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**ENGROSSED HOUSE BILL 2332**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Sawyer, Condotta, Ormsby, and Appleton

AN ACT Relating to gambling addiction; amending RCW 9.46.071 and 42.56.230; and providing an effective date.

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

**Sec.**  RCW 9.46.071 and 2005 c 369 s 9 are each amended to read as follows:

(1)(a) The legislature recognizes that some individuals in this state are problem or pathological gamblers. Because the state promotes and regulates gambling through the activities of the state lottery commission, the Washington horse racing commission, and the Washington state gambling commission, the state has the responsibility to continue to provide resources for the support of services for problem and pathological gamblers. Therefore, the Washington state gambling commission, the Washington horse racing commission, and the state lottery commission shall jointly develop informational signs concerning problem and pathological gambling which include a toll-free hotline number for problem and pathological gamblers. The signs shall be placed in the establishments of gambling licensees, horse racing licensees, and lottery retailers. In addition, the Washington state gambling commission, the Washington horse racing commission, and the state lottery commission may also contract with other qualified entities to provide public awareness, training, and other services to ensure the intent of this section is fulfilled.

(b) The legislature finds that problem and pathological gambling continues to negatively impact individuals and families in this state. It is estimated that about five percent of adults in the state will experience problem or pathological gambling behaviors in their lifetime. Previous and ongoing efforts to prevent and assist people in treating problem and pathological gambling have proven beneficial, such as increasing public awareness, funding treatment services for individuals, and requiring informational signs in gambling establishments that include a toll-free hotline number for problem and pathological gamblers. However, people and families facing problem or pathological gambling issues will further benefit from the availability of a uniform self-exclusion program where people may voluntarily exclude themselves from gambling at multiple gambling establishments by submitting one self-exclusion form to the state from one location. It is the intent of subsection (3) of this section to establish such a uniform self-exclusion program to assist people in preventing or ending problem or pathological gambling behaviors permanently.

(2)(a) During any period in which RCW 82.04.285(2) is in effect, the commission may not increase fees payable by licensees under its jurisdiction for the purpose of funding services for problem and pathological gambling. Any fee imposed or increased by the commission, for the purpose of funding these services, before July 1, 2005, ((~~shall have~~)) has no force and effect after July 1, 2005.

(b) During any period in which RCW 82.04.285(2) is not in effect:

(i) The commission, the Washington state horse racing commission, and the state lottery commission may contract for services, in addition to those authorized in subsection (1) of this section, to assist in providing for treatment of problem and pathological gambling; and

(ii) The commission may increase fees payable by ((~~licenses [licensees]~~)) licensees under its jurisdiction for the purpose of funding the services authorized in this section for problem and pathological gamblers.

(3) By June 30, 2020, the commission must adopt rules establishing a self-exclusion program for problem and pathological gamblers. The commission has discretion in establishing the scope and requirements of the self-exclusion program. However, the program must include, at a minimum, the following:

(a) A process for a person who believes the person is or may be a problem or pathological gambler to voluntarily exclude themselves from gambling at all gambling establishments licensed by the commission; and

(b) A process for casinos owned or operated by Indian tribes or tribal enterprises to voluntarily participate in the self-exclusion program, so that ultimately a person who is or may be a problem or pathological gambler may self-exclude themselves from gambling at all casinos and state-licensed gambling establishments in the state, no matter who owns or operates the casino or state-licensed gambling establishment, by submitting one form at one location.

(4)(a) The commission may not contract with a third party to administer the self-exclusion program created pursuant to this section.

(b) Any personal information collected, stored, or accessed under the self-exclusion program created pursuant to this section may not be sold, monetized, or traded by the commission or any person or business authorized to access personal information through the program.

(c) Any personal information collected, stored, or accessed under the self-exclusion program may not be used for any purpose other than the administration of the self-exclusion program.

**Sec.**  RCW 42.56.230 and 2017 3rd sp.s. c 6 s 222 are each amended to read as follows:

The following personal information is exempt from public inspection and copying under this chapter:

(1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients;

(2)(a) Personal information:

(i) For a child enrolled in licensed child care in any files maintained by the department of children, youth, and families;

(ii) For a child enrolled in a public or nonprofit program serving or pertaining to children, adolescents, or students, including but not limited to early learning or child care services, parks and recreation programs, youth development programs, and after-school programs; or

(iii) For the family members or guardians of a child who is subject to the exemption under this subsection (2) if the family member or guardian has the same last name as the child or if the family member or guardian resides at the same address as the child and disclosure of the family member's or guardian's information would result in disclosure of the personal information exempted under (a)(i) and (ii) of this subsection.

(b) Emergency contact information under this subsection (2) may be provided to appropriate authorities and medical personnel for the purpose of treating the individual during an emergency situation;

(3) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy;

(4) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would: (a) Be prohibited to such persons by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance authorized under RCW 35.102.145; or (b) violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer;

(5) Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial information as defined in RCW 9.35.005 including social security numbers, except when disclosure is expressly required by or governed by other law;

(6) Personal and financial information related to a small loan or any system of authorizing a small loan in RCW 31.45.093;

(7)(a)(i) Any record used to prove identity, age, residential address, social security number, or other personal information required to apply for a driver's license or identicard.

((~~(b)~~)) (ii) Information provided under RCW 46.20.111 that indicates that an applicant declined to register with the selective service system.

((~~(c)~~)) (iii) Any record pertaining to a vehicle license plate, driver's license, or identicard issued under RCW 46.08.066 that, alone or in combination with any other records, may reveal the identity of an individual, or reveal that an individual is or was, performing an undercover or covert law enforcement, confidential public health work, public assistance fraud, or child support investigative activity. This exemption does not prevent the release of the total number of vehicle license plates, drivers' licenses, or identicards that, under RCW 46.08.066, an agency or department has applied for, been issued, denied, returned, destroyed, lost, and reported for misuse.

((~~(d)~~)) (iv) Any record pertaining to a vessel registration issued under RCW 88.02.330 that, alone or in combination with any other records, may reveal the identity of an individual, or reveal that an individual is or was, performing an undercover or covert law enforcement activity. This exemption does not prevent the release of the total number of vessel registrations that, under RCW 88.02.330, an agency or department has applied for, been issued, denied, returned, destroyed, lost, and reported for misuse.

(b) Upon request by the legislature, the department of licensing must provide a report to the legislature containing all of the information in (a)(iii) and (iv) of this subsection (7) that is subject to public disclosure;

(8) All information related to individual claims resolution structured settlement agreements submitted to the board of industrial insurance appeals under RCW 51.04.063, other than final orders from the board of industrial insurance appeals((~~.~~

~~Upon request by the legislature, the department of licensing shall provide a report to the legislature containing all of the information in subsection (7)(c) and (d) of this section that is subject to public disclosure; and~~));

(9) Voluntarily submitted information contained in a database that is part of or associated with enhanced 911 emergency communications systems, or information contained or used in emergency notification systems as provided under RCW 38.52.575 and 38.52.577; and

(10) All information submitted by a person to the state, either directly or through a state-licensed gambling establishment or casino owned or operated by an Indian tribe or tribal enterprise, as part of the self-exclusion program established in RCW 9.46.071 for people who believe they are or may be a problem or pathological gambler.

NEW SECTION. **Sec.**  This act takes effect July 1, 2018.

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