

(B) SUBJECT TO THE COMMISSION'S ABILITY TO CANCEL OR ALTER THE CONTRACT IN THE EVENT ONE OR MORE ELIGIBLE APPLICANTS FOR A VIDEO LOTTERY FACILITY FAIL TO OBTAIN A LICENSE, THE COMMISSION SHALL CONTRACT WITH ONE OR MORE LICENSED MANUFACTURERS FOR THE LEASE OR PURCHASE OF THE VIDEO LOTTERY TERMINALS, CENTRAL MONITOR AND CONTROL SYSTEM, AND ASSOCIATED EQUIPMENT AND SOFTWARE AUTHORIZED UNDER THIS SUBTITLE.

(C) (1) THE COMMISSION SHALL ADOPT REGULATIONS GOVERNING THE SALE OR LEASE OF VIDEO LOTTERY TERMINALS BY THE COMMISSION UNDER THIS SUBTITLE.

(2) THE COMMISSION MAY ADOPT REGULATIONS TO PROVIDE INCENTIVES TO LICENSED MANUFACTURERS BASED ON THE PERFORMANCE OF THE MANUFACTURERS' VIDEO LOTTERY TERMINALS.

(D) THE COMMISSION SHALL ESTABLISH A PROCESS ENABLING A LICENSEE AND THE COMMISSION TO SELECT VIDEO LOTTERY TERMINALS FROM A LIST APPROVED BY THE COMMISSION, SUBJECT TO AVAILABLE FUNDS, FOR USE IN THE LICENSEE'S VIDEO LOTTERY FACILITY.

9-1A-22.

(A) EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (C) OF THIS SECTION, A VIDEO LOTTERY TERMINAL SHALL HAVE AN AVERAGE PAYOUT PERCENTAGE OF AT LEAST 87%.

(B) THE COMMISSION MAY BY REGULATION ESTABLISH AN AVERAGE PAYOUT PERCENTAGE OF MORE THAN 90% BUT NOT MORE THAN 95% FOR VIDEO LOTTERY OPERATION LICENSEES.

(C) THE COMMISSION MAY APPROVE AN AVERAGE PAYOUT PERCENTAGE OF MORE THAN 95% FOR THE VIDEO LOTTERY TERMINALS AT A VIDEO LOTTERY FACILITY.

9-1A-23.

(A) A VIDEO LOTTERY FACILITY MAY OPERATE DAILY FROM 8 A.M. TO 2 A.M.

(B) A VIDEO LOTTERY OPERATION LICENSEE SHALL BE RESPONSIBLE FOR ALL MARKETING, ADVERTISING, AND PROMOTION FOR ITS VIDEO LOTTERY OPERATION.