H-1229.1

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**HOUSE BILL 2001**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Zeiger and Condotta

AN ACT Relating to the use of and possession of electronic or electromechanical amusement machines; and amending RCW 9.46.0201.

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

**Sec.**  RCW 9.46.0201 and 1987 c 4 s 2 are each amended to read as follows:

(1) "Amusement game," as used in this chapter, means a game played for entertainment in which:

((~~(1)~~))(a) The contestant actively participates;

((~~(2)~~))(b) The outcome depends ((~~in~~))to a material degree upon the skill of the contestant. A game is regarded as requiring a material degree of skill when:

(i) The player's physical or mental abilities play an important role in determining the outcome of the game; and

(ii) The success rate of an average player is likely to improve with repeated play or practice;

((~~(3)~~))(c) Only merchandise prizes are awarded;

((~~(4)~~))(d) The outcome is not in the control of the operator;

((~~(5)~~))(e) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and

((~~(6)~~))(f) Said game is conducted or operated by any agricultural fair, person, association, or organization in such manner and at such locations as may be authorized by rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended.

(2) The games defined under this section may include or involve randomly generated features or events. "Randomly generated features or events" means unpredictable variations in the objects or patterns encountered by the player during the game and that are neither triggered by, nor otherwise under the control of, the operator. The occurrence and frequency of such randomly generated features or events may not be dependent on the number of plays completed by, or tickets issued to, the player.

(3) Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter.

(4) The commission is authorized to set fees for the testing of games for compliance with the requirements of this section.

(5) The commission is authorized to adopt rules creating regulatory requirements applicable to amusement games.

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