

HB 1243 - DIGEST

Provides that, in a prosecution for a violation of RCW 9.46.240, it is an affirmative defense, which the defendant must prove by a preponderance of the evidence, that the defendant transmitted or received the gambling information over the internet, or that the defendant installed or maintained equipment for the transmission or receipt of gambling information over the internet, in his or her primary residence for recreational purposes. For purposes of this provision, "recreational purposes" means for the defendant's own enjoyment and not as part of an enterprise that derives income from operating an internet web site that transmits or receives gambling information.