

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5953**

Chapter 351, Laws of 2005

59th Legislature  
2005 Regular Session

HORSE RACING--HANDICAPPING CONTESTS

EFFECTIVE DATE: 7/24/05

Passed by the Senate March 15, 2005  
YEAS 35 NAYS 11

BRAD OWEN

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**President of the Senate**

Passed by the House April 11, 2005  
YEAS 91 NAYS 5

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved May 9, 2005.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5953** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

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**Secretary**

FILED

May 9, 2005 - 3:55 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5953**

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Passed Legislature - 2005 Regular Session

**State of Washington                      59th Legislature                      2005 Regular Session**

**By** Senate Committee on Labor, Commerce, Research & Development  
(originally sponsored by Senators Jacobsen, Deccio, Keiser, Rasmussen  
and Kohl-Welles)

READ FIRST TIME 03/02/05.

1            AN ACT Relating to handicapping contests conducted by class 1  
2 racing associations; amending RCW 9.46.0237; and adding a new section  
3 to chapter 67.16 RCW.

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

5            **Sec. 1.** RCW 9.46.0237 and 1987 c 4 s 10 are each amended to read  
6 as follows:

7            "Gambling," as used in this chapter, means staking or risking  
8 something of value upon the outcome of a contest of chance or a future  
9 contingent event not under the person's control or influence, upon an  
10 agreement or understanding that the person or someone else will receive  
11 something of value in the event of a certain outcome. Gambling does  
12 not include fishing derbies as defined by this chapter, parimutuel  
13 betting and handicapping contests as authorized by chapter 67.16 RCW,  
14 bona fide business transactions valid under the law of contracts,  
15 including, but not limited to, contracts for the purchase or sale at a  
16 future date of securities or commodities, and agreements to compensate  
17 for loss caused by the happening of chance, including, but not limited  
18 to, contracts of indemnity or guarantee and life, health, or accident

1 insurance. In addition, a contest of chance which is specifically  
2 excluded from the definition of lottery under this chapter shall not  
3 constitute gambling.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 67.16 RCW  
5 to read as follows:

6 Class 1 racing associations may conduct horse race handicapping  
7 contests. The commission shall establish rules for the conduct of  
8 handicapping contests involving the outcome of multiple horse races.

Passed by the Senate March 15, 2005.

Passed by the House April 11, 2005.

Approved by the Governor May 9, 2005.

Filed in Office of Secretary of State May 9, 2005.