

## WSR 24-15-061

## PROPOSED RULES

## GAMBLING COMMISSION

[Filed July 16, 2024, 2:25 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-11-067.

Title of Rule and Other Identifying Information: Aligning expiration date for organization licenses.

Hearing Location(s): On September 12, 2024, at 9:30 a.m., at Liquor and Cannabis Board, 1025 Union Avenue S.E., Olympia, WA 98501. The meeting time and location are tentative. Visit our website at [www.wsgc.wa.gov](http://www.wsgc.wa.gov) approximately seven days prior to the meeting and select "About Us" and then "Upcoming commission meetings" to confirm the hearing date, location, start time, and agenda items.

Date of Intended Adoption: September 12, 2024.

Submit Written Comments to: Adam Amorine, P.O. Box 42400, Olympia, WA 98504-2400, email [rules.coordinator@wsgc.wa.gov](mailto:rules.coordinator@wsgc.wa.gov), beginning July 15, 2024, by September 11, 2024, at 5:00 p.m.

Assistance for Persons with Disabilities: Contact Julie Anderson, phone 360-486-3453, TTY 360-486-3637, email [julie.anderson@wsgc.wa.gov](mailto:julie.anderson@wsgc.wa.gov), [www.wsgc.wa.gov](http://www.wsgc.wa.gov), by September 11, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule change aims to align all organizational license expiration dates to June 30th of each calendar year. This action will create two new rules (WAC 230-03-002 and 230-05-177) and amend two existing rules (WAC 230-05-128 and 230-05-136).

Reasons Supporting Proposal: This rule change will aid in revenue forecasting as well as simplify implementation and communication to licensees when adjusting license fees in the future.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: RCW 9.46.070.

Rule is not necessitated by federal law, federal or state court decision.

Name of Agency Personnel Responsible for Drafting: Adam Amorine, Rules Coordinator, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3455; Implementation: Tina Griffin, Director, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3546; and Enforcement: Gary Drumheller, Deputy Director, 4565 7th Avenue S.E., Lacey, WA 98503, 509-325-7904.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. This rule change aims to align all organizational license expiration dates to June 30th of each calendar year. This will aid in revenue forecasting as well as simplify implementation and communication to licensees when adjusting license fees in the future.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules adopt, amend, or repeal a procedure, practice, or requirement relating to agency hearings; or a filing or related process requirement for applying to an agency for a license or permit.

Scope of exemption for rule proposal:

Is fully exempt.

July 15, 2024

Adam Amorine

**OTS-5613.1**NEW SECTION

**WAC 230-03-002 Expiration date for organizational licenses.** (1) As used in this section, "organization" means a charitable or nonprofit organization holding one or more licenses listed in WAC 230-05-160, a commercial stimulant organization holding one or more licenses listed in WAC 230-05-165, and other businesses holding one or more licenses listed in WAC 230-05-170.

(2) Regardless of date of approval, all organization licenses expire June 30th of each calendar year.

**OTS-5624.1**

AMENDATORY SECTION (Amending WSR 18-05-026, filed 2/9/18, effective 5/1/18)

**WAC 230-05-128 Renew your license in a timely manner.** (1) You must renew online, unless you have received a waiver as outlined in this chapter and allow enough time to:

(a) Print the license prior to midnight before the license expires; or

(b) Have us print the license and mail it to you so you receive it before your license expires.

(2) If you have a waiver and are not renewing your license online, you must ensure a properly completed renewal application and all applicable license fees are received at our administrative office in Lacey at least (~~fifteen~~) 30 days before the expiration date on the license.

(3) If you do not submit a properly completed renewal application and all fees and your license expires, you must immediately stop the gambling activity covered by your license.

(4) If your license expires, you must submit an application and you must not operate any gambling activity until a new license is issued.

AMENDATORY SECTION (Amending WSR 18-05-026, filed 2/9/18, effective 5/1/18)

**WAC 230-05-136 Prorating or refunding fees.** (1) (~~We may prorate organization license fees when we adjust expiration dates to schedule our workload.~~

~~(2) We may adjust expiration dates to end on the same day for organizations licensed for more than one activity. Whenever we adjust~~

~~license expiration dates under this provision, we may prorate the required fees.~~

~~(3))~~ We will not prorate or refund fees when:

- (a) You discontinue your gambling activities; or
- (b) You voluntarily surrender your license or permit; or
- (c) We suspend or revoke your license.

~~((4))~~ (2) We keep a portion of your application or license fees for processing costs when:

- (a) We deny or administratively close your application; or
- (b) You withdraw your application; or
- (c) You overpaid us; or
- (d) We received duplicate license fees.

**OTS-5614.1**

NEW SECTION

**WAC 230-05-177 Temporary reduction of base license fees.** (1) As used in this section, "organization" means a charitable or nonprofit organization holding one or more licenses listed in WAC 230-05-160, a commercial stimulant organization holding one or more licenses listed in WAC 230-05-165, and other businesses holding one or more licenses listed in WAC 230-05-170.

(2) For organizations renewing their license with a license effective date between October 1, 2024, and April 1, 2025, the base license fee will be prorated as follows:

License effective date	Base license fee reduction
October 1, 2024	25 percent
January 1, 2025	50 percent
April 1, 2025	75 percent

(3) Organizations that renewed before the effective date of this rule will receive a refund of 25 percent of the base fee paid. All other organizations renewing will pay a reduced base fee amount.

(4) This rule is only effective through June 30, 2025.