

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1217**

Chapter 78, Laws of 2009

61st Legislature  
2009 Regular Session

GAMBLING COMMISSION--AUTHORITY--AMUSEMENT GAMES

EFFECTIVE DATE: 07/26/09

Passed by the House February 23, 2009  
Yeas 96 Nays 1

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 2, 2009  
Yeas 44 Nays 1

BRAD OWEN

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**President of the Senate**

Approved April 13, 2009, 3:41 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1217** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

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**Chief Clerk**

FILED

April 14, 2009

**Secretary of State  
State of Washington**

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HOUSE BILL 1217

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Passed Legislature - 2009 Regular Session

State of Washington                      61st Legislature                      2009 Regular Session

By Representatives Simpson, Alexander, Conway, and Wood; by request of  
Gambling Commission

Read first time 01/15/09. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to providing the gambling commission with authority  
2 to determine locations where amusement games may be conducted; and  
3 amending RCW 9.46.0331.

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

5            **Sec. 1.** RCW 9.46.0331 and 1991 c 287 s 1 are each amended to read  
6 as follows:

7            The legislature hereby authorizes any person to conduct or operate  
8 amusement games when licensed and operated pursuant to the provisions  
9 of this chapter and rules and regulations adopted by the commission at  
10 such locations as the commission may authorize. The rules shall  
11 provide for at least the following:

12            (1) Persons other than bona fide charitable or bona fide nonprofit  
13 organizations shall conduct amusement games only after obtaining a  
14 special amusement game license from the commission.

15            (2) Amusement games may be conducted under such a license only as  
16 a part of, and upon the site of:

17            (a) Any agricultural fair as authorized under chapter 15.76 or  
18 36.37 RCW; or

19            (b) A civic center of a county, city, or town; or

1 (c) A world's fair or similar exposition that is approved by the  
2 bureau of international expositions at Paris, France; or

3 (d) A community-wide civic festival held not more than once  
4 annually and sponsored or approved by the city, town, or county in  
5 which it is held; or

6 (e) A commercial exposition organized and sponsored by an  
7 organization or association representing the retail sales and service  
8 operators conducting business in a shopping center or other commercial  
9 area developed and operated for retail sales and service, but only upon  
10 a parking lot or similar area located in said shopping center or  
11 commercial area for a period of no more than seventeen consecutive days  
12 by any licensee during any calendar year; or

13 (f) An amusement park. An amusement park is a group of activities,  
14 at a permanent location, to which people go to be entertained through  
15 a combination of various mechanical or aquatic rides, theatrical  
16 productions, motion picture, and/or slide show presentations with food  
17 and drink service. The amusement park must include at least five  
18 different mechanical, or aquatic rides, three additional activities,  
19 and the gross receipts must be primarily from these amusement  
20 activities; or

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

28 (h) A location that possesses a valid license from the Washington  
29 state liquor (~~(control)~~) control board and prohibits minors on their  
30 premises; or

31 (i) Movie theaters, bowling alleys, miniature golf course  
32 facilities, and amusement centers. For the purposes of this section an  
33 amusement center shall be defined as a permanent location whose primary  
34 source of income is from the operation of ten or more amusement  
35 devices; or

36 (j) Any business whose primary activity is to provide food service  
37 for on premises consumption and who offers family entertainment which

1 includes at least three of the following activities: Amusement  
2 devices; theatrical productions; mechanical rides; motion pictures; and  
3 slide show presentations; or

4 (k) Other locations as the commission may authorize.

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

14 (4) In no event may a licensee conduct any amusement games at the  
15 location described in subsection (2)(g) of this section, without, at  
16 the location of such games, providing adult supervision during all  
17 hours the licensee is open for business at such location, prohibiting  
18 school-age minors from entry during school hours, maintaining full-time  
19 personnel whose responsibilities include maintaining security and daily  
20 machine maintenance, and providing for hours for the close of business  
21 at such location that are no later than 10:00 p.m. on Fridays and  
22 Saturdays and on all other days that are the same as those of the  
23 regional shopping center in which the licensee is located.

24 (5) In no event may a licensee conduct any amusement game at a  
25 location described in subsection (2)(i) or (j) of this section,  
26 without, at the location of such games, providing adult supervision  
27 during all hours the licensee is open for business at such location,  
28 prohibiting school-age minors from playing licensed amusement games  
29 during school hours, maintaining full-time personnel whose  
30 responsibilities include maintaining security and daily machine  
31 maintenance, and prohibiting minors from playing the amusement games  
32 after 10:00 p.m. on any day.

Passed by the House February 23, 2009.

Passed by the Senate April 2, 2009.

Approved by the Governor April 13, 2009.

Filed in Office of Secretary of State April 14, 2009.