

Requested by Representative BOSHART DAVIS

**PROPOSED AMENDMENTS TO
HOUSE BILL 3078**

1 In line 2 of the printed bill, after the semicolon delete the rest of the line
2 and insert “creating new provisions; amending ORS 461.820; and declaring
3 an emergency.”.

4 Delete lines 4 through 18 and insert:

5 **“SECTION 1.** ORS 461.820 is amended to read:

6 “461.820. (1) The Oregon State Lottery Commission shall operate the
7 Oregon State Lottery, in compliance with the Oregon State Lottery Respon-
8 sible Gambling Code of Practice described in ORS 461.200:

9 “(a) In environments that:

10 “(A) Encourage responsible gambling practices; and

11 “(B) Discourage problem gambling.

12 “(b) In a manner that:

13 “(A) Empowers individuals to make informed decisions about playing lot-
14 tery games by providing information about responsible gambling and problem
15 gambling; and

16 “(B) Minimizes harm to individuals, families and communities caused by
17 problem gambling.

18 “(2) The lottery commission shall:

19 “(a) Evaluate the operation of the state lottery annually, using
20 stakeholder interviews, research and analysis of best in class gambling
21 practices and consultations with researchers in the responsible or problem

1 gambling community.

2 “(b) Use a dynamic approach to developing new practices to facilitate
3 responsible gambling and to discourage problem gambling.

4 “(c) Rely on research to inform all areas of responsible gambling and
5 problem gambling resource awareness efforts, providing adequate funding to
6 support high-quality research that is performed by independent researchers
7 and that protects the rights of human subjects.

8 “(d) Engage a wide range of stakeholders in the responsible or problem
9 gambling community to provide input regarding the development of lottery
10 games and game marketing and advertising.

11 “(e) Promote a shared sense of responsibility with lottery game retailers
12 and educate lottery game retailers and retailers’ employees about how to
13 provide an environment to facilitate responsible gambling and discourage
14 problem gambling.

15 “(f) Promote a shared sense of responsibility with state lottery employees
16 and educate those employees about how to facilitate awareness of responsible
17 gambling and problem gambling resources for assistance.

18 “(g) Apply evidence-based considerations to the implementation of lottery
19 games and game features to facilitate informed decision-making by lottery
20 players and discourage problem gambling, including the incorporation of
21 features that:

22 “(A) Inform lottery players about the game being played;

23 “(B) Provide lottery players with information about the status of their
24 gambling and an opportunity to take a break from gambling; and

25 “(C) Provide lottery players with information about responsible gambling
26 and problem gambling resources.

27 “(h) Integrate messages that promote informed decision-making by lottery
28 players into a variety of broadly disseminated communications, including
29 advertising and marketing, about lottery games.

30 “(i) Use communications, including advertising and marketing, that:

1 “(A) Do not appeal specifically to vulnerable groups, including individuals
2 under 18 years of age; and

3 “(B) Report accurately the odds of winning lottery games.

4 **“(3) Prior to authorizing any lottery game that is playable on a
5 personal electronic device, the lottery commission shall ensure that:**

6 **“(a) Robust age verification procedures are in place to ensure that
7 no person under 21 years of age can play lottery games through an
8 Oregon State Lottery digital player account;**

9 **“(b) Responsible gambling features relevant to the games playable
10 on a personal electronic device are available to players, including:**

11 **“(A) Self-assessment tools;**

12 **“(B) Permanent and temporary self-exclusion options;**

13 **“(C) Personal limits such as loss limits or time outs;**

14 **“(D) The ability for players to review their personal account activ-
15 ity;**

16 **“(E) The ability to time out or self-exclude from marketing; and**

17 **“(F) The ability to connect directly to problem gambling resources;**

18 **“(c) Problem gambling resources and messaging are prominently
19 featured; and**

20 **“(d) Vendors have been trained in responsible gambling best prac-
21 tices.**

22 **“SECTION 2. (1) The Legislative Policy and Research Director shall
23 study and make recommendations regarding high-velocity gambling
24 using personal electronic devices. The director shall:**

25 **“(a) Recommend a formal definition of high-velocity gambling;**

26 **“(b) Make recommendations relating to the prohibition of high-
27 velocity gambling using personal electronic devices;**

28 **“(c) Review and consider the treatment by other states of high-
29 velocity gambling using personal electronic devices; and**

30 **“(d) Solicit and consider input from relevant subject matter experts,**

1 **which must include:**

2 **“(A) At least two representatives from Indian tribes in Oregon;**

3 **“(B) At least two lottery game retailers, as defined in ORS 461.010;**

4 **“(C) At least two individuals with expertise or experience in gam-**
5 **bling addiction;**

6 **“(D) The chairperson and vice chairperson or vice chairpersons of**
7 **the standing or interim House Committee on General Government, or**
8 **their designees; and**

9 **“(E) The chairperson and vice chairperson or vice chairpersons of**
10 **the standing or interim Senate Committee on Labor and Business, or**
11 **their designees.**

12 **“(2) The director shall submit a report on the director’s findings to**
13 **an appropriate interim committee of the Legislative Assembly no later**
14 **than September 15, 2021.**

15 **“SECTION 3. (1) The Oregon State Lottery Commission and the**
16 **Oregon State Lottery may not initiate or operate any new lottery**
17 **game for which tickets or shares may be purchased via a personal**
18 **computer, mobile device or other personal electronic device.**

19 **“(2) As used in this section, ‘new lottery game’ means a lottery**
20 **game, as defined in ORS 461.010, that was not initiated or operated**
21 **before the effective date of this 2021 Act.**

22 **“SECTION 4. Section 3 of this 2021 Act is repealed on July 1, 2022.**

23 **“SECTION 5. This 2021 Act being necessary for the immediate**
24 **preservation of the public peace, health and safety, an emergency is**
25 **declared to exist, and this 2021 Act takes effect on its passage.”.**

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