
HOUSE BILL 2283

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Blake and Condotta

Read first time 01/15/14. Referred to Committee on Government
Accountability & Oversight.

1 AN ACT Relating to providing certain legal exemptions for the
2 transportation and possession of gambling devices by manufacturers of
3 class III tribal lottery system equipment; and amending RCW 9.46.235.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 9.46.235 and 1994 c 218 s 15 are each amended to read
6 as follows:

7 (1) For purposes of a prosecution under RCW 9.46.215 or a seizure,
8 confiscation, or destruction order under RCW 9.46.231, it shall be a
9 defense that the gambling device involved is an antique slot machine
10 and that the antique slot machine was not operated for gambling
11 purposes while in the owner's or defendant's possession. Operation of
12 an antique slot machine shall be only by free play or with coins
13 provided at no cost by the owner. No slot machine, having been seized
14 under this chapter, may be altered, destroyed, or disposed of without
15 affording the owner thereof an opportunity to present a defense under
16 this section. If the defense is applicable, the antique slot machine
17 shall be returned to the owner or defendant, as the court may direct.

18 (2) RCW 9.46.231 shall have no application to any antique slot

1 machine that has not been operated for gambling purposes while in the
2 owner's possession.

3 (3) For the purposes of this section, a slot machine shall be
4 conclusively presumed to be an antique slot machine if it is at least
5 twenty-five years old.

6 (4) RCW 9.46.231 and 9.46.215 do not apply to gambling devices on
7 board a passenger cruise ship which has been registered and bonded with
8 the federal maritime commission, if the gambling devices are not
9 operated for gambling purposes within the state.

10 (5) RCW 9.46.231 and 9.46.215 do not apply to gambling devices
11 being transported to, or in the possession of, a licensed or certified
12 manufacturer of class III tribal lottery systems, as defined in class
13 III gaming compacts, provided the following conditions are met:

14 (a) Such devices were manufactured by a licensed or certified
15 manufacturer; and

16 (b) The possession of such devices is limited to the following
17 purposes:

18 (i) Research and software game development; or

19 (ii) Warehousing and distribution of class III tribal lottery
20 system components to class III gaming locations; and

21 (c) The devices and components are:

22 (i) Not available to the general public;

23 (ii) Accessible only to employees of the class III tribal lottery
24 system manufacturer, subsidiary employees of the manufacturer, or
25 third-party vendor employees under contract with the manufacturer;

26 (iii) Possessed only in locations approved by the commission; and

27 (iv) Not used for gambling purposes; and

28 (d) The manufacturer is in compliance with all reporting
29 requirements established under this chapter and has paid all inspection
30 fees as required by the commission.

31 (6) The commission is granted the authority to impose such fees as
32 it deems necessary to implement subsection (5) of this section.

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