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**HOUSE BILL 1975**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Pettigrew, Walsh, Kirby, Riccelli, Fitzgibbon, Stonier, Tharinger, and Pollet

AN ACT Relating to authorizing sports wagering subject to the terms of tribal-state gaming compacts; amending RCW 9.46.240; adding new sections to chapter 9.46 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  It has long been the policy of this state to prohibit all forms and means of gambling except where carefully and specifically authorized and regulated. The legislature intends to further this policy by authorizing sports wagering on a very limited basis by restricting it to tribal casinos in the state of Washington. Tribes have more than twenty years' experience with, and a proven track record of, successfully operating and regulating gaming facilities in accordance with tribal gaming compacts. Tribal casinos can operate sports wagering pursuant to these tribal gaming compacts, offering the benefits of the same highly regulated environment to sports wagering.

NEW SECTION. **Sec.**  A new section is added to chapter 9.46 RCW to read as follows:

(1) The legislature authorizes a federally recognized Indian tribe or entity owned by a federally recognized Indian tribe to conduct and operate sports wagering on federal Indian lands in accordance with the terms of a class III gaming compact entered into by the tribe and state pursuant to the Indian gaming regulatory act, 25 U.S.C. Sec. 2701 et seq., and RCW 9.46.360 that expressly addresses how sports wagering will be conducted, operated, and regulated.

(2) Sports wagering conducted pursuant to the provisions of a class III gaming compact entered into by a tribe and the state pursuant to RCW 9.46.360 does not constitute bookmaking and is not subject to civil or criminal penalties.

NEW SECTION. **Sec.**  A new section is added to chapter 9.46 RCW to read as follows:

The legislature authorizes the transmission of gambling information over the internet for any sports wagering conducted and operated under this section and section 2 of this act, provided that a wager may be placed and accepted only while the customer placing the wager is physically present on the premises of the gaming facility of the Indian tribe or tribal entity.

**Sec.**  RCW 9.46.240 and 2006 c 290 s 2 are each amended to read as follows:

Whoever knowingly transmits or receives gambling information by telephone, telegraph, radio, semaphore, the internet, a telecommunications transmission system, or similar means, or knowingly installs or maintains equipment for the transmission or receipt of gambling information shall be guilty of a class C felony subject to the penalty set forth in RCW 9A.20.021. However, this section shall not apply to such information transmitted or received or equipment installed or maintained relating to activities authorized by this chapter, including but not limited to sports wagering authorized under sections 2 and 3 of this act, or to any act or acts in furtherance thereof when conducted in compliance with the provisions of this chapter and in accordance with the rules adopted under this chapter.

NEW SECTION. **Sec.**  A new section is added to chapter 9.46 RCW to read as follows:

(1)(a) For purposes of this chapter, "sports wagering" means the business of accepting wagers on any of the following sporting events, athletic events, or competitions by any system or method of wagering:

(i) A professional sport or athletic event;

(ii) A collegiate sport or athletic event;

(iii) An Olympic or international sports competition or event;

(iv) A combination of sporting events, athletic events, or competitions listed in (a)(i) through (iii) of this subsection; or

(v) A portion of any sporting event, athletic event, or competition listed in (a)(i) through (iv) of this subsection.

(b) Sports wagering does not include the business of accepting wagers on horse racing authorized pursuant to chapter 67.16 RCW.

(2) For purposes of this section, "collegiate sport or athletic event" means a sport or athletic event offered or sponsored by, or played in connection with, a public or private institution that offers education services beyond the secondary level.

(3) For purposes of this section, "professional sport or athletic event" means an event at which two or more persons participate in sports or athletic events and receive compensation in excess of actual expenses for their participation in the event.

NEW SECTION. **Sec.**  If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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