

s/AWCJR

**AMENDMENT TO BILL NO. 35-0179
Offered by Senator Diane T. Capehart**

Bill No. 35-0179 is amended in the following instances:

(a) Section 1, subsection (a) is amended by striking the existing language and inserting the following:

“Section 1221 is amended:

(1) By striking “Lottery defined” in the section heading and inserting “Definitions”;

(2) By inserting “In this chapter:” after the section heading;

(3) By designating the existing language as paragraph (1), by striking “A lottery is” and inserting ““Lottery” means”, and by inserting “, numbers game, parlay,” after “enterprise”; and

(4) By inserting a paragraph (2) that reads:

“(2) “Organized criminal lottery enterprise” means any endeavor involving a lottery not authorized under the Virgin Islands Code that involves two or more persons who, for pecuniary gain, conduct, finance, manage, supervise, direct, operate, or own all or part of an endeavor, and who has conducted operations on at least two days in any 30-day period.”

(b) Section 1, subsection (b) is amended by striking the existing language and inserting the following:

“Section 1222 is amended:

(1) By redesignating subsection (b) as subsection (c) and adding a new subsection (b) that reads:

“(b) Whoever participates in an organized criminal lottery enterprise has a previous conviction for a violation under this chapter must be fined not more than \$1,000 or imprisoned not more than two years, or both.”

(c) Section 1, subsection (c) is amended by striking the existing language and inserting the following:

“Section 1223 is amended:

(1) By designating the existing language as subsection (a), and by striking “\$200” in paragraph (2) and inserting “\$500”; and

(2) By adding a subsection (b) that reads:

“(b) Whoever violates subsection (a) in furtherance of an organized criminal lottery enterprise, must be fined not more than \$1000, or imprisoned for not more than two years, or both.”

(d) Section 1, subsection (d) is amended as follows:

(1) In paragraph (1) by inserting “and” after the first instance of “or”; and by striking “and inserting “or conducts sports betting,” and inserting “not authorized under the Virgin Islands Code” after “other device,”;

(2) By striking the language in paragraph (3) and inserting “By striking paragraph (2); and by striking from paragraph (3) “is willfully present where any such game is being played—“;

(3) By inserting a paragraph (4) that reads:

“(4) By designating the existing language as subsection (a) and inserting subsections (b) and (c) as follows:

“(b) Whoever plays or bets at or against, any game of chance played with dice, cards, slot machines, video gaming devices or machines, or any electrically

or mechanically operated device or machine or any other device not otherwise authorized under the Virgin Islands Code, for money, checks, credit, or other representative of value shall be fined not more than \$200 or imprisoned not more than 180 days, or both.

(c) Internet gambling” means the dealing, operating, carrying on, conducting, maintaining, or exposing for pay, any internet game, athletic event or other event not authorized under the Virgin Islands Code.””

(e) Section 2 is amended as follows:

(1) In internal section 1227(b) is amended by inserting at the end of the subsection: “Proceeds from property forfeited under this section must be apportioned as provided in 32 V.I.C. § 246(1).”; and

(2) In internal section 1228 by inserting at the end of the section: “Proceeds from property forfeited under this section must be apportioned as provided in 32 V.I.C. § 246(1).”.

(f) Section 3 is amended in subsection (b), internal subsection (l) by striking all language after “apportioned” and inserting the following:

“as follows: 49 percent to the Virgin Islands Department of Justice for the enforcement of this chapter, and 51 percent to the Virgin Islands Lottery Commission, with two percent to be used exclusively for programs to treat and prevent gambling addiction.”

Amendment No. 35-756/July 12, 2024/LMW