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ENGROSSED HOUSE BILL 2672

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Van Luven, Romero, Sheahan, Tokuda, Schoesler,  
D. Sommers, Murray and L. Thomas

Read first time 01/16/96. Referred to Committee on Trade & Economic  
Development.

1 AN ACT Relating to prohibiting greyhound racing in the state of  
2 Washington; amending RCW 9.46.0269; adding a new section to chapter  
3 9.46 RCW; creating a new section; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) It is in the public interest to limit the number of gambling  
7 industries;

8 (b) After a short one to three-year racing career, greyhounds are  
9 either euthanized, cruelly electrocuted, sold to laboratories, sent to  
10 other countries; and

11 (c) The greyhound racing industry estimates that thirteen thousand  
12 unwanted adult greyhounds are killed each year despite nation-wide  
13 adoption efforts. Animal welfare organizations estimate the number to  
14 be greater than twenty-eight thousand.

15 (2) Because of these findings, the legislature intends with this  
16 act to further the aims of the gambling act of 1973, chapter 9.46 RCW,  
17 that states: "The public policy of the state of Washington on gambling  
18 is to keep the criminal element out of gambling and to promote the

1 social welfare of the people by limiting the nature and scope of  
2 gambling activities and by strict regulation and control."

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.46 RCW  
4 to read as follows:

5 (1) A person may not hold, conduct, or operate live greyhound  
6 racing for public exhibition, parimutuel betting, or special exhibition  
7 events, if such activities are conducted for gambling purposes. A  
8 person may not transmit or receive intrastate or interstate  
9 simulcasting of greyhound racing for commercial, parimutuel, or  
10 exhibition purposes, if such activities are conducted for gambling  
11 purposes. If greyhound racing is otherwise legally established by a  
12 Washington treaty tribe, a person may not transmit or receive  
13 intrastate or interstate simulcasting of those greyhound races for  
14 commercial, parimutuel, or exhibition purposes, if such activities are  
15 conducted for gambling purposes.

16 (2) A person who violates this section is guilty of a class B  
17 felony, under RCW 9.46.220, professional gambling in the first degree,  
18 and is subject to the penalty under RCW 9A.20.021.

19 **Sec. 3.** RCW 9.46.0269 and 1987 c 4 s 18 are each amended to read  
20 as follows:

21 (1) A person is engaged in "professional gambling" for the purposes  
22 of this chapter when:

23 (a) Acting other than as a player or in the manner authorized by  
24 this chapter, the person knowingly engages in conduct which materially  
25 aids any other form of gambling activity; or

26 (b) Acting other than as a player or in the manner authorized by  
27 this chapter, the person knowingly accepts or receives money or other  
28 property pursuant to an agreement or understanding with any other  
29 person whereby he or she participates or is to participate in the  
30 proceeds of gambling activity;

31 (c) The person engages in bookmaking; ~~((or))~~

32 (d) The person conducts a lottery; or

33 (e) The person violates section 2 of this act.

34 (2) Conduct under subsection (1)(a) of this section, except as  
35 exempted under this chapter, includes but is not limited to conduct  
36 directed toward the creation or establishment of the particular game,  
37 contest, scheme, device or activity involved, toward the acquisition or

1 maintenance of premises, paraphernalia, equipment or apparatus  
2 therefor, toward the solicitation or inducement of persons to  
3 participate therein, toward the actual conduct of the playing phases  
4 thereof, toward the arrangement of any of its financial or recording  
5 phases, or toward any other phase of its operation. If a person having  
6 substantial proprietary or other authoritative control over any  
7 premises shall permit the premises to be used with the person's  
8 knowledge for the purpose of conducting gambling activity other than  
9 gambling activities authorized by this chapter, and acting other than  
10 as a player, and the person permits such to occur or continue or makes  
11 no effort to prevent its occurrence or continuation, the person shall  
12 be considered as being engaged in professional gambling: PROVIDED,  
13 That the proprietor of a bowling establishment who awards prizes  
14 obtained from player contributions, to players successfully knocking  
15 down pins upon the contingency of identifiable pins being placed in a  
16 specified position or combination of positions, as designated by the  
17 posted rules of the bowling establishment, where the proprietor does  
18 not participate in the proceeds of the "prize fund" shall not be  
19 construed to be engaging in "professional gambling" within the meaning  
20 of this chapter: PROVIDED FURTHER, That the books and records of the  
21 games shall be open to public inspection.

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