

WSR 23-16-133

PROPOSED RULES

GAMBLING COMMISSION

[Filed August 1, 2023, 3:50 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-11-105.

Title of Rule and Other Identifying Information: WAC 230-10-460, regarding shared bingo facilities, needs to be amended to bring it in-to alignment with amendments made to RCW 9.46.0205 in the most recent legislative session.

Hearing Location(s): On September 14, 2023, at 9:30 a.m., at the Washington State Gambling Commission, 4565 7th Avenue S.E., Lacey, WA 98503. The meeting time and location are tentative. Visit our website at www.wsgc.wa.gov approximately seven days prior to the meeting and select "About Us" and then select "Public Meetings" to confirm the hearing date, location, start time and agenda items.

Date of Intended Adoption: September 14, 2023.

Submit Written Comments to: Lisa C. McLean, P.O. Box 42400, Olympia, WA 98504-2400, email rules.coordinator@wsgc.wa.gov, www.wsgc.wa.gov, by September 8, 2023.

Assistance for Persons with Disabilities: Contact Julie Anderson, phone 360-486-3453, TTY 360-486-3637, email julie-anderson@wsgc.wa.gov, www.wsgc.wa.gov, by September 8, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: With the passage of HB 1707, An act relating to bingo conducted by bona fide charitable and nonprofit organizations, WAC 230-10-460, regarding shared bingo facilities, needs to be amended to be consistent with the amendments made to RCW 9.46.0205. Specifically, HB 1707 eliminated the need for a bona fide charitable or nonprofit organization to locate their head office or principal location in the same county where they operate bingo, which requires a similar amendment to WAC 230-10-460.

Reasons Supporting Proposal: The law has changed, which requires amending the WAC to bring it into alignment.

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 Proponent: Washington state gambling commission, governmental.

Name of Agency Personnel Responsible for Drafting: Lisa C. McLean, Legislative and Policy Manager, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3454; Implementation: Tina Griffin, Director, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3456; and Enforcement: Gary Drumheller, Assistant 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. A cost-benefit analysis is not required per RCW 34.05.328 (5) (b) (iii).

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(4).

Scope of exemption for rule proposal:

Is fully exempt.

August 1, 2023

OTS-4651.1

AMENDATORY SECTION (Amending WSR 07-10-033, filed 4/24/07, effective 1/1/08)

WAC 230-10-460 Shared bingo facilities. Multiple bingo licensees must enter into a written agreement before sharing a facility. Before operating in a shared facility, licensees must:

(1) Send us written notification of intent to share facilities at least (~~thirty~~) 30 days before operating bingo in a shared facility. The notification must include, at least:

- (a) The name of all organizations sharing the facility; and
- (b) Names and signatures of the highest ranking officer for each organization involved; and
- (c) Copies of any written agreements between organizations; and
- (d) The method used to share expenses.

(2) Maintain management over their individual gambling activities.

(3) Be solely responsible for their individual records, inventory, management, equipment, and operation of the gambling activities for which they hold a license.

(4) Complete a separate quarterly activity report according to the gambling receipts and expenses it is responsible for under the terms of the written agreement between the licensees.

~~((5) Locate their head office or principal location in the same county where they operate bingo, or as otherwise defined in RCW 9.46.0205.))~~

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-460, filed 4/24/07, effective 1/1/08.]