractor under contract with the Oregon State Lottery to place video lottery game terminals on premises authorized by the contract.

(2) A video lottery game terminal that offers a video lottery game authorized by the Director of the Oregon State Lottery:

(a) May be placed for operation only **in or** on the premises of an establishment that has a contract with the Oregon State Lottery as a video lottery game retailer.

(b) *[The terminal]* Must be within the control of an employee of the video lottery game retailer.

(c) *[A terminal]* May not be placed in any other business or location.

(3) A video lottery game terminal may be placed only on the premises of an establishment licensed by the Oregon Liquor Control Commission with a full on-premises sales license, a limited on-premises sales license or a brewery-public house license. A video lottery game terminal may be placed only in that part of the premises that is posted by the Oregon Liquor Control Commission as being closed to minors. In addition to the requirements of this subsection, the director may by rule establish [such] other criteria and conditions as the director determines appropriate for the placement of video lottery game terminals in establishments.

(4) No more than six video lottery **game** terminals may be placed in or on premises described in subsection (3) of this section.

(5) No more than 10 video lottery game terminals may be placed **in or** on the premises of a race meet licensee licensed under ORS 462.020 that qualifies as a video lottery game retailer.

Passed by Senate February 16, 2009

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Secretary of Senate

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President of Senate

Passed by House May 20, 2009

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Speaker of House

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State