

CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 5745**

Chapter 287, Laws of 1991

52nd Legislature  
1991 Regular Session

SPECIAL AMUSEMENT GAMES LICENSES

EFFECTIVE DATE: 7/28/91

Passed by the Senate April 23, 1991  
Yeas 45 Nays 0

JOEL PRITCHARD  
**President of the Senate**

Passed by the House April 16, 1991  
Yeas 86 Nays 12

JOE KING  
**Speaker of the  
House of Representatives**

Approved May 20, 1991

BOOTH GARDNER  
**Governor of the State of Washington**

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5745** as passed by the Senate and the House of Representatives on the dates hereon set forth.

GORDON A. GOLOB  
**Secretary**

FILED

May 20, 1991 - 11:03 a.m.

**Secretary of State  
State of Washington**



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ENGROSSED SENATE BILL 5745

AS AMENDED BY THE HOUSE

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Passed Legislature - 1991 Regular Session

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

1       (h) A location that possesses a valid license from the Washington  
2 state liquor board and prohibits minors on their premises; or

3       (i) Movie theaters, bowling alleys, miniature golf course  
4 facilities, and amusement centers. For the purposes of this section an  
5 amusement center shall be defined as a permanent location whose primary  
6 source of income is from the operation of 10 or more amusement devices;  
7 or

8       (j) Any business whose primary activity is to provide food service  
9 for on premises consumption and who offers family entertainment which  
10 includes at least three of the following activities: amusement  
11 devices; theatrical productions; mechanical rides; motion pictures; and  
12 slide show presentations.

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

22       (4) In no event may a licensee conduct any amusement games at the  
23 location described in subsection (2)(g) of this section, without, at  
24 the location of such games, providing adult supervision during all  
25 hours the licensee is open for business at such location, prohibiting  
26 school-age minors from entry during school hours, maintaining full-time  
27 personnel whose responsibilities include maintaining security and daily  
28 machine maintenance, and providing for hours for the close of business  
29 at such location that are no later than 10:00 p.m. on Fridays and

1 Saturdays and on all other days that are the same as those of the  
2 regional shopping center in which the licensee is located.

3 (5) In no event may a licensee conduct any amusement game at a  
4 location described in subsections (2)(i) or (j) of this section,  
5 without, at the location of such games, providing adult supervision  
6 during all hours the licensee is open for business at such location,  
7 prohibiting school-age minors from playing licensed amusement games  
8 during school hours, maintaining full-time personnel whose  
9 responsibilities include maintaining security and daily machine  
10 maintenance, and prohibiting minors from playing the amusement games  
11 after 10:00 p.m. on any day.

Passed the Senate April 23, 1991.

Passed the House April 16, 1991.

Approved by the Governor May 20, 1991.

Filed in Office of Secretary of State May 20, 1991.