

# House Bill 2366

Sponsored by Representative LEVY B; Representative SCHARF, Senator WEBER (Presession filed.)

## 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act changes the way that lottery moneys are transferred to counties. (Flesch Readability Score: 67.7).

Provides that a fixed percentage of certain forecasted video lottery revenues be transferred to counties for economic development.

Provides that disbursements to counties from video lottery revenues be adjusted to compensate for differences between the biennium's forecasted revenues and actual revenues.

Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to lottery revenues; creating new provisions; amending ORS 320.005 and 461.547; and pre-  
3 scribing an effective date.

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

5 **SECTION 1.** ORS 461.547 is amended to read:

6 461.547. (1) **Each biennium**, the Oregon [*State Lottery Commission*] **Department of Adminis-**  
7 **trative Services** shall transfer an amount equal to 2.5 percent of the net **forecasted** receipts from  
8 video lottery games allocated to the Administrative Services Economic Development Fund to coun-  
9 ties for economic development activities. Ninety percent of the moneys shall be distributed to each  
10 county in proportion to the gross receipts from video lottery games from each county. Ten percent  
11 of the moneys shall be distributed in equal amounts to each county. **The Oregon State Lottery**  
12 **Commission shall determine and inform the department of the amounts to be transferred**  
13 **under this subsection.**

14 **(2) During the eighth fiscal quarter of each biennium:**

15 **(a) The commission shall determine and inform the department of the amount of net**  
16 **actual receipts from video lottery games allocated to the Administrative Services Economic**  
17 **Development Fund in the biennium;**

18 **(b) The commission shall determine and inform the department of the amount that each**  
19 **county would have received under subsection (1) of this section in the biennium had the**  
20 **transfer been based on the net actual receipts determined under paragraph (a) of this sub-**  
21 **section in place of the net forecasted receipts described in subsection (1) of this section;**

22 **(c) If the amount determined for a county under paragraph (b) of this subsection is**  
23 **greater than the actual amount received under subsection (1) of this section by the county**  
24 **in the biennium, the department shall, during the first fiscal quarter of the subsequent**  
25 **biennium, disburse the difference to the county; and**

26 **(d) If the amount determined for a county under paragraph (b) of this subsection is less**  
27 **than the actual amount received under subsection (1) of this section by the county in the**  
28 **biennium, the department shall decrease one or more future disbursements to the county under**

**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 **subsection (1) of this section until the amount of the difference has been deducted.**

2 [(2)] (3) As used in this section:

3 (a) "Gross receipts from video lottery games" means the amount of money inserted into video  
4 lottery games plus the value of any free game prizes used by players for subsequent games.

5 (b) "Net **actual** receipts from video lottery games" means the amount of money that is received  
6 from the operation of video lottery games after the payment of prizes but prior to any other pay-  
7 ment.

8 (c) "**Net forecasted receipts from video lottery games**" means the amount of money that  
9 is forecasted to be received from the operation of video lottery games, after the payment of  
10 prizes but prior to any other payment, in the last revenue forecast published in the previous  
11 biennium by the department.

12 **SECTION 2. The amendments to ORS 461.547 by section 1 of this 2025 Act become oper-**  
13 **ative on July 1, 2026.**

14 **SECTION 3.** ORS 320.005 is amended to read:

15 320.005. As used in ORS 320.005 to 320.150, unless the context requires otherwise:

16 (1) "Amusement device" means a video lottery game terminal, including but not limited to any  
17 electronic, mechanical-electronic or nonmechanical device that:

18 (a) Displays a ticket through the use of a video display screen;

19 (b) Is available for consumer play upon the payment of consideration;

20 (c) Determines winners through the element of chance; and

21 (d) Displays possible prizes on the device.

22 (2) "Department" means the Department of Revenue.

23 (3) "Net receipts" has the meaning given the term "net **actual** receipts from video lottery  
24 games" under ORS 461.547.

25 (4) "Operate" means to make an amusement device available for use by the public for gain,  
26 benefit or advantage.

27 (5)(a) "Person" means every individual, partnership (limited or not), corporation (for-profit or  
28 not-for-profit), company, cooperative, joint stock company, joint venture, firm, business trust, asso-  
29 ciation, organization, institution, club, society, receiver, assignee, trustee in bankruptcy, auctioneer,  
30 syndicate, trust, trustee, estate, personal representative or any group of individuals acting as a unit,  
31 whether mutual, cooperative, fraternal, nonprofit or otherwise.

32 (b) "Person" includes this or another state, a municipal corporation, quasi-municipal corporation  
33 or political subdivision of this or another state, and the agencies, departments and institutions of  
34 this or another state, irrespective of the nature of the activities engaged in or functions performed,  
35 but does not include the United States or a foreign government or any agency, department or  
36 instrumentality of the United States or of any foreign government.

37 (6) "Tax year" means a period of 12 months beginning July 1 and ending the following June 30.

38 **SECTION 4. This 2025 Act takes effect on the 91st day after the date on which the 2025**  
39 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

40