

## Department of Planning and Budget 2022 Fiscal Impact Statement

**1. Bill Number:** SB402

**House of Origin**     Introduced       Substitute       Engrossed  
**Second House**     In Committee     Substitute       Enrolled

**2. Patron:** Reeves

**3. Committee:** Passed both houses

**4. Title:** Virginia Department of Agriculture and Consumer Services; Charitable Gaming Board; powers.

**5. Summary:** Changes the Charitable Gaming Board (the Board) from a policy board to an advisory board in the executive branch of state government, decreases the membership from 11 to nine members, and moves the power and duty to promulgate regulations related to charitable gaming in the Commonwealth from the Board to the Department of Agriculture and Consumer Services (the Department). The bill provides (i) that the current regulations enacted by the Board shall be administered by the Department and remain in full force and effect until the Department promulgates new regulations pursuant to this bill and (ii) that notwithstanding clause (i), the regulations promulgated by the Board regarding Texas Hold'em poker games and tournaments, which became effective on March 23, 2021, and were rescinded by the General Assembly pursuant to Item 105 of Chapter 552 of the Acts of Assembly of 2021, Special Session I, shall not take effect, but the Department shall promulgate regulations regarding Texas Hold'em poker tournaments, initially exempt from the Administrative Process Act, except that the Commission shall provide an opportunity for public comment prior to their adoption. The bill contains technical amendments.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Final. See item 8.

**8. Fiscal Implications:** It is anticipated that any costs that the Virginia Department of Agriculture and Consumer Services may incur in executing the provisions of this bill can be absorbed within existing resources.

**9. Specific Agency or Political Subdivisions Affected:** Virginia Department of Agriculture and Consumer Services

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** HB765 also addresses Charitable Gaming Board regulations.