

**WAC 226-20-060 Partial or progress payments for project costs.** The board will not make payments of freight mobility funds on projects unless the following tasks are complete:

(1) The board has approved the phase of the project.

(2) Local matching funds are certified to be available for the phase of the project that is being billed.

Requests for payment may be submitted from time to time as the work progresses. Payments less than five hundred dollars will not be made unless it is the final request for payment. The final request for payment must be submitted within six months of the completion of work.

The board will make an adjustment to the final payment, if necessary to assure that the original board matching ratio is not exceeded.

[Statutory Authority: Chapter 47.06A RCW. 99-18-048, § 226-20-060, filed 8/27/99, effective 9/27/99.]

## Title 230 WAC

# GAMBLING COMMISSION

### Chapters

<b>230-02</b>	<b>General provisions and definitions.</b>
<b>230-04</b>	<b>Licensing.</b>
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### Chapter 230-02 WAC

#### GENERAL PROVISIONS AND DEFINITIONS

#### WAC

230-02-145	Promotional marketing gifts.
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**WAC 230-02-145 Promotional marketing gifts.** Promotional marketing gifts are merchandise items that either promote the game of bingo or a specific bingo licensee. Promotional marketing gifts include, but are not limited to, items used in connection with playing bingo or items with a licensee's name or logo permanently imprinted thereon.

[Statutory Authority: RCW 9.46.070. 99-11-078 (Order 371), § 230-02-145, filed 5/18/99, effective 7/1/99.]

### Chapter 230-04 WAC

#### LICENSING

#### WAC

230-04-020	Certification procedure—General requirements—Mandatory training required.
230-04-080	Certain activities to be operated as a commercial stimulant only—Licensing of food and/or drink businesses.
230-04-133	Punch board and pull-tab service business—Registration required—Procedures—Restrictions.
230-04-198	Repealed.
230-04-202	Fees—Bona fide charitable/nonprofit organizations.
230-04-203	Fees—Commercial stimulant and other business organizations.
230-04-204	Fees—Individuals.

230-04-206 Repealed.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

230-04-198	Reduction of license fees. [Statutory Authority: RCW 9.46.070. 98-21-010 (Order 366), § 230-04-198, filed 10/9/98, effective 11/9/98.] Repealed by 99-24-099 (Order 377), filed 11/30/99, effective 12/31/99. Statutory Authority: RCW 9.46.070.
230-04-206	Fees—Linked bingo prize providers and linked bingo prize provider representatives. [Statutory Authority: RCW 9.46.070. 98-24-090 (Order 369), § 230-04-206, filed 12/1/98, effective 1/1/99.] Repealed by 99-24-099 (Order 377), filed 11/30/99, effective 12/31/99. Statutory Authority: RCW 9.46.070.

**WAC 230-04-020 Certification procedure—General requirements—Mandatory training required.** Applicants for license from the commission shall submit all applications, including the proper fee, as established by WAC 230-04-202, 230-04-203 or 230-04-204 to the administrative office of the commission in Lacey. The application process is as follows:

(1) The application shall be made using a form provided by the commission. The application form must be completed in every respect, containing all the information and attachments requested;

(2) The application shall be signed under oath by an individual attesting that the information set forth in the application and any accompanying materials is true, accurate and complete and that they assume full responsibility for the fair and lawful operation of all licensed activities that the applicant conducts. The following person(s) shall sign the application:

(a) The highest ranking officer/official of a charitable, nonprofit or profit seeking corporation;

(b) The principal owner of a sole proprietorship;

(c) All partners of a partnership or general partner of a limited partnership; and

(d) The mayor or the mayor's designated representative if the application is being submitted by or on behalf of an incorporated city or town.

(e) The director may also require the following persons to sign the application:

(i) The chairman of the board of directors or trustees;

(ii) The person in charge of financial records; and/or

(iii) Persons with a substantial interest in the applicant business or charitable/nonprofit organization.

(3) The commission will consider only those applications that have been fully completed. Failure to respond to written notification of an incomplete application, within twenty days of such notice, shall be cause for administrative closure of the application. The following reasons will cause an application to be incomplete:

(a) Failure to provide all information requested on the application form and/or attachments;

(b) Failure to provide supplemental information requested during the licensing investigation;

(c) Failure to attend mandatory prelicensing training;

(d) Failure to provide fingerprints or samples of handwriting; and

(e) Failure to submit proper fees.

(4) The commission may disclose to the public or discuss at a public meeting all information set forth in the application

and all supplemental information submitted subject to the exemptions in chapter 42.17 RCW and other applicable laws including, but not limited to, chapter 10.97 RCW: Provided, That consistent with chapter 10.97 RCW, the commission may disclose conviction data of an applicant or licensee.

(5) The commission shall not issue a license until it is satisfied that the applicant is completely qualified to operate the activity for which a license is requested. Prior to issuing a license, the commission will:

(a) Conduct a review and investigation of all information available, whether submitted as a part of the application or otherwise obtained, to the degree deemed necessary to attest to the qualification of the applicant and the gambling premises; and

(b) Require all persons who sign the application, as set out in subsection (2) of this section, plus the manager or other designated person(s) responsible for conducting the gambling activity or completing records, to complete a training course as established and provided by the commission: Provided, That mandatory training shall not be required for manufacturers; manufacturers representatives; or applicants or licensees with special circumstances as approved by the director. Mandatory training shall be completed within the following time lines:

(i) New applicants - Within sixty days of application and prior to being granted a license: Provided, That cardroom employees and bingo managers must attend training no later than thirty days after the first day of work;

(ii) Annual recertification - no later than sixty days after the effective date of the license: Provided, That only those person(s), as set out in subsection (2) of this section, which are newly designated to sign the application since the last license application shall be required to attend training if they have not attended within the previous three years; and

(iii) Changes to managers or other designated persons responsible for conducting gambling activities or completing records - no later than sixty days after the first day of work.

[Statutory Authority: RCW 9.46.070. 99-18-003 (Order 376), § 230-04-020, filed 8/18/99, effective 9/18/99. Statutory Authority: Chapter 9.46 RCW. 94-24-056 (Order 262), § 230-04-020, filed 12/5/94, effective 1/5/95. Statutory Authority: RCW 9.46.070. 92-22-058, § 230-04-020, filed 10/29/92 effective 11/29/92. Statutory Authority: Chapter 34.05 RCW. 90-03-064 (Order 203), § 230-04-020, filed 1/18/90, effective 2/18/90. Statutory Authority: RCW 9.46.070 (7), (8), (9), (10), (14), (19) and (20). 89-09-047 (Order 190), § 230-04-020, filed 4/18/89, effective 7/1/89. Statutory Authority: RCW 9.46.070 (1), (2), (3), (4) and (14). 87-21-015 (Order 172), § 230-04-020, filed 10/9/87. Statutory Authority: Chapter 9.46 RCW. 87-09-043 and 87-10-017 (Orders 167 and 167A), § 230-04-020, filed 4/14/87 and 4/30/87. Statutory Authority: RCW 9.46.070 (1), (7), (11), (14), and (17). 83-21-073 (Order 137), § 230-04-020, filed 10/18/83; Order 60, § 230-04-020, filed 9/10/76; Order 42, § 230-04-020, filed 9/18/75; Order 12, § 230-04-020, filed 2/14/74; Order 5, § 230-04-020, filed 12/19/73.]

**WAC 230-04-080 Certain activities to be operated as a commercial stimulant only—Licensing of food and/or drink businesses.** The commission may issue a license to operate punch boards and pull-tabs or public card rooms as commercial stimulants to any established business primarily engaged in the sale of food and/or drink items for consumption on the licensed premises. Such activities shall not be operated other than as a commercial stimulant and the food and/or drink business shall be open and providing service to

the general public at all times gambling activities are operated. The following requirements apply to applicants for a license to use gambling activities to stimulate food and/or drink sales:

(1) For purposes of chapter 9.46 RCW and these rules, a business shall be presumed to be a "food and/or drink business" as defined by WAC 230-02-370 if:

(a) It is licensed by the liquor control board to sell alcohol beverages at retail to the public for on-premises consumption and:

(i) It is a tavern that holds a valid Tavern - No Persons Under 21 Allowed License (formerly referred to as a Class "B" liquor license); or

(ii) It is a restaurant with a cocktail lounge that holds a valid Spirits, Beer and Wine Restaurant License (formerly referred to as a Class "H" liquor license).

(b) It sells food and/or drink items at retail to the public and:

(i) All food is prepared and served for consumption on the licensed premises: Provided, That food may be prepared at other locations and served on the premises if the food is:

(A) Prepared by the licensed business; or

(B) Purchased from caterers by the licensed business as a wholesale transaction and resold to customers at retail.

(ii) The total gross sales of food and/or drink, for on-premises consumption, is equal to or greater than all other combined nongambling gross sales, rentals, or other income producing activities which occur on the licensed premises when measured on an annual basis. Applicants seeking qualification for a license under this subsection shall submit data necessary to evaluate compliance with these requirements as a part of their application. For purposes of determining total gross sales of food and drink for on-premises consumption, meals furnished to employees, free of charge, shall be treated as sales only if:

(A) Detailed records are maintained;

(B) The sale is recorded at estimated cost or menu price, but not more than five dollars per meal; and

(C) No more than one meal per employee is recorded during any four-hour work shift.

(2) When an individual, partnership, or corporation operates two or more businesses within the same building or building complex and such businesses meet the requirements of subsection (1)(a) or (b) of this section, one of the businesses may be designated as a "food and/or drink business" if all of the following conditions are met:

(a) The business being stimulated is physically isolated from all other businesses by walls and doors that clearly demonstrate the business is separate from other business being transacted at that location;

(b) All business transactions conducted by the applicant business are separated from the transactions conducted by all other businesses:

(i) Legally in the form of a separate corporation or partnership; or

(ii) By physical separation of all sales and accounting functions, and the methods of separation are approved by the commission;

(c) All gambling activities are located and occur upon the licensed premises, as defined in the license application and approved by the commission; and

(d) All gambling activities occur only when the food and/or drink business is open for customer service.

[Statutory Authority: RCW 9.46.070, 99-18-002 (Order 375), § 230-04-080, filed 8/18/99, effective 9/18/99. Statutory Authority: RCW 9.46.070 and 9.46.0217, 95-07-094, § 230-04-080, filed 3/17/95, effective 7/1/95; Order 23, § 230-04-080, filed 9/23/74.]

**WAC 230-04-133 Punch board and pull-tab service business—Registration required—Procedures—Restrictions.** It is in the public's interest to closely control gambling devices and records relating to the operation of a gambling activity. The commission must identify all individuals and businesses that have control over gambling devices, including punch boards and pull-tabs, and all records relating to the operation of gambling activities. Businesses that provide punch board and pull-tab record services, as defined by WAC 230-02-208, shall register with the commission and receive a permit prior to providing services to a licensee. The following procedures and restrictions apply to punch board and pull-tab service businesses:

(1) Each business seeking to register as a punch board and pull-tab service business shall submit a permit application on a form provided by the commission. Such application shall be complete in every respect, accompanied by proper fees, and signed by the applicant. The application shall include at least the following:

- (a) A complete description of the services provided; and
- (b) Personal and criminal history forms for all individuals involved in providing services.

(2) The permit shall be valid for a period not to exceed one year from the date approved.

(3) Any changes in information provided with the application must be submitted to the commission within thirty days of change.

(4) The permit becomes void and the business must apply for a gambling service supplier license to continue providing services if any of the conditions listed below occur:

(a) The nature of the business being provided changes to include services defined in WAC 230-02-205(1); or

(b) The combined total gross billings from providing services exceeds twenty thousand dollars during the permit period.

(5) The permit may be revoked by the director at any time for the following reasons:

(a) Reasons set forth in WAC 230-04-400 or RCW 9.46.075; or

(b) The permit holder has acted with gross negligence or intentionally misstated or manipulated a licensee's records or punch board/pull-tab games; or

(c) Failure to produce an operator's record or copies thereof, or punch board or pull-tab games when requested by a commission agent.

(6) Immediately upon request, a punch board and pull-tab service business shall provide the commission or any of its representatives a complete list of customers and the location where records of each are maintained.

(7) If a punch board and pull-tab service business or associate of such business has any interest in a licensed manufacturer or distributor, they shall inform the commission, any operator to which they provide services, and the manufacturer or distributor of the relationship. The director may restrict the manufacturer or distributor from selling punch boards or pull-tabs to such operator.

(8) Punch board and pull-tab service business permit holders shall follow the records requirements of WAC 230-08-026 (1)(a), (c), (d), (2), and (3). In addition, such businesses shall be familiar with minimum recordkeeping requirements and availability of records for services they provide, including but not limited to WAC 230-08-010, 230-12-010 and 230-30-072.

[Statutory Authority: RCW 9.46.070, 99-24-099 (Order 377), § 230-04-133, filed 11/30/99, effective 12/31/99; 98-19-130 (Order 362), § 230-04-133, filed 9/23/98, effective 1/1/99.]

**WAC 230-04-198 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 230-04-202 Fees—Bona fide charitable/non-profit organizations.** Bona fide charitable and nonprofit organizations shall submit the following fees to the commission when applying for gambling licenses, permits, miscellaneous changes, inspection services, or when assessed the cost of special investigation procedures by the commission:

LICENSE TYPE	DEFINITION	FEE
<b>1. AMUSEMENT GAMES</b>		
	(Fee based on annual gross gambling receipts)	
* Class A	Premises only	\$ 53
Class B	Up to \$ 10,000	\$ 53
Class C	Up to \$ 25,000	\$ 285
Class D	Up to \$ 50,000	\$ 457
Class E	Over \$ 50,000	\$ 797

\* Allows a charitable or nonprofit organization to enter into a contract with Class "B" or above commercial amusement game licensee to locate and operate amusement games on their premises.

2. BINGO GROUP		(Fee based on annual gross gambling receipts)		VARIANCE *
Class A	Up to \$ 15,000	\$ 1,000	\$	53
Class B	Up to \$ 50,000	\$ 1,000	\$	166
Class C	Up to \$ 100,000	\$ 2,000	\$	339
Class D	Up to \$ 250,000	\$ 4,000	\$	915
Class E	Up to \$ 500,000	\$ 8,000	\$	1,541
Class F	Up to \$ 1,000,000	\$ 15,000	\$	3,095
Class G	Up to \$ 1,500,000	\$ 23,000	\$	4,467
Class H	Up to \$ 2,000,000	\$ 30,000	\$	5,967
Class I	Up to \$ 2,500,000	\$ 38,000	\$	7,455
Class J	Up to \$ 3,000,000	\$ 45,000	\$	8,945
Class K	Up to \$ 3,500,000	\$ 53,000	\$	10,034
Class L	Up to \$ 4,000,000	\$ 60,000	\$	11,470
Class M and above	Over \$ 4,000,000	Not applicable		12,906

\* A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260: Provided, That a licensee utilizing the variance shall be required to upgrade to the higher license class upon renewal.

3. CARD GAMES			
Class A	General (Fee to play charged)	\$	571
Class B	Limited card games - hearts, rummy, mahjongg, pitch, pinochle, and cribbage (Fee to play charged)	\$	166
Class C	Tournament only - no more than ten consecutive days per tournament	\$	53
Class D	General (No fee to play charged)	\$	53

4. FUND-RAISING EVENT			
Class A	One event - not more than 24 consecutive hours	\$	339
Class B	One event - not more than 72 consecutive hours	\$	571
Class C	Additional participant in joint event (not lead organization)	\$	166
Class D	Fund-Raising Event Equipment Distributor - rents or leases, equipment for fund-raising event or recreational gaming activity for no more than ten times per year*	\$	226
Class E	Fund-Raising Event Equipment Distributor - rents or leases equipment for fund-raising event or recreational gaming activity more than ten times per year.	\$	571

\* Charitable and nonprofit organizations licensed to conduct fund-raising events may rent their equipment up to four occasions during the term of the license without getting licensed as a distributor.

5. PUNCH BOARDS/PULL-TABS				
(Fee based on annual gross gambling receipts)				
			VARIANCE*	
Class A	Up to \$ 50,000	\$ 5,000	\$	544
Class B	Up to \$ 100,000	\$ 5,000	\$	971
Class C	Up to \$ 200,000	\$ 10,000	\$	1,832
Class D	Up to \$ 300,000	\$ 10,000	\$	2,663
Class E	Up to \$ 400,000	\$ 10,000	\$	3,440
Class F	Up to \$ 500,000	\$ 10,000	\$	4,153
Class G	Up to \$ 600,000	\$ 10,000	\$	4,812
Class H	Up to \$ 700,000	\$ 10,000	\$	5,416
Class I	Up to \$ 800,000	\$ 10,000	\$	5,967
Class J	Up to \$ 1,000,000	\$ 20,000	\$	6,765
Class K	Up to \$ 1,250,000	\$ 25,000	\$	7,509
Class L	Up to \$ 1,500,000	\$ 25,000	\$	8,201
Class M	Up to \$ 1,750,000	\$ 25,000	\$	8,771
Class N	Up to \$ 2,000,000	\$ 25,000	\$	9,290
Class O	Over \$ 2,000,000	Non-	\$	10,208
		applicable		

\* A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260: Provided, That a licensee utilizing the variance shall be required to upgrade to the higher license class upon renewal.

6. RAFFLES			
(Fee based on annual gross gambling receipts)			
Class A	Up to \$ 5,000	\$	53
Class B	Up to \$ 10,000	\$	166
Class C	Up to \$ 25,000	\$	339
Class D	Up to \$ 50,000	\$	571
Class E	Up to \$ 75,000	\$	915
Class F	Over \$ 75,000	\$	1,370

7. COMBINATION LICENSE			
CLASS A	Allows gross gambling receipts of up to \$25,000 from bingo, \$7,500 from raffles, and \$7,500 from amusement games, not to exceed \$30,000 combined gross gambling receipts from all such activities. Allows general card games where no fee to play is charged.	\$	103
CLASS B	Allows gross gambling receipts of up to \$60,000 from bingo, \$15,000 from raffles, and \$15,000 from amusement games, not to exceed \$75,000 combined gross gambling receipts from all such activities. Allows general card games where no fee to play is charged.	\$	268
CLASS C	Allows gross gambling receipts of up to \$125,000 from bingo, \$30,000 from raffles, and \$30,000 from amusement games, not to exceed \$150,000 combined gross gambling receipts from all such activities. Allows general card games where no fee to play is charged.	\$	619

8. SEPARATE PREMISES			
BINGO	Per occasion (see WAC 230-04-300)	\$	26

9. PERMITS			
AGRICULTURAL FAIR-BINGO RECREATIONAL GAMING ACTIVITY (RGA)	(See WAC 230-04-191)	\$	26
	(See WAC 230-25-330 and 230-02-505)	\$	53

10. CHANGES			
NAME	(See WAC 230-04-310)	\$	26
LOCATION	(See WAC 230-04-320)	\$	26
FRE	(Date or time) (See WAC 230-04-325)	\$	26
LICENSE CLASS	(See WAC 230-04-260)	\$	26
DUPLICATE	(See WAC 230-04-290)	\$	26
LICENSE			

11. SPECIAL FEES			
INVESTIGATION REPLACEMENT	(See WAC 230-04-240) (See WAC 230-08-017)	As required	\$ 26
IDENTIFICATION STAMPS			
EXCEEDING LICENSE CLASS REVIEW, INSPECTION AND/OR EVALUATION OF EQUIPMENT, PARAPHERNALIA, SERVICES, OR SCHEMES	(See WAC 230-04-260) (See WAC 230-12-315)	As required	As required

12. SIX-MONTH PAYMENT PLAN	(See WAC 230-04-190)	\$	26
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[Statutory Authority: RCW 9.46.070. 99-24-099 (Order 377), § 230-04-202, filed 11/30/99, effective 12/31/99; 98-21-010 (Order 366), § 230-04-202, filed 10/9/98, effective 11/9/98. Statutory Authority: RCW 9.46.070(5). 97-23-053, § 230-04-202, filed 11/17/97, effective 6/30/98. Statutory Authority: RCW 9.46.070 (5), (6), (11), (14). 97-14-012, § 230-04-202, filed 6/20/97, effective 7/21/97. Statutory Authority: RCW 9.46.070 and 9.46.116. 96-24-007 (Order 304), § 230-04-202, filed 11/21/96, effective 1/1/97. Statutory Authority: RCW 9.46.070. 95-02-003 and 94-23-093 (Order 260), § 230-04-202, filed 12/22/94 and 11/17/94, effective 1/22/95 and 1/1/95.]

**WAC 230-04-203 Fees—Commercial stimulant and other business organizations.** All persons seeking to operate gambling activities at business locations shall submit the following fees to the commission when applying for gambling licenses, permits, miscellaneous changes, inspection services, or when assessed the cost of special investigation procedures by the commission:

LICENSE TYPE	DEFINITION	FEE
<b>1. CARD GAMES</b>		
Class B	Up to five tables of limited card games - hearts, rummy, pitch, pinochle, and/or cribbage (Fee to play charged)	\$ 166
Class C	Tournament only, no more than ten consecutive days per tournament.	\$
C-5	Up to five tables	\$ 166
C-10	Up to ten tables	\$ 300
C-15	Up to fifteen tables	\$ 500
Class D	General - Up to five tables (No fee to play charged)	\$ 53
Class E	*General (Fee to play charged)	
E-1	One table only	\$ 398
E-2	Up to two tables	\$ 685
E-3	Up to three tables	\$ 1,142
E-4	Up to four tables	\$ 2,287
E-5	Up to five tables	\$ 3,440
Additional tables up to a maximum of fifteen may be authorized for an additional per table fee of \$1000.		
*In addition to the above initial license fee, the commission will assess all applicants/licensees the actual costs that exceed the license fee for conducting the initial investigation and inspection, any follow-up reviews or investigations involved in the approval of activities and schemes.		
Class F	Enhanced cardroom activities endorsement - Includes alternative fee collections (per hand; pot rake), use of player-supported jackpot schemes and increased betting limits.	
	Annual license fee	\$1,500
<b>2. CARD GAMES - HOUSE-BANKED</b>		
	All tables within a card room operating any house-banked card game shall be licensed under this license class.	
	*Annual license fee	\$6,000
	Per table fee (up to fifteen tables)	\$1,500
*The commission will assess all applicants the actual costs for conducting the initial license investigation and premises inspection. Any post licensing follow-up reviews, inspections, internal control evaluations or subsequent phases of operation shall also be charged actual costs. Licensees will be evaluated and charged for these additional authorizations/phases on an individual case by case basis.		
<b>3. COMMERCIAL AMUSEMENT GAMES</b>		
	(Fee based on annual gross gambling receipts)	
* Class A	Premises only	** \$ 285/\$ 130
Class B	Up to \$ 50,000	\$ 398
Class C	Up to \$ 100,000	\$ 1,024
Class D	Up to \$ 250,000	\$ 2,287
Class E	Up to \$ 500,000	\$ 4,012
Class F	Up to \$ 1,000,000	\$ 6,883

LICENSE TYPE	DEFINITION	FEE	
Class G	Over \$1,000,000	\$ 8,610	
* Allows a business that is qualified under WAC 230-04-138 (1)(f), (g), (h), (i), or (j) to enter into a contract with a class "B" or above commercial amusement game licensee to locate and operate amusement games upon their premises.			
** Provides for a fee reduction of \$150 when: Renewing an annual license; applying for an additional license(s) at the same premises; and/or applying for multiple licenses at the same premises.			
<b>4. PUNCH BOARDS/ PULL-TABS</b>			
	(Fee based on annual gross gambling receipts)		
		VARIANCE*	
Class A	Up to \$ 50,000	\$5,000	\$ 544
Class B	Up to \$ 100,000	\$5,000	\$ 971
Class C	Up to \$ 200,000	\$10,000	\$ 1,832
Class D	Up to \$ 300,000	\$10,000	\$ 2,663
Class E	Up to \$ 400,000	\$10,000	\$ 3,440
Class F	Up to \$ 500,000	\$10,000	\$ 4,153
Class G	Up to \$ 600,000	\$10,000	\$ 4,812
Class H	Up to \$ 700,000	\$10,000	\$ 5,416
Class I	Up to \$ 800,000	\$10,000	\$ 5,967
Class J	Up to \$ 1,000,000	\$20,000	\$ 6,765
Class K	Up to \$ 1,250,000	\$25,000	\$ 7,509
Class L	Up to \$ 1,500,000	\$25,000	\$ 8,201
Class M	Up to \$ 1,750,000	\$25,000	\$ 8,771
Class N	Up to \$ 2,000,000	\$25,000	\$ 9,290
Class O	Over \$ 2,000,000	Nonapplicable	\$ 10,208
* A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260: Provided, That a licensee utilizing the variance shall be required to upgrade to the higher license class upon renewal.			
<b>5. PUNCH BOARD AND PULL-TAB SERVICE BUSINESS</b>			
	(See WAC 230-04-133) *Initial application fee	\$ 206	
	Additional associate	\$ 129	
	Renewal	\$ 51	
*Includes up to two associates.			
<b>6. DISTRIBUTOR</b>			
	(Fee based on annual gross sales of gambling related supplies and equipment)		
(a)	Class A Nonpunch board/pull-tab only	\$ 571	
	Class B Up to \$ 250,000	\$ 1,142	
	Class C Up to \$ 500,000	\$ 1,715	
	Class D Up to \$1,000,000	\$ 2,287	
	Class E Up to \$2,500,000	\$ 2,977	
	Class F Over \$2,500,000	\$ 3,667	
In addition to the annual fee, the commission will assess all applicants the actual costs incurred in conducting the investigation and inspection necessary for initial certification.			
(b)	<b>FUND-RAISING EVENT EQUIPMENT DISTRIBUTOR</b>		
	Class A Rents or leases equipment for fund-raising event or recreational gaming activity up to 10 times per year.	\$ 226	
	Class B Rents or leases equipment for fund-raising event or recreational gaming activity more than 10 times per year.	\$ 571	
<b>7. GAMBLING SERVICE SUPPLIER</b>			
	(See WAC 230-04-119)	\$ 594	
In addition to the annual fee, the commission will assess all applicants the actual costs incurred in conducting the investigation and inspection necessary for initial certification. An annual fee of \$129 shall be charged for each new contract initiated by the gambling service supplier.			
<b>8. LINKED BINGO PRIZE PROVIDER</b>			
	(See WAC 230-04-126)	\$ 3,815	
<b>9. MANUFACTURER</b>			
	(Fee based on annual gross sales of gambling related supplies and equipment)		

LICENSE TYPE	DEFINITION	FEE
Class A	Pull-tab dispensing devices only	\$ 571
Class B	Up to \$ 250,000	\$ 1,142
Class C	Up to \$ 500,000	\$ 1,715
Class D	Up to \$1,000,000	\$ 2,287
Class E	Up to \$2,500,000	\$ 2,977
Class F	Over \$2,500,000	\$ 3,667

In addition to the annual fee, the commission will assess all applicants the actual costs incurred in conducting the investigation and inspection necessary for initial certification, quality control inspection for additional activities or product lines, compliance suitability evaluations, and renewal of licenses when travel cost is incurred to complete the investigation.

<b>10. PERMITS</b>		
AGRICULTURAL FAIR/ SPECIAL PROPERTY BINGO		
Class A	One location and event only (See WAC 230-04-191)	\$ 26
Class B	Annual permit for specified different events and locations (See WAC 230-04-193)	\$ 166
RECREATIONAL GAMING ACTIVITY (RGA)		
	(See WAC 230-02-505 and 230-25-330)	\$ 53
<b>11. CHANGES</b>		
NAME	(See WAC 230-04-310)	\$ 26
LOCATION	(See WAC 230-04-320)	\$ 26
BUSINESS CLASSIFICATION	(Same owners) (See WAC 230-04-340)	\$ 53
LICENSE CLASS	(See WAC 230-04-260) New class fee, less previous fee paid, plus	\$ 26
DUPLICATE LICENSE	(See WAC 230-04-290)	\$ 26
OWNERSHIP OF STOCK	(See WAC 230-04-340)	\$ 53
LICENSE TRANSFERS	(See WAC 230-04-125, 230-04-340, and 230-04-350)	\$ 53
<b>12. SPECIAL FEES</b>		
INVESTIGATION	(See WAC 230-04-240)	As required
IDENTIFICATION AND INSPECTION SERVICES STAMPS	(See WAC 230-08-017)	As required
QUALITY CONTROL INSPECTION FEES	(See WAC 230-30-030)	As required
REPLACEMENT OF IDENTIFICATION STAMPS	(See WAC 230-30-017)	\$ 26
EXCEEDING LICENSE CLASS REVIEW,	(See WAC 230-04-260)	As required
INSPECTION AND/ OR EVALUATION OF EQUIPMENT, PARAPHERNALIA, SERVICES, OR SCHEMES	(See WAC 230-12-315)	As required
SPECIAL SALES PERMITS	(See WAC 230-04-115)	As required
<b>13. SIX-MONTH PAYMENT PLAN</b>		
	(See WAC 230-04-190)	\$ 26

[Statutory Authority: RCW 9.46.070, 99-24-099 (Order 377), § 230-04-203, filed 11/30/99, effective 12/31/99; 98-21-010 (Order 366), § 230-04-203, filed 10/9/98, effective 11/9/98. Statutory Authority: RCW 9.46.070(5), 97-23-053, § 230-04-203, filed 11/17/97, effective 6/30/98. Statutory Authority: RCW 9.46.070 (5), (6), (11), (14), 97-14-012, § 230-04-203, filed 6/20/97, effective 7/21/97. Statutory Authority: RCW 9.46.070 and 9.46.116, 96-24-007 (Order 304), § 230-04-203, filed 11/21/96, effective 1/1/97. Statutory Authority: RCW 9.46.070, 95-12-052, § 230-04-203, filed 6/2/95, effective 7/3/95; 95-02-003 and 94-23-007, § 230-04-203, filed 12/22/94 and 11/3/94, effective 1/22/95 and 1/1/95.]

**WAC 230-04-204 Fees—Individuals.** Individuals shall submit the following fees to the commission when applying for gambling licenses, permits, miscellaneous changes, or when assessed the cost of special investigation procedures by the commission:

LICENSE TYPE	DEFINITION	FEE
1. CHARITABLE OR NON-PROFIT GAMBLING MANAGER	Original	\$ 166
	Renewal	\$ 80
	Change of Employer	\$ 80
2. LINKED BINGO PRIZE PROVIDER REPRESENTATIVE	Original	\$226
	Renewal	\$139
3. COMMERCIAL GAMBLING MANAGER	Original	\$ 166
	Renewal	\$ 80
	Change of Employer	\$ 80
4. DISTRIBUTOR'S OR GAMBLING SERVICES SUPPLIER REPRESENTATIVE	Original	\$ 226
	Renewal	\$ 139
5. MANUFACTURER'S REPRESENTATIVE	Original	\$ 226
	Renewal	\$ 139
6. PUBLIC CARD ROOM EMPLOYEE	CLASS A - Performs duties as defined in WAC 230-02-415 in a class E card room.	Original \$ 166 Renewal \$ 80
	CLASS B - Performs duties as defined in WAC 230-02-415 in enhanced and house-banked card rooms.	Original, in-state \$ 224 Original, out-of-state \$ 279 Renewal \$ 139 Transfer/Additional Employee/Conversion/Emergency Waiver Request \$ 55
<b>7. OTHER FEES</b>		
CHANGE OF NAME	(See WAC 230-04-310)	\$26
DUPLICATE LICENSE	(See WAC 230-04-290)	\$26
OUT-OF-STATE RECORDS INQUIRY	(See WAC 230-04-240)	As required

[Statutory Authority: RCW 9.46.070, 99-24-099 (Order 377), § 230-04-204, filed 11/30/99, effective 12/31/99; 98-21-010 (Order 366), § 230-04-204, filed 10/9/98, effective 11/9/98. Statutory Authority: RCW 9.46.070(5), 97-23-053, § 230-04-204, filed 11/17/97, effective 6/30/98. Statutory Authority: RCW 9.46.070 and 9.46.116, 96-24-007 (Order 304), § 230-04-204, filed 11/21/96, effective 1/1/97. Statutory Authority: RCW 9.46.070, 96-09-070, § 230-04-204, filed 4/16/96, effective 7/1/96; 94-23-007, § 230-04-204, filed 11/3/94, effective 1/1/95.]

**WAC 230-04-206 Repealed.** See Disposition Table at beginning of this chapter.

### Chapter 230-12 WAC

#### RULES OF GENERAL APPLICABILITY

##### WAC

230-12-027	Age limit to participate in gambling activities—Bingo advertisements directed to minors.
230-12-030	No beer, wine or spirits as prizes.
230-12-345	Leases, rentals, and license agreements—Requirements—Restrictions.

**WAC 230-12-027 Age limit to participate in gambling activities—Bingo advertisements directed to minors.**

#### Minors shall not participate in gambling activities.

(1) Persons under the age of eighteen shall not wager in, nor participate in the operation of any gambling activity. Exceptions to this restriction are set forth in subsection (2) of this section:

#### Exceptions for minors to participate in gambling activities.

(2) Persons under the age of eighteen may:

(a) Play in licensed bingo games if accompanied by an adult member of his/her immediate family or a guardian, who is at least eighteen years old. For purposes of this section, "immediate family" means and is limited to, the spouse, parents, or grandparents of an individual. "Guardian" means and is limited to an individual appointed by a court of law as the legal guardian of an individual;

(b) Play bingo at agricultural fairs or school carnivals;

(c) Play amusement games, pursuant to the provisions set forth in RCW 9.46.0331 (4) and (5); and

(d) Sell raffle tickets, pursuant to the provisions set forth in WAC 230-02-183.

#### Bingo advertisements directed to minors.

(3) All bingo advertisements that are directed to minors shall include language indicating that all minors must be accompanied by a member of their immediate family or a guardian, who is at least eighteen years old.

#### Enforcement of age restrictions.

(4) The licensee and those persons operating gambling activities are responsible for assuring that persons under the age of eighteen are not playing in or participating in the operation of any gambling activity.

[Statutory Authority: RCW 9.46.070. 00-01-002 (Order 379), § 230-12-027, filed 12/1/99, effective 1/1/00.]

#### WAC 230-12-030 No beer, wine or spirits as prizes.

#### Alcohol shall not be offered as a prize.

(1) Pursuant to the restrictions of the liquor control board, beverages that contain alcohol, including but not limited to beer, wine or spirits, shall not be offered or awarded as a prize or in lieu of a prize for winning at any gambling activ-

ity. Exceptions to this restriction are set forth in subsection (2) of this section.

#### Exceptions for alcohol to be offered as a prize.

(2) Alcohol may be offered and awarded as a prize in:

(a) Dice or coin contests for music, food, or beverage payment as authorized by RCW 9.46.0305 (Dice or coin contests for music, food, or beverage payment);

(b) Unlicensed members-only raffles as authorized by RCW 9.46.0315 (Raffles—No license required, when), but only if the appropriate permit has been granted by the liquor control board; and

(c) Other gambling activities that the liquor control board has authorized alcohol to be given away.

[Statutory Authority: RCW 9.46.070. 00-01-002 (Order 379), § 230-12-030, filed 12/1/99, effective 1/1/00. Statutory Authority: RCW 9.46.070, 9.46.0315 and 9.46.0321. 93-17-098 (Order 243), § 230-12-030, filed 8/17/93, effective 1/1/94; Order 51, § 230-12-030, filed 4/30/76; Order 12, § 230-12-030, filed 2/14/74; Order 5, § 230-12-030, filed 12/19/73.]

**WAC 230-12-345 Leases, rentals, and license agreements—Requirements—Restrictions.** Manufacturers and distributors may lease or rent gambling equipment, other than punch boards, pull-tabs, bingo paper, bingo supplies, playing cards, and other consumable gambling-related equipment or devices to operators. In addition, manufacturers may enter into license agreements with operators permitting them to use their patented, copyrighted, or trademarked card games. All operating leases, rentals, or license agreements must be transacted on a cash basis only, except as provided in subsection (2) of this section. The following requirements and procedures shall apply:

(1) For purposes of this section, lease, rental, or license fees must be received by the manufacturer or distributor in advance of the period in which the equipment, device, or card game is to be used. Agreements shall be constructed so that regularly scheduled payments comply with this condition: Provided, That fees from electronic bingo equipment may be based on the amount of usage a device receives, as outlined in subsection (2) of this section.

(2) Fee structures for electronic bingo equipment may be based on usage, under the following circumstances:

(a) Fees may be determined by the number of times a device is used or the number of bingo sessions in which devices are utilized;

(b) Fees may not be determined by a percentage of sales, the number of bingo cards sold through the device, or the average amount a player spends on a device;

(c) Fees must be billed at least every thirty days and invoices must be dated within fifteen days from the end of each thirty-day period; and

(d) Fees must be received by the manufacturer or distributor within thirty days of the invoice date.

(3) When an operator fails to pay regularly scheduled payments in accordance with subsection (1) or (2) of this section, the following procedures shall apply:

(a) If payment is not received within ten days of the payment due date, the manufacturer or distributor shall notify the delinquent operator and the commission by the end of the

next business day. The following information shall be reported:

- (i) Operator's name;
- (ii) Delinquent amount and due date; and
- (iii) Any relevant information about the account if it is delinquent.

(b) If payment is not received within twenty days, the manufacturer shall notify the operator that it must cease using or operating the equipment, device, or card game immediately.

(c) If payment is still not received within thirty days, the manufacturer or distributor shall remove any equipment, device, or card game materials provided under the agreement from the licensed premises within five days. The commission shall be notified of the date and time removal is to occur.

(d) When a manufacturer or distributor receives an operator's delinquent payment, it shall notify the commission by the end of the next business day.

(4) Any freight, delivery, installation, or other set up fees must be paid within thirty days of the delivery date.

(5) Operators that fail to pay for lease, rental, or license fees by the date due may be deemed to have solicited credit.

(6) Manufacturers or distributors that fail to comply with the procedures noted above may be deemed to have extended credit.

(7) All capital leases for the sale of gambling equipment shall comply with WAC 230-12-340.

[Statutory Authority: RCW 9.46.070. 99-12-082 (Order 372), § 230-12-345, filed 5/28/99, effective 7/1/99.]

**Chapter 230-20 WAC**

**BINGO, RAFFLES AND AMUSEMENT GAMES**

**WAC**

230-20-058	Temporary moratorium for complying with net return requirements.
230-20-115	Gift certificates—Requirements.
230-20-125	Discounts and promotional gifts—Authorized—Limits.
230-20-192	Standards for disposable bingo cards—Requirements and definitions.
230-20-210	Repealed.
230-20-230	Free games for winners—Restrictions.
230-20-242	Activities conducted as a part of bingo games—Authorization—Restrictions.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

230-20-210	Age limit for bingo. [Statutory Authority: RCW 9.46.070(10). 80-05-060 (Order 101), § 230-20-210, filed 4/21/80; Order 63, § 230-20-210, filed 12/3/76; Order 15, § 230-20-210, filed 4/17/74; Order 9, § 230-20-210, filed 12/19/73, 1:26 p.m.; Order 5, § 230-20-210, filed 12/19/73, 1:25 p.m.] Repealed by 00-01-002 (Order 379), filed 12/1/99, effective 1/1/00. Statutory Authority: RCW 9.46.070.
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**WAC 230-20-058 Temporary moratorium for complying with net return requirements.** In order to study the possible impacts of factors beyond a charitable/nonprofit licensee's control, which may affect its ability to meet net return requirements and requirements set forth in WAC 230-20-059, the commission imposes a moratorium on the mandatory license class reduction requirement of WAC 230-20-062 and

the variance requirement of WAC 230-20-060, as set forth below:

(1) Any charitable/nonprofit licensee that fulfills the following requirements shall be allowed to operate at its current bingo license class if:

- (a) The licensee informs the commission in writing that:
  - (i) It meets the requirements of this section;
  - (ii) It wishes to participate in the study; and
  - (iii) It outlines the steps it is taking to meet its license class requirements;
- (b) The licensee is within five percent of the annual net return requirements for its license class during its measurement period ending on or after December 31, 1998, to the end of the moratorium; and

(c) Licensees operating at license class levels that provide for an annual minimum net return below five percent as set out in WAC 230-20-059 shall be required to maintain a positive cash flow as defined in WAC 230-02-138 for the measurement period.

(2) Licensees not fulfilling the requirements outlined in subsection (1) of this section are subject to penalties and reductions in license class as set forth in WAC 230-20-062 (3) and (4), respectively.

(3) A licensee that does not fall within five percent of its net return requirements will receive a "notice of license limitation" and may petition the commission for additional relief from the requirements.

(4) If any licensee requests an upgrade pursuant to WAC 230-04-260, the percentages set forth in WAC 230-20-059 less five percentage points would apply. However, the licensee must maintain a positive cash flow as defined in WAC 230-02-138 for the measurement period.

(5) The moratorium as set forth in this section applies to licensees with measurement periods ending December 31, 1998, and thereafter to the end of the moratorium. The moratorium will conclude February 29, 2000, or on such date to be determined by the commission. The moratorium applies only to those licensees meeting the requirements set forth in subsection (1) of this section. It does not apply to any other licensee requirements.

[Statutory Authority: RCW 9.46.070. 99-03-103 (Order 370), § 230-20-058, filed 1/20/99, effective 2/20/99.]

**WAC 230-20-115 Gift certificates—Requirements.**

Gift certificates may be sold or issued as prizes during bingo games and such shall not be deemed sales of bingo cards for purposes of this title if licensees comply with the following restrictions:

- (1) If sold, gift certificates shall be paid for in full at the time they are issued;
- (2) Gross receipts from the sale of certificates shall be deposited separately into the gambling account no later than five banking days after receipt. The certificate numbers relating to the funds deposited shall be a part of the deposit record;
- (3) For gift certificates awarded as prizes, the value of the certificate is recorded as a bingo prize on the daily bingo records for the sessions in which the certificate was issued. The certificate will be supported by a bingo prize receipt;
- (4) Gift certificates shall be purchased from a commercial printer or licensed distributor and shall be prenumbered,

consecutively issued, and have a predetermined value with the following information imprinted:

- (a) The name of the organization issuing the certificate;
  - (b) The date issued and an expiration date no later than three months from the date issued for awarded certificates; and one year for sold certificates;
  - (c) The dollar value of the certificate; and
  - (d) Any conditions or contingencies related to redemption of the certificate;
- (5) Gift certificates may only be awarded as prizes under the following conditions:
- (a) No prize shall include more than fifty dollars U.S. currency in gift certificates; and
  - (b) Redemption of gift certificates shall not be limited to a specific gambling activity: Provided, That certificates may be specific for bingo;
  - (6) Certificates shall only be redeemed for bingo cards, food, drink, merchandise, punch boards or pull-tabs upon the licensed premises from which it was issued;
  - (7) Certificates redeemed shall be applied against bingo activity and daily bingo records shall be modified in the cash reconciliation section of the approved record format to document the number and dollar value of certificates redeemed;
  - (8) A reconciliation of gift certificate inventory to certificates issued shall be performed on a monthly basis and will include the following control features:
    - (a) Purchase invoices will be retained for gift certificates and they will include the organization name, date of purchase, and beginning and ending certificate numbers;
    - (b) Redeemed certificates will be maintained with the corresponding daily sales records;
    - (c) Sold certificates not redeemed the expiration date shall be properly accounted for as a donation;
    - (d) Certificates issued as prizes and not redeemed by the expiration date shall be accounted for by decreasing prizes paid expense by the value of the expired certificate and eliminating the corresponding liability. This adjusting entry shall be clearly documented in the licensee's monthly records; and
    - (e) A certificate log will be maintained and will include the following:
      - (i) Certificate number;
      - (ii) Certificate value;
      - (iii) Date of issue;
      - (iv) Expiration date;
      - (v) Date of redemption; and
      - (vi) If awarded as a prize, the session and date the prize is awarded.

[Statutory Authority: RCW 9.46.070.99-11-078 (Order 371), § 230-20-115, filed 5/18/99, effective 7/1/99. Statutory Authority: RCW 9.46.070 (1), (11), (14), 98-04-024, § 230-20-115, filed 1/28/98, effective 7/1/98. Statutory Authority: RCW 9.46.070 (1), (8), (11), (14), (16) and (20), 97-09-072, § 230-20-115, filed 4/22/97, effective 7/1/97. Statutory Authority: RCW 9.46.070 (1), (8) - (11), (14), (16), (20), 96-07-078, § 230-20-115, filed 3/19/96, effective 7/1/96.]

**WAC 230-20-125 Discounts and promotional gifts—Authorized—Limits.** To increase profits from bingo games and enhance the entertainment aspect of such, licensees may conduct limited promotional activities. The following restrictions and procedures apply to promotional activities conducted as a part of bingo games:

(1) Licensees may promote bingo games by providing players discounts or gifts of nominal value on up to twelve occasions annually under the following conditions:

(a) Licensees may offer players discounts or reductions in the price to play bingo for purposes of evaluating the effectiveness of advertising of bingo games if:

(i) Discounts are only awarded to players that present a coupon that was issued by the licensee for a specific date and session;

(ii) Coupons shall not be available on the licensed premises: Provided, That this section does not prevent the sale of newspapers in which such coupons are printed on the licensed premises;

(iii) Coupons are printed in newspapers or similar media that are normally sold or delivered to an individual's residence;

(iv) The discount does not exceed fifty percent of the minimum cost to play or five dollars, whichever is less;

(v) Any conditions or restrictions of the discount are disclosed in all advertisements offering the discount; and

(vi) Records required by subsection (2) of this section are maintained.

(b) Licensees may award promotional gifts to players if:

(i) Only merchandise gifts with a cost to the licensee of no more than five dollars per gift are awarded;

(ii) The gifts are treated as prizes; and

(iii) A record is completed for each session setting out the criterion for selecting the recipients, the number of gifts, and total cost of the gifts.

(2) Licensees shall use the combination receipting method set forth in WAC 230-20-108 to record discounts awarded by this section. All discounts shall be recorded on the cash register receipt during the sales transaction;

(3) Records must be maintained as a part of the daily bingo records that provide full details of each discount or gift awarded. All discounts must be reconciled to sales and cash on the "Bingo daily record-Cash control" record. Such records must include at least the following details:

(a) Time and date of the activity;

(b) Full description of the activity, including any conditions or restrictions;

(c) A copy of all advertisements for such promotions; and

(d) All coupons or "frequent player" cards redeemed which shall include the name, address, and birth date of customers redeeming such.

(4) Licensees may provide special recognition gifts to players during the calendar week of their birthday. These gifts are excluded from the twelve occasion limitation if the following requirements are met:

(a) Such gifts shall not exceed a value of five dollars;

(b) The recipient's name and date of birth are recorded; and

(c) These gifts are treated as prizes and applicable records are maintained.

(5) Licensees may promote bingo games by offering incentives to players which are based on the customer participating in games for a specific number of sessions, playing during a session when promotional gifts are awarded to players, as authorized by subsection (1)(b) of this section, or for

spending a specific dollar amount to play bingo over a period of time if:

(a) These "frequent player" incentives are redeemed only for promotional marketing gifts; or merchandise with a cost of twenty dollars or less;

(b) These incentives are accumulated in the form of "credits" or "points" that equate to a specified number of dollars spent by the player;

(c) The redemption value of points or credits awarded under this section does not exceed:

(i) Two percent of the total dollar amount spent by a player and recorded through the cash register method of recording bingo sales; or

(ii) Five dollars for each occasion that points or credits are awarded as promotional gifts under authority of subsection (1)(b) of this section;

(d) Such credits or points shall have no cash or partial redemption value;

(e) Players shall be informed of any expiration date of points or credits earned;

(f) The licensee shall develop a control system to account for points or credits issued, redeemed, or expired. Credits or points shall be controlled by issuing points at the time of cash register receipting method sale and recorded either with a computer-based tracking system or approved manual system. The following conditions apply to accumulation records:

(i) If cards are used, cards shall meet all of the requirements set forth for tickets used for receipting for bingo income in WAC 230-20-104 and the recording of credits on such cards shall be accomplished by means under control of the licensee, such as stamps, punches, employee initials, etc.; and

(ii) Computer-based records used to record points shall be approved by the commission staff.

[Statutory Authority: RCW 9.46.070, 99-11-078 (Order 371), § 230-20-125, filed 5/18/99, effective 7/1/99; 98-19-131 (Order 364), § 230-20-125, filed 9/23/98, effective 1/1/99. Statutory Authority: RCW 9.46.070, 9.46.0209, 9.46.0237, 9.46.0205 and 9.46.075, 96-24-008 (Order 303), § 230-20-125, filed 11/21/96, effective 12/22/96.]

**WAC 230-20-192 Standards for disposable bingo cards—Requirements and definitions.** Disposable bingo cards sold for use in the state of Washington shall be manufactured and controlled using processes and procedures that ensure integrity of the activity and facilitates regulation by the commission.

**Requirements for manufacturers of disposable bingo cards.**

(1) Manufacturers shall establish quality control procedures necessary to ensure manufacturing processes, including collating of cards into packs or packets, meet the requirements of this section. Quality control procedures shall be documented and provided to commission staff upon request.

#### Definitions.

(2) For purposes of this title, the following definitions apply:

(a) "Card" or "face" means a unique group and configuration of numbers or symbols imprinted on paper, cardboard, or other materials, and designed to be used to conduct bingo games;

(b) "Card number" means the number assigned by the manufacturer to identify a single card or face. A "card number" may also be referred to as a "face" or "perm" number;

(c) "Collate" means the process of cutting and/or assembling master sheets or precut sheets of cards from one or more sets of cards into packets or books for marketing purposes. "Collate" may also be referred to as "finish" or "finishing";

(d) "Collation" means a group of packets or books of cards assembled from more than one set of cards;

(e) "Consecutively numbered" means a numbering system normally beginning with the number one, increased by one for each individual unit added to the group, and ending with a number identical to the total number of units assigned to that group;

(f) "Cut" means the layout or orientation of cards or sheets of cards subdivided from a master sheet of cards or faces. A "cut" will be either square, horizontal, or vertical;

(g) "Disposable bingo card" means a nonreusable paper bingo card manufactured by a licensed manufacturer;

(h) "Duplicate cards" means two or more cards that are imprinted with the same numbers or symbols, regardless of the configuration or location of such numbers or symbols on the card;

(i) "On" means the number of cards or faces imprinted on a sheet or "cut." The term is normally preceded by the number of cards;

(j) "Pack" or "packet" means a group of cards or sheets of cards collated into a book when each page or sheet in the book is intended for use to play a separate bingo game, including "on-the-way" games, within a session;

(k) "Product line" means a specific type of card, identifiable by features or characteristics that are unique when compared to other types of cards marketed by the manufacturer. A "product line" includes all series and all cards within each series as identified by the manufacturer;

(l) "Serial number" means a number assigned to a set of cards by a manufacturer for identification and tracking purposes when the same number is not used to identify another set of cards from the same product line, color, border pattern, and series in less than 999,999 occurrences or twelve months, whichever occurs first: Provided, That if the product line is used as a determining factor for assignment of a serial number, the difference between various product lines must be readily identifiable by observation;

(m) "Series" of cards means a specific group of cards or faces that have been assigned consecutive card or face numbers by a manufacturer. Series are typically identified by the first and last card number in the group of cards, such as "1 to 9000 series";

(n) "Set" of cards means a specific group of cards from the same product line, which are the same color, border pattern, and imprinted with the same serial number. A "set" of cards may include more than one series of cards or faces;

(o) "Sheet number" means the number assigned by the manufacturer to identify an arrangement of more than one

card that results from dividing master sheets of cards to facilitate marketing;

(p) "Skip" means the standard spread or difference between card or sheet numbers at different page levels in packs or packets;

(q) "Subset" means a portion of a set of cards or collation of packets that has been divided by a licensed distributor to facilitate marketing; and

(r) "Up" means the number of pages or sheets collated into each packet or book of cards. The term is normally preceded by the number of pages or sheets.

#### **Duplicate disposable bingo cards.**

(3) Each card or face in a particular type or product line must be imprinted with a unique set of numbers or symbols and configuration of numbers or symbols. Duplicate cards within a specific product line are prohibited. Manufacturers of disposable bingo cards are responsible for ensuring that there are no duplicate cards in a set or collation of cards sold to distributors or operators: Provided, That duplicate cards can be collated into packets if they are located at different page levels in the packets and intended only for use during separate games, including "on-the-way" games, within a session. If a manufacturer discovers a duplicate card error or is notified of such by the commission staff or a licensee, it shall immediately comply with the following steps:

(a) Stop marketing the product line containing duplicate cards in Washington;

(b) Recall all sets of cards and/or collations of packets or books containing duplicate cards at the same page level;

(c) Take steps to correct manufacturing or collating processes necessary to ensure duplicate cards are not sold to operators, and inform the commission in writing regarding steps taken;

(d) Reimburse all operators who submit a claim for prizes paid as a result of selling sets or collations containing duplicate cards when such claim has been validated by commission staff; and

(e) Reimburse the commission for all cost incurred investigating duplicate card complaints that result in findings that the error was caused by manufacturers.

#### **Collating disposable bingo cards.**

(4) Packets of cards must be collated so that each page of the packet:

(a) Is from a different set of cards;

(b) Has skips that are consistent throughout the entire collation and contains cards that are different when compared to other cards or faces in the pack or packet; and

(c) Has a different color or border pattern.

#### **Audit system to identify each set of disposable bingo cards.**

(5) Each set must include an audit system that allows identification of that specific set and each specific card within that set, allows tracking of the transfer of cards from the point of manufacture to operators, and facilitates sale by the operator to the player: Provided, That audit systems that accomplish regulatory requirements using alternative con-

trols may be approved by the commission staff. The audit system shall meet the following requirements:

(a) Each set of cards manufactured as a specific product line, using the same color and border pattern, will be assigned a unique serial number by the manufacturer. The serial number must be imprinted on each card or face;

(b) Each card or face must be identified by a card number imprinted on the face of the card: Provided, That cards used in "player selection" games, authorized by WAC 230-20-241 and "keno bingo" games, authorized by WAC 230-20-247, are exempted from this requirement; and

(c) Each sheet of cards within a set must be consecutively numbered: Provided, That sheets of cards do not have to be numbered if alternative audit controls are available and disclosed to the operator.

#### **Sale of disposable bingo cards.**

(6) Each set of cards or collation of packets of cards shall be sold intact as a single unit: Provided, That for ease of marketing to Class E and below operators and to operators of authorized unlicensed activities, distributors may divide sets or collations as authorized below:

(a) Cartons or packages assembled by manufacturers can not be opened prior to sale to an operator, except that distributors may open cartons or packages as authorized below:

(i) At an operator's request to change the "on," "up," and "cut." When such modification is made, the distributor shall be responsible for resealing the carton and noting all changes on the packing label;

(ii) To provide cards to Class A or B bingo games and for unlicensed activities authorized by RCW 9.46.0321 or 9.46.0355;

(iii) To provide cards to individuals for recreational activities; and

(iv) To provide cards to businesses for use in promotional contests of chance as authorized by RCW 9.46.0355.

(b) Subsets must contain at least one carton or package: Provided, That cartons or packages may be broken and cards sold in smaller quantities under conditions described in subsection (6)(a)(i) and (ii) of this section; and

(c) Subsets of cards used for "hidden face" bingo games must contain at least one thousand cards or sheets of cards.

#### **"Hidden face" disposable bingo cards.**

(7) In addition to the requirements of subsections (1) through (6) of this section, cards sold to operators for use in the operation of "hidden face" bingo games, authorized by WAC 230-20-243, must meet the following requirements:

(a) Each card or sheet of cards must be printed, folded, and sealed in a manner that prohibits determination of numbers or symbols, configurations of such on the card, or the card number prior to opening by the player;

(b) Each card or sheet of cards must have a separate numbering system that is randomly distributed when compared to the card number imprinted in the "free" space. Manufacturers must utilize procedures that mix cards or sheets of cards in a manner that ensures no consistent relationship exists between the "card numbers" and separate numbering system within a set or subset and that there are no patterns or

consistent relationships of the location of a specific card number between subsets from different sets;

(c) The serial number and the additional card or sheet number, required by (b) of this subsection, must be imprinted on the outside of the cards or sheets of cards and visible for recording without opening the card or sheet of cards; and

(d) Each set of cards must contain at least six thousand unique faces or patterns of numbers or symbols.

#### "Player selection" disposable bingo cards.

(8) In addition to the requirements of subsections (1) through (6) of this section, cards sold to operators for use in "player selection" bingo games, authorized by WAC 230-20-241, must be printed on two-part, self-duplicating paper that provides an original and duplicate copy.

#### Packing slip requirements.

(9) A packing record must be completed for each set of cards or collation of packets and either enclosed inside or in an envelope attached to the carton or package. If the marketing unit contains more than one carton or package, the packing record must be located on carton or package number one. The packing record must include at least the following:

(a) Name of manufacturer;

(b) Description of product, including the "series," "on," "cut," and "up";

(c) Records entry labels that match the identification and inspection services stamp attached to the packing label on the outside of the carton or package;

(d) Serial number or, if packets, serial number of the top page;

(e) Color and border pattern or, if packets, colors and border patterns of all sets and the sequence they are collated in the packet; and

(f) A record of any missing cards, sheets of cards, or packets.

#### Labeling requirements.

(10) Each separate packing or marketing unit containing a set of cards or collation of packets of cards must be identified in a manner that allows determination of the contents without opening the package. If the marketing unit contains more than one case or carton, each unit shall be labeled and numbered. Minimum information to be disclosed on each carton or package:

(a) The identification and inspection services stamp number;

(b) Serial number or, if packets, serial number of the top page;

(c) Color and border pattern or, if packets, color and border pattern of the top page; and

(d) Number of the carton and the total number of cartons included in the marketing unit.

#### Quality control.

(11) Sets of cards, collations of packets, or any other marketing units established by a manufacturer shall be complete and contain the correct number of cards or packets and the specific cards or packets noted on the packing slip: Pro-

vided, That up to one percent of the cards in the set may be missing if all missing cards, sheets, or packets are documented on the packing record enclosed in carton or package number one of the marketing unit.

#### Winning card verification system.

(12) To provide the commission and operators the ability to verify the authenticity of winning cards, each manufacturer shall prepare and make available a master verification system for each type or product line of cards it manufactures. This master verification system shall provide a facsimile of each card within a set of cards by the card number. The master verification system shall display the exact numbers or symbols and the location or configuration of numbers or symbols on the card.

[Statutory Authority: RCW 9.46.070. 00-01-003 (Order 378), § 230-20-192, filed 12/1/99, effective 1/1/00; 97-19-079, § 230-20-192, filed 9/16/97, effective 1/1/98; 94-01-033, § 230-20-192, filed 12/6/93, effective 1/6/94.]

**WAC 230-20-210 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 230-20-230 Free games for winners—Restrictions.** Bingo games conducted under the authority of a Class A, B or C license or games conducted without a license under RCW 9.46.0321 may award free games without restrictions on the number of occasions. Class D and above licensees may only award free bingo games as a prize when the restrictions and requirements set forth in WAC 230-20-115 are met.

[Statutory Authority: RCW 9.46.070. 99-11-078 (Order 371), § 230-20-230, filed 5/18/99, effective 7/1/99. Statutory Authority: RCW 9.46.070 (1), (8) - (11), (14), (16), (20). 96-07-078, § 230-20-230, filed 3/19/96, effective 7/1/96. Statutory Authority: RCW 9.46.070. 94-07-084 (Order 250), § 230-20-230, filed 3/16/94, effective 4/16/94; Order 53, § 230-20-230, filed 5/25/76; Order 12, § 230-20-230, filed 2/14/74; Order 5, § 230-20-230, filed 12/19/73, 1:25 p.m.]

**WAC 230-20-242 Activities conducted as a part of bingo games—Authorization—Restrictions.** Bingo licensees may award prizes to winners of activities authorized by this section when such activities are conducted as a part of bingo games. Such activities shall be deemed to be bingo games if all players paying to participate are allowed to compete equally and all prizes awarded are treated as bingo game prizes for purposes of compliance with WAC 230-20-059.

(1) Drawings. Each licensee shall be allowed to award prizes that are determined by a random drawing of tickets or by other random selection methods involving the numbering system on such tickets if the requirements of WAC 230-20-105 are followed: Provided, That upon approval by commission staff, a licensee may use bingo cards in place of tickets if the requirements of WAC 230-20-107 are followed, and:

(a) All rules regarding these drawings, including requirements to qualify for participation, time and date of the drawing, and whether a player must be present to win, are clearly posted and distinctly explained to the players;

(b) Tickets or other facsimiles used to enter such drawings are awarded only to players purchasing cards to play in bingo games;

(c) Tickets, from which the winners of any such drawing are selected, shall not be accumulated for a period that is longer than thirty days. Drawings may be conducted using tickets that accumulate during any bingo occasion, week, or any other period that does not exceed thirty consecutive days;

(d) Players may only be awarded or otherwise receive tickets to participate in drawings at bingo games by meeting the following criteria:

(i) Pay an amount not to exceed one dollar per ticket. If a licensee elects to charge for entry into drawings, such drawings shall not be combined with other means of entry allowed by this subsection, and the gross gambling receipts, prizes, and expenses shall be recorded and reported as bingo activities: Provided, that if players are required to purchase tickets to enter the drawing, they shall not be required to be present to win if the drawing is not held at the same session as tickets are purchased;

(ii) Be a winner of a bingo game during the session;

(iii) Be a "good neighbor" winner, as defined by subsection (3) of this section; or

(iv) Meet other specific and predetermined criterion that has been approved by the director;

(e) The criterion for granting tickets, and the number of tickets awarded during each session, shall be recorded in the daily bingo record for each session. All winning tickets and other records shall be maintained as a part of the daily bingo records.

(2) Creativity and originality contests. A bingo licensee may conduct contests in which players may demonstrate their creativity and originality skills on up to eight occasions annually. The following rules must be observed in conducting these contests:

(a) The total value of prizes shall not exceed five hundred dollars during any occasion;

(b) Only players who have paid to participate in bingo games during the current session may participate in the contest; and

(c) A record shall be completed for each contest setting out the criterion for selecting the winners, the number of participants in the contest, and all details required by WAC 230-08-080 and 230-20-102. Such records shall be maintained as a part of the daily bingo records.

(3) "Good neighbor" prize schemes. A licensee may award prizes based upon the seating location of a player or players in regards to a winner of a bingo game or other approved criteria. The following requirements must be observed prior to awarding "good neighbor" prizes:

(a) All rules regarding these prizes, including the amount to be awarded to each "good neighbor" or group of "good neighbors" and all requirements to qualify for a prize, must be clearly posted and distinctly explained to the players; and

(b) A record shall be completed setting out the criterion for awarding such prizes, the number of such prizes awarded during each session, and all details required by WAC 230-08-080 and 230-20-102. Such record shall be maintained as a part of the daily bingo records.

(4) Second element of chance schemes. Licensees may use these schemes to increase the minimum prize for a bingo game after the winner(s) of the game has been determined by calling numbers and symbols if:

(a) The schemes do not involve the use of gambling devices specifically prohibited by public policy or commission rules;

(b) A player's minimum odds of winning the highest prize is equal to or greater than one winner out of one hundred twenty-five chances or the probability of winning the highest prize is .008 or greater;

(c) The scheme does not require the player to risk any portion of a prize already won;

(d) Every possible outcome of the scheme provides the player with an additional prize;

(e) All rules regarding play of the game are clearly posted and distinctly explained to the players. At least the following information shall be disclosed:

(i) The players minimum odds of winning the highest prize;

(ii) How a winner is determined;

(iii) Any contingencies or special requirements that may affect the outcome;

(iv) The cash value of the highest prize available; and

(v) Any financial burden that must be borne by the winner, such as taxes or registration fees.

(f) All requirements of WAC 230-20-010 are met before cards are purchased; and

(g) The scheme and supporting records contain control factors necessary for commission audit.

(5) Birthday bonus prizes. Licensees may offer birthday bonus prizes to players who win a bingo game subject to the following restrictions:

(a) The maximum bonus prize is fifty dollars;

(b) The player's birthday must be within the calendar week that the winning combination occurred and the bonus is paid;

(c) A licensee may award only one birthday bonus to any player during any calendar year;

(d) In addition to all requirements of WAC 230-20-102, the prize receipt for such prizes must include:

(i) The address of the winner;

(ii) The player's date of birth; and

(iii) The type of identification provided by the player to verify the winner's date of birth.

[Statutory Authority: RCW 9.46.070. 99-11-078 (Order 371), § 230-20-242, filed 5/18/99, effective 7/1/99. Statutory Authority: RCW 9.46.070 (1), (2), 97-14-013, § 230-20-242, filed 6/20/97, effective 7/21/97. Statutory Authority: RCW 9.46.070, 9.46.0209, 9.46.0237, 9.46.0205 and 9.46.075. 96-24-008 (Order 303), § 230-20-242, filed 11/21/96, effective 12/22/96. Statutory Authority: RCW 9.46.070 (1), (8) - (11), (14), (20). 96-13-067 (Order 293), § 230-20-242, filed 6/18/96, effective 7/19/96. Statutory Authority: Chapter 9.46 RCW. 94-24-055 (Order 263), § 230-20-242, filed 12/5/94, effective 1/5/95. Statutory Authority: RCW 9.46.070. 93-13-062 (Order 240), § 230-20-242, filed 6/17/93, effective 7/18/93.]

## Chapter 230-40 WAC CARD GAMES

### WAC

230-40-010  
230-40-125

Types of card games authorized.  
Washington blackjack—Rules of play—Wagering limits.

**WAC 230-40-010 Types of card games authorized.**  
Only card games that have been specifically authorized are

allowed to be played in public or social card rooms licensed by the commission. The commission hereby authorizes the following card games:

(1) Poker - Any poker game described in *Hoyle's Modern Encyclopedia of Card Games*, by Walter B. Gibson, published by Doubleday and Company, Inc., April 1974, 1st edition, pages 219 through 277.

(2) Hearts.

(3) Pinochle.

(4) Cribbage.

(5) Rummy.

(6) Pan.

(7) Pitch.

(8) Washington blackjack - as set forth in WAC 230-40-125.

(9) Pan-9.

(10) Bid Whist.

(11) Those games the director approves on a temporary, case-by-case basis. An application for approval of a game must be in writing, and include the rules of play and all wagering schemes. Temporary approvals granted are valid for no more than six months or until adopted by the commission, whichever occurs first.

[Statutory Authority: RCW 9.46.070. 99-13-103 (Order 373), § 230-40-010, filed 6/15/99, effective 8/1/99. Statutory Authority: RCW 9.46.0281, 9.46.070 (1), (2), (14) and (20). 96-11-073, § 230-40-010, filed 5/13/96, effective 7/1/96. Statutory Authority: RCW 9.46.070. 94-13-098 (Order 252), § 230-40-010, filed 6/15/94, effective 7/16/94. Statutory Authority: RCW 34.05.220(4), [34.05].230 and 9.46.070 (11) and (14). 90-05-032 (Order 205), § 230-40-010, filed 2/14/90, effective 3/17/90. Statutory Authority: RCW 9.46.070. 88-19-038 (Order 183), § 230-40-010, filed 9/13/88. Statutory Authority: Chapter 9.46 RCW. 86-19-056 (Order 161), § 230-40-010, filed 9/15/86. Statutory Authority: RCW 9.46.070(11). 82-23-050 (Order 125), § 230-40-010, filed 11/15/82. Statutory Authority: RCW 9.46.070(10) (see RCW 9.46.020(20)). 80-09-067 (Order 103), § 230-40-010, filed 7/17/80; Order 78, § 230-40-010, filed 11/17/77; Order 67, § 230-40-010, filed 3/11/77; Order 40, § 230-40-010, filed 6/26/75; Order 23, § 230-40-010, filed 9/23/74.]

**WAC 230-40-125 Washington blackjack—Rules of play—Wagering limits.** (1) Fees to play Washington blackjack shall only be assessed on a time basis and collected using the direct method as defined in WAC 230-40-050. Washington blackjack is a nonhouse banking card game permitted in Class A and E card rooms. Washington blackjack shall be played in the following manner:

(2) No more than two standard fifty-two-card decks shall be used with suits disregarded and each card valued numerically only as follows: Ace equal 1 or 11; face cards (King, Queen, Jack) equal 10 each; others according to their spots, 10 to 2. The number of decks used shall be established by house rule. The cards shall be dealt from a shoe at all times. The game is played with a player who deals the cards and banks the game (dealer/banker).

(3) When starting a new table the cards are cut to determine who the first banker will be. The dealer/banker shall announce the amount of money that he or she will put into the bank. If a minimum bank is established as per individual house rule, it shall not exceed five hundred dollars.

(4) Once the bank has been established, the player to the immediate left of the dealer/banker places his/her wager on the bet line and the dealer/banker covers that wager by

matching it with a like amount of chips. Each player makes their wager in turn and each wager is immediately matched by the dealer/banker. The maximum and minimum wager may be set by house rule but in no event shall the maximum wager exceed twenty-five dollars. If the bank runs out of money (tapped out) prior to the commencement of the deal, then only those players with a wager covered will be dealt a hand.

(5) The play begins with the dealer/banker dealing one card face up to each covered player including himself/herself, one more card face up to each covered player, and then one down card to himself/herself. A player may be dealt more than one hand by house rule. If a player holds an ace and a face card or a ten, it is a "natural" 21 and the player collects one and one-half times the amount of their bet from the dealer/banker, unless the dealer/banker also has a natural which results in a tie (push). All ties result in the players and the dealer/banker recovering their wagers.

(6) If the dealer/banker's face-up card is a ten, face card or ace, he/she shall look at the face-down card to see if he/she has a natural; if the face-up card is anything else, he/she may not look at the face-down card until his/her turn to draw. If the dealer/banker has a "natural," he/she collects the wagers from players who do not have a "natural." If the dealer/banker does not have a "natural," he/she pays off any player with a "natural" starting with the first one to the left of the dealer/banker. Should the dealer/banker not have enough money in the bank to make up the one and one-half for one payoff due on a "natural," then those hands and wagers will be frozen in place until the additional wagers are made up or the hand is over. If after the hand is over, a dealer/banker cannot cover the one and one-half for one, the player shall get the amount of wager that was covered by the dealer.

(7) If the dealer/banker's face-up card is an ace, the licensee, by house rule, may allow the player banking the game to offer an "insurance" bet against losing to the dealer/banker's possible "natural." The dealer/banker, before looking at his down card, inquires if any player wants insurance. A player who desires insurance places an amount equal to half his/her present wager on his/her own hand. When this bet is made, the dealer/banker looks at his/her down card. If it is a 10 count, the dealer/banker turns it face up and announces a "natural." The insurance bettor is paid off at a rate of 2 to 1 and, unless they have a "natural," lose their original wager. If the dealer/banker's down card is not a 10 count card, the player loses his/her insurance bet and continues playing on their original wager.

(8) If the dealer/banker does not have a "natural," play continues with the player on the dealer/banker's immediate left. The dealer/banker deals cards face up, one by one, as that player calls for them. The player's aim is to total 21 or as close to 21 without going over. When a player is satisfied with their total, they shall declare "stand." If the player wants more cards, the player declares "hit." If a player goes over a 21 point count, the hand is a "bust" and they must turn the hand down, while the dealer/banker collects the bet. The dealer/banker does the same with each remaining player. Any player who stands must wait while the dealer/banker draws his or her cards. If the dealer/banker goes bust, each standing player is paid the amount of their wager. If the dealer/banker

"stands," the down card is turned up and players whose totals are higher than the dealer/banker's are paid. The dealer/banker collects from any player whose total is less. Action is always to the left of the dealer/banker. Any frozen wagers needing to be "made up" will be done in order, to the left of the dealer/banker from losing wagers the dealer/banker collects.

(9) Should the dealer/banker not be able to cover all frozen wagers then those frozen wagers are released to the winning players and the deal passes immediately to the left at which time the new dealer/banker shall announce the amount of the bank and shuffle the cards. The same shall apply if the dealer/banker has no money in the bank. The dealer/banker may, if allowed by house rule, add to their bank in between hands.

(10) Upon completion of the shuffle, the player to the right of the dealer/banker shall cut the cards. After the cards have been placed into the shoe the dealer/banker shall insert a blank card approximately three quarters of the way through the deck(s). A dealer/banker may deal from the shoe until he/she reaches the blank card. After the blank card appears, the dealer/banker may continue dealing that hand, but will not start a new hand. The player on the dealer/banker's immediate left shall be offered the opportunity to be the next dealer/banker. The discards may only be reshuffled to complete the last hand.

(11) Once wagers are placed and covered on the bet line, no player, including the dealer/banker, may touch those wagers until the winner has been determined. Any player touching the wagers may be ruled to have fouled and their wager forfeited.

(12) Any player who lifts their cards up from the table or slides their cards out of their own playing area shall be ruled to have fouled and their wager may be forfeited.

(13) No player may "buy" the bank. The deal must pass around the table to the left and no person can authorize another person to deal for him or her. No player may be the banker for more than one consecutive shoe before passing the bank. A new player entering the game may not participate as the dealer/banker until at least two other players have dealt. If a player does not wish to deal and passes the deal, that player may not play in the first two hands conducted by the next dealer/banker. A dealer/banker may, after completing one full hand, pass the deal and be able to participate in the next hand.

(14) The dealer/banker must stand on seventeen or above and must take hits on sixteen or below. If a dealer/banker has an ace, it shall be counted as eleven if it brings his or her total to seventeen or more (but not over twenty-one). Provided, That the licensee, by house rule, may allow play of a "soft seventeen," which occurs when the dealer/banker's first two cards are an ace valued at eleven and a six. If the licensee elects to play a soft seventeen, house rules must specify that the dealer/banker must hit a soft seventeen, and must stand on a hard seventeen and any eighteen or above. House blackjack rules must be posted in plain view to the players and the house must ensure they are consistently followed.

(15) The conditions for doubling down shall be set by house rule, provided that the wager may be doubled and the player received only one more card. The player must then

stand on those three cards. If the dealer's bank is insufficient to cover a double down wager, the player may wager an amount equal to the dealer's remaining bank. The dealer must then cover that wager. If the dealer has no bank then a player may not double down.

(16) If a player's first two cards are a pair, then that player may split the pair into two separate hands. The amount of the player's original bet then goes on one of the cards, and they must place an equal amount as a bet on the other card. If the dealer/banker does not have enough in their bank to cover the doubled bet, the dealer/banker must cover an amount equal to the value of their remaining bank. The player then has the option to divide the wagers in any manner between the two hands, not to exceed the allowable limit per hand. If the dealer/banker has no bank then the player may divide their wager in any manner between the two hands, unless the player's original bet was a minimum allowed in that game then they may not split their pair. Additional splits shall be determined by house rule.

(17) The dealer/banker will pay only on the value of the cards held by the player and shall not pay on the number of cards received or the card sequence.

[Statutory Authority: RCW 9.46.070. 99-13-102 (Order 374), § 230-40-125, filed 6/15/99, effective 8/1/99. Statutory Authority: RCW 9.46.070 (1)-(4), (7), (8), (11), (12), (14), (20) and 9.46.110 (3), (4). 95-23-109, § 230-40-125, filed 11/22/95, effective 1/1/96. Statutory Authority: RCW 9.46.070. 93-13-062 (Order 240), § 230-40-125, filed 6/17/93, effective 7/18/93. Statutory Authority: Chapter 9.46 RCW. 91-21-053 (Order 228), § 230-40-125, filed 10/15/91, effective 11/15/91; 91-05-047 (Order 220), § 230-40-125, filed 2/14/91, effective 3/17/91. Statutory Authority: RCW 9.46.070 (11) and (14). 90-11-058, § 230-40-125, filed 5/15/90, effective 6/15/90. Statutory Authority: RCW 34.05.220(4), [34.05].230 and 9.46.070 (11) and (14). 90-05-032 (Order 205), § 230-40-125, filed 2/14/90, effective 3/17/90.]

## Chapter 230-46 WAC UNLICENSED ACTIVITIES

### WAC

230-46-045

Promotional contests of chance similar to bingo—"No fee bingo."

**WAC 230-46-045 Promotional contests of chance similar to bingo—"No fee bingo."** Promotional contests of chance, which are similar to bingo and are commonly referred to as "no fee bingo," may be conducted in limited circumstances if all of the following conditions are met:

#### **Entry fees not allowed.**

(1) Participants may not be charged a direct or indirect fee to participate in the game. Indirect fees include, but are not limited to, cover charges and other similar fees;

#### **Limit on value of prizes.**

(2) Prizes may only involve merchandise items such as food, nonalcoholic beverages, hats, shirts, or other promotional items valued at less than twenty-five dollars each. No cash prizes may be substituted for merchandise prizes. Prizes cannot exceed one hundred dollars per week, or five thousand dollars per year. Operators shall record the names of winners and prize(s) won for each game;

**Bingo cards.**

(3) Bingo cards used must be of the type set aside for recreational or noncommercial uses as described in WAC 230-20-192 (6)(a)(iii); and

**Contest time limit.**

(4) The contest shall not be conducted for more than a total of three hours per day, twice per week. Participants shall receive a bingo card immediately prior to the start of each game.

[Statutory Authority: RCW 9.46.070. 00-01-003 (Order 378), § 230-46-045, filed 12/1/99, effective 1/1/00.]

**Chapter 230-60 WAC**  
**PUBLIC RECORDS—DISCLOSURE**

**WAC**

230-60-025 Public records available—Location—Time available.

**WAC 230-60-025 Public records available—Location—Time available.** All public records of the commission are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by chapter 42.17 RCW, and WAC 230-60-050. The records available, their location, and the times they are available for inspection as follows:

(1) Public records - The following are deemed public records:

(a) The license application form and all supplemental information submitted at the commission's request subject to the exemptions in chapter 42.17 RCW and other applicable laws including, but not limited to, chapter 10.97 RCW: Provided, That consistent with chapter 10.97 RCW, the commission may disclose conviction data of an applicant or licensee;

(b) All activity reports and attachments required to be submitted to the commission on a periodic basis;

(c) All completed administrative proceedings; and

(d) All opinions and interpretive statements;

(e) All policies and procedures: Provided, That investigative procedures that, when disclosed, would hinder the commission's ability to conduct inspections, audits, or other investigative procedures will not be disclosed.

(2) Location of public records - All public records of the commission are located at the administrative office in Lacey.

(3) Times public records are available - All public records are available during normal office hours as set out in WAC 230-02-030: Provided, That public records may not be available during the period 12:00 noon to 1:00 p.m. unless a prior written request is made.

[Statutory Authority: RCW 9.46.070. 99-18-003 (Order 376), § 230-60-025, filed 8/18/99, effective 9/18/99. Statutory Authority: Chapter 34.05 RCW. 90-03-064 (Order 203), § 230-60-025, filed 1/18/90, effective 2/18/90; Order 75, § 230-60-025, filed 9/16/77.]

**Title 232 WAC**  
**FISH AND WILDLIFE,**  
**DEPARTMENT OF**  
**(WILDLIFE)**

**Chapters****232-12****232-16****232-21****232-28****232-32****Permanent regulations.****Game reserves.****Gold prospecting—Classifications.****Seasons and limits.****Cooperative wildlife projects.**

**Chapter 232-12 WAC**  
**PERMANENT REGULATIONS**

**WAC**

232-12-001

232-12-017

232-12-01701

232-12-018

232-12-024

232-12-068

232-12-069

232-12-072

232-12-134

232-12-137

232-12-141

232-12-157

232-12-166

232-12-189

232-12-191

232-12-241

232-12-261

232-12-264

232-12-291

232-12-619

232-12-830

Definition of terms.

Deleterious exotic wildlife.

Aquatic nuisance species.

Definitions—Landlocked chinook and coho.

Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

Nontoxic shot requirement for waterfowl, coot, and snipe hunting.

Repealed.

Eastern Washington pheasant enhancement—Funding level determination.

Report required of licensed trappers.

Repealed.

Wild animal trapping.

Repealed.

Northern squawfish sport-reward fishery Columbia and Snake rivers.

Duplicate licenses, tags, etc.—Rules for issuance.

Repealed.

Repealed.

Live decoys unlawful.

Baiting of game birds—Unlawful.

Hunting before or after hours.

Permanent Washington state-wide game fish regulations.

Waters in which either a personal use freshwater or personal use saltwater fishing license is valid.

**DISPOSITION OF SECTIONS FORMERLY**  
**CODIFIED IN THIS CHAPTER**

232-12-069

Transport tag fees for black bear and cougar. [Statutory Authority: RCW 77.12.040. 98-01-213 (Order 97-247), § 232-12-069, filed 12/23/97, effective 1/23/98.] Repealed by 99-03-029 (Order 99-02), filed 1/13/99, effective 2/13/99. Statutory Authority: 1998 c 191 and RCW 75.08.080.

232-12-137

Unlawful to use game species for trapping. [Statutory Authority: RCW 77.12.040. 83-15-060 (Order 211), § 232-12-137, filed 7/20/83; 81-22-002 (Order 174), § 232-12-137, filed 10/22/81; 81-12-029 (Order 165), § 232-12-137, filed 6/1/81. Formerly WAC 232-12-300.] Repealed by 99-17-034 (Order 99-118), filed 8/11/99, effective 9/11/99. Statutory Authority: RCW 77.12.040.

232-12-157

Steelhead catch record card. [Statutory Authority: 1998 c 191 and RCW 75.08.080. 99-03-029 (Order 99-02), § 232-12-157, filed 1/13/99, effective 2/13/99. Statutory Authority: RCW 77.12.040. 85-12-005 (Order 252), § 232-12-157, filed 5/23/85; 84-03-021 (Order 220), § 232-12-157, filed 1/11/84. Statutory Authority: RCW 77.12.020 and 77.12.040. 83-21-003 (Order 218), § 232-12-157, filed 10/6/83. Statutory Authority: RCW 77.12.040. 82-22-032 (Order 195), § 232-12-157, filed 10/27/82; 81-22-002 (Order 174), § 232-12-157, filed 10/22/81; 81-12-029 (Order 165), § 232-12-157, filed