

SHB 2872 - H AMD 943
By Representative Curtis

1 On page 1, beginning on line 11, strike all of sections 2 and
2 3 and insert the following:

3 "NEW SECTION. **Sec. 2.** A new section is added to chapter 9.46
4 RCW to read as follows:

5 Except as otherwise provided in this chapter, it is unlawful
6 for any person to assist, participate with, or knowingly allow a
7 person under the age of twenty-one years to engage in any wagering
8 activity allowed by this chapter.

9 **Sec. 3.** RCW 9.46.0305 and 1987 c 4 s 25 are each amended to
10 read as follows:

11 The legislature hereby authorizes the wagering on the outcome
12 of the roll of dice or the flipping of or matching of coins on the
13 premises of an establishment engaged in the business of selling
14 food or beverages for consumption on the premises to determine
15 which of the participants will pay for coin-operated music on the
16 premises or certain items of food or beverages served or sold by
17 such establishment and therein consumed. Such establishments are
18 hereby authorized to possess dice and dice cups on their premises,
19 but only for use in such limited wagering. Persons engaged in such
20 limited form of wagering shall not be subject to the criminal or
21 civil penalties otherwise provided for in this chapter(~~(+ PROVIDED,~~
22 ~~That minors shall be barred)~~). However, any person under the age of
23 twenty-one years is prohibited from engaging in the wagering
24 activities allowed by this ((chapter)) section.

25 **Sec. 4.** RCW 9.46.110 and 1999 c 221 s 1 are each amended to
26 read as follows:

27 (1) The legislative authority of any county, city county, city,
28 or town, by local law and ordinance, and in accordance with the
29 provisions of this chapter and rules adopted under this chapter,

1 may provide for the taxing of any gambling activity authorized by
2 this chapter within its jurisdiction, the tax receipts to go to the
3 county, city-county, city, or town so taxing the activity. Any
4 such tax imposed by a county alone shall not apply to any gambling
5 activity within a city or town located in the county but the tax
6 rate established by a county, if any, shall constitute the tax rate
7 throughout the unincorporated areas of such county.

8 (2) The operation of punch boards and pull-tabs are subject to
9 the following conditions:

10 (a) Chances may (~~only~~) not be sold to (~~adults~~) persons
11 under the age of twenty-one years;

12 (b) The price of a single chance may not exceed one dollar;

13 (c) No punch board or pull-tab license may award as a prize
14 upon a winning number or symbol being drawn the opportunity of
15 taking a chance upon any other punch board or pull-tab;

16 (d) All prizes available to be won must be described on an
17 information flare. All merchandise prizes must be on display
18 within the immediate area of the premises in which any such punch
19 board or pull-tab is located. Upon a winning number or symbol
20 being drawn, a merchandise prize must be immediately removed from
21 the display and awarded to the winner. All references to cash or
22 merchandise prizes, with a value over twenty dollars, must be
23 removed immediately from the information flare when won, or such
24 omission shall be deemed a fraud for the purposes of this chapter;
25 and

26 (e) When any person wins money or merchandise from any punch
27 board or pull-tab over an amount determined by the commission,
28 every licensee shall keep a public record of the award for at least
29 ninety days containing such information as the commission shall
30 deem necessary.

31 (3)(a) Taxation of bingo and raffles shall never be in an
32 amount greater than five percent of the gross receipts from a bingo
33 game or raffle less the amount awarded as cash or merchandise
34 prizes.

35 (b) Taxation of amusement games shall only be in an amount
36 sufficient to pay the actual costs of enforcement of the provisions
37 of this chapter by the county, city or town law enforcement agency
38 and in no event shall such taxation exceed two percent of the gross
39 receipts from the amusement game less the amount awarded as prizes.

1 (c) No tax shall be imposed under the authority of this chapter
2 on bingo or amusement games when such activities or any combination
3 thereof are conducted by any bona fide charitable or nonprofit
4 organization as defined in this chapter, which organization has no
5 paid operating or management personnel and has gross receipts from
6 bingo or amusement games, or a combination thereof, not exceeding
7 five thousand dollars per year, less the amount awarded as cash or
8 merchandise prizes.

9 (d) No tax shall be imposed on the first ten thousand dollars
10 of gross receipts less the amount awarded as cash or merchandise
11 prizes from raffles conducted by any bona fide charitable or
12 nonprofit organization as defined in this chapter.

13 (e) Taxation of punch boards and pull-tabs for bona fide
14 charitable or nonprofit organizations is based on gross receipts
15 from the operation of the games less the amount awarded as cash or
16 merchandise prizes, and shall not exceed a rate of ten percent. At
17 the option of the county, city-county, city, or town, the taxation
18 of punch boards and pull-tabs for commercial stimulant operators
19 may be based on gross receipts from the operation of the games, and
20 may not exceed a rate of five percent, or may be based on gross
21 receipts from the operation of the games less the amount awarded as
22 cash or merchandise prizes, and may not exceed a rate of ten
23 percent.

24 (f) Taxation of social card games may not exceed twenty percent
25 of the gross revenue from such games.

26 (4) Taxes imposed under this chapter become a lien upon
27 personal and real property used in the gambling activity in the
28 same manner as provided for under RCW 84.60.010. The lien shall
29 attach on the date the tax becomes due and shall relate back and
30 have priority against real and personal property to the same extent
31 as ad valorem taxes.

32 **Sec. 5.** RCW 67.70.120 and 2003 c 53 s 303 are each amended to
33 read as follows:

34 (1) A ticket or share shall not be sold to any person under the
35 age of (~~eighteen~~) twenty-one years, but this shall not be deemed
36 to prohibit the purchase of a ticket or share for the purpose of
37 making a gift by a person (~~eighteen~~) twenty-one years of age or
38 older to a person less than that age.

1 (2) Any licensee who knowingly sells or offers to sell a
2 lottery ticket or share to any person under the age of (~~eighteen~~)
3 twenty-one years is guilty of a misdemeanor.

4 (3) In the event that a person under the age of (~~eighteen~~)
5 twenty-one years directly purchases a ticket in violation of this
6 section, that person is guilty of a misdemeanor. No prize will be
7 paid to such person and the prize money otherwise payable on the
8 ticket will be treated as unclaimed pursuant to RCW 67.70.190.

9 **Sec. 6.** RCW 67.16.060 and 1991 c 270 s 3 are each amended to
10 read as follows:

11 (1) It shall be unlawful:

12 (a) To conduct pool selling, bookmaking, or to circulate hand
13 books; (~~or~~)

14 (b) To bet or wager on any horse race other than by the
15 parimutuel method; (~~or~~)

16 (c) For any licensee to take more than the percentage provided
17 in RCW 67.16.170 and 67.16.175; (~~or~~)

18 (d) For any licensee to compute breaks in the parimutuel system
19 otherwise than at ten cents;

20 (e) For any person under the age of twenty-one years to engage
21 in the wagering activities allowed by this chapter; or

22 (f) For any person to assist, participate with, or knowingly
23 allow a person under the age of twenty-one years to engage in any
24 wagering activity allowed by this chapter.

25 (2) Any willful violation of the terms of this chapter, or of
26 any rule, regulation, or order of the commission shall constitute
27 a gross misdemeanor and when such violation is by a person holding
28 a license under this chapter, the commission may cancel the license
29 held by the offender, and such cancellation shall operate as a
30 forfeiture of all rights and privileges granted by the commission
31 and of all sums of money paid to the commission by the offender;
32 and the action of the commission in that respect shall be final.

33 (3) The commission shall have power to exclude from any and all
34 race courses of the state of Washington any person whom the
35 commission deems detrimental to the best interests of racing or any
36 person who willfully violates any of the provisions of this chapter
37 or of any rule, regulation, or order issued by the commission.

38 (4) Every race meet held in this state contrary to the

1 provisions of this chapter is hereby declared to be a public
2 nuisance."

3 Correct the title.

EFFECT: The amendment: (1) deletes the sections of the bill that limit participation in house-banked card games at age 21 and for a Gambling Commission study of issues related to a minimum age of gambling; and (2) inserts provisions establishing a 21-year old age limit for the following: gambling under the State Gambling Act (except for stated exceptions, such as amusement games), the selling of lottery tickets, and horse race wagering.