

Senate Bill 83

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Oregon State Lottery)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Exempts devices for playing state lottery games from federal law prohibiting transport of gambling devices.

A BILL FOR AN ACT

1
2 Relating to devices for playing state lottery games; creating new provisions; and amending ORS
3 461.215 and 461.217.

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

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

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

9 **SECTION 3. ORS 461.215 is amended to read:**

10 461.215. (1) The Oregon State Lottery Commission may initiate a game or games using video
11 devices, the proceeds from which shall be transferred to the Administrative Services Economic De-
12 velopment Fund for allocation as provided by law.

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

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

21 *[(4) Video lottery terminals operated under authority of the lottery commission are specifically ex-*
22 *empted from the provisions of 15 U.S.C. §1172.]*

23 **SECTION 4. ORS 461.217 is amended to read:**

24 461.217. (1) As used in this section, "video lottery game retailer" means a contractor under
25 contract with the Oregon State Lottery to place video lottery game terminals on premises author-
26 ized by the contract.

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

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

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

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

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

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

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

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

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