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HOUSE BILL 2127

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Strow, Kirby, Appleton, Moeller, Simpson, Hunter and Newhouse

Read first time 02/09/2007. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to reducing the penalty for a person conducting  
2 unlawful internet gambling in his or her primary residence for  
3 recreational purposes to a misdemeanor; amending RCW 9.46.240; and  
4 prescribing penalties.

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

6            **Sec. 1.** RCW 9.46.240 and 2006 c 290 s 2 are each amended to read  
7 as follows:

8            (1) Whoever knowingly transmits or receives gambling information by  
9 telephone, telegraph, radio, semaphore, the internet, a  
10 telecommunications transmission system, or similar means, or knowingly  
11 installs or maintains equipment for the transmission or receipt of  
12 gambling information, other than a person described in subsection (2)  
13 of this section, shall be guilty of a class C felony subject to the  
14 penalty set forth in RCW 9A.20.021. (~~However,~~)

15            (2) Whoever knowingly transmits or receives gambling information  
16 over the internet or knowingly installs or maintains equipment for the  
17 transmission or receipt of gambling information over the internet, in  
18 his or her primary residence for recreational purposes, is guilty of a  
19 misdemeanor subject to the penalty set forth in RCW 9A.20.021. For

1 purposes of this subsection, "recreational purposes" means for the  
2 defendant's own enjoyment and not as part of an enterprise that derives  
3 income from operating an internet web site that transmits or receives  
4 gambling information.

5 (3) This section shall not apply to such information transmitted or  
6 received or equipment installed or maintained relating to activities  
7 authorized by this chapter or to any act or acts in furtherance thereof  
8 when conducted in compliance with the provisions of this chapter and in  
9 accordance with the rules adopted under this chapter.

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