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SENATE BILL 5745

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State of Washington                      52nd Legislature                      1991 Regular Session

By Senators Moore, Matson, West, McMullen, von Reichbauer, Murray, Stratton, Anderson and Bauer.

Read first time February 19, 1991. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to special amusement game licenses; and amending  
2 RCW 9.46.0331.

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

4            **Sec. 1.** RCW 9.46.0331 and 1987 c 4 s 30 are each amended to read  
5 as follows:

6            The legislature hereby authorizes any person to conduct or operate  
7 amusement games when licensed and operated pursuant to the provisions  
8 of this chapter and rules and regulations adopted by the commission at  
9 such locations as the commission may authorize. The rules shall  
10 provide for at least the following:

11            (1) Persons other than bona fide charitable or bona fide nonprofit  
12 organizations shall conduct amusement games only after obtaining a  
13 special amusement game license from the commission.

14            (2) Amusement games may be conducted under such a license only as  
15 a part of, and upon the site of:

1       (a) Any agricultural fair as authorized under chapter 15.76 or  
2 36.37 RCW; or

3       (b) A civic center of a county, city, or town; or

4       (c) A world's fair or similar exposition that is approved by the  
5 bureau of international expositions at Paris, France; or

6       (d) A community-wide civic festival held not more than once  
7 annually and sponsored or approved by the city, town, or county in  
8 which it is held; or

9       (e) A commercial exposition organized and sponsored by an  
10 organization or association representing the retail sales and service  
11 operators conducting business in a shopping center or other commercial  
12 area developed and operated for retail sales and service, but only upon  
13 a parking lot or similar area located in said shopping center or  
14 commercial area for a period of no more than seventeen consecutive days  
15 by any licensee during any calendar year; or

16       (f) An amusement park. An amusement park is a group of activities,  
17 at a permanent location, to which people go to be entertained through  
18 a combination of various mechanical or aquatic rides, theatrical  
19 productions, motion picture, and/or slide show presentations with food  
20 and drink service. The amusement park must include at least five  
21 different mechanical, or aquatic rides, three additional activities,  
22 and the gross receipts must be primarily from these amusement  
23 activities; or

24       (g) A regional shopping center. A regional shopping center is a  
25 shopping center developed and operated for retail sales and service by  
26 retail sales and service operators and consisting of more than six  
27 hundred thousand gross square feet not including parking areas.  
28 Amusement games conducted as a part of, and upon the site of, a  
29 regional shopping center shall not be subject to the prohibition on  
30 revenue sharing set forth in RCW 9.46.120(2).

1       (3) No amusement games may be conducted in any location except in  
2 conformance with local zoning, fire, health, and similar regulations.  
3 In no event may the licensee conduct any amusement games at any of the  
4 locations set out in subsection (2) of this section without first  
5 having obtained the written permission to do so from the person or  
6 organization owning the premises or an authorized agent thereof, and  
7 from the persons sponsoring the fair, exhibition, commercial  
8 exhibition, or festival, or from the city or town operating the civic  
9 center, in connection with which the games are to be operated.

10       (4) In no event may a licensee conduct any amusement games at the  
11 location described in subsection (2)(g) of this section, without, at  
12 the location of such games, providing adult supervision during all  
13 hours the licensee is open for business at such location, prohibiting  
14 school-age minors from entry during school hours, maintaining full-time  
15 personnel whose responsibilities include maintaining security and daily  
16 machine maintenance, and providing for hours for the close of business  
17 at such location that are no later than 10:00 p.m. on Fridays and  
18 Saturdays and on all other days that are the same as those of the  
19 regional shopping center in which the licensee is located.