
HOUSE BILL 2478

State of Washington

66th Legislature

2020 Regular Session

By Representative Vick

Read first time 01/15/20. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to authorizing sports wagering at tribal casinos,
2 card rooms, and racetracks; amending RCW 9.46.0335, 9.46.070,
3 9.46.130, 9.46.153, 9.46.155, 9.46.190, 9.46.210, 9.46.220, 9.46.240,
4 67.04.010, 67.04.020, 67.04.030, 67.04.040, 67.04.050, 67.04.060,
5 67.04.070, and 67.04.080; adding a new section to chapter 82.04 RCW;
6 adding a new section to chapter 67.04 RCW; adding a new chapter to
7 Title 9 RCW; recodifying RCW 67.24.010; repealing RCW 67.24.020; and
8 prescribing penalties.

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

10 NEW SECTION. **Sec. 1.** This act may be known and cited as the
11 sports wagering act.

12 NEW SECTION. **Sec. 2.** The definitions in this section apply
13 throughout this chapter unless the context clearly requires
14 otherwise.

15 (1) "Card room" means a business licensed to conduct social card
16 games pursuant to RCW 9.46.0325.

17 (2) "Collegiate sport or athletic event" means a sport or
18 athletic event offered or sponsored by, or played in connection with,
19 a public or private institution that offers educational services
20 beyond the secondary level.

1 (3) "Commission" means the Washington state gambling commission
2 created in RCW 9.46.040.

3 (4) "Fantasy sports activity" means any fantasy or simulated
4 activity or contest with an entry fee in which a participant owns or
5 manages an imaginary team and competes against other participants or
6 a target score for a predetermined prize with the outcome reflecting
7 the relative skill of the participants and determined by statistics
8 generated based on performance by actual individuals participating in
9 actual competitions or athletic events, provided that the outcome
10 must not be based solely on the performance of an individual athlete,
11 or on the score, point spread, or any performance of any single real
12 team or combination of real teams. "Fantasy sports activity" does not
13 include any activity in which no entry fee is paid to the fantasy
14 sports operator or in which a prize is not collected, managed, or
15 awarded by the operator.

16 (5) "Internet sports pool operator" means an entity that is
17 licensed as a casino service industry enterprise and that holds a
18 license issued by the commission to operate an online sports pool.

19 (6) "Online sports pool" means a sports wagering operation in
20 which wagers on sports events are made through computers or mobile or
21 interactive devices and accepted at a sports wagering lounge through
22 an online gaming system that is operating pursuant to a sports
23 wagering license issued by the commission.

24 (7) "Operator" means a tribal casino or sport wagering licensee
25 that has elected to operate a sports pool, either independently or
26 jointly, and any entity with whom a tribal casino or sport wagering
27 licensee contracts to operate a sports pool or online sports pool,
28 including an internet sports pool operator, on its behalf.

29 (8) "Professional sport or athletic event" means an event at
30 which two or more persons participate in a sport or athletic event
31 and receive compensation in excess of actual expenses for their
32 participation in such event.

33 (9) (a) "Prohibited sports event" means any collegiate sport or
34 athletic event that takes place in this state or a sport or athletic
35 event in which any Washington state college team participates
36 regardless of where the event takes place. "Prohibited sports event"
37 includes all high school sports events, electronic sports, and
38 competitive video games, but does not include international sports
39 events in which persons under age eighteen make up a minority of the
40 participants.

1 (b) "Prohibited sports event" does not include the other games of
2 a collegiate sport or athletic tournament in which a Washington state
3 college team participates, nor does it include any games of a
4 collegiate tournament that occurs outside Washington state, even
5 though some of the individual games or events are held in Washington.

6 (10) "Racetrack" means a business licensed to conduct horse race
7 meets under a license issued by the Washington horse racing
8 commission pursuant to chapter 67.16 RCW.

9 (11) "Sports event" means any professional sport or athletic
10 event, any Olympic or international sports competition event, or any
11 collegiate sport or athletic event, or any portion thereof,
12 including, but not limited to, the individual performance statistics
13 of athletes in a sports event or combination of sports events.
14 "Sports event" does not include a prohibited sports event or a
15 fantasy sports activity.

16 (12) "Sports pool" means the business of accepting wagers on any
17 sports event by any system or method of wagering, including, but not
18 limited to, single-game bets, teaser bets, parlays, over/under, money
19 line, pools, exchange wagering, in-game wagering, in-play bets,
20 proposition bets, or straight bets.

21 (13) "Sports wagering lounge" means an area wherein an authorized
22 sports pool is operated at a tribal casino, card room, or racetrack
23 complex.

24 (14) "Tribal casino" means a federally recognized Indian tribe or
25 an entity owned by a federally recognized Indian tribe authorized to
26 conduct sports wagering through sports pools or online sports pools
27 on federal Indian lands in accordance with the terms of a class III
28 gaming compact entered into by a federally recognized Indian tribe
29 and the state pursuant to the Indian gaming regulatory act, 25 U.S.C.
30 Sec. 2701 et seq., and RCW 9.46.360 that expressly addresses how
31 sports wagering will be conducted, operated, and regulated consistent
32 with this chapter.

33 NEW SECTION. **Sec. 3.** (1) The legislature authorizes sport
34 wagering through sports pools and online sport pools by a tribal
35 casino pursuant to a compact and by a card room or racetrack as
36 provided in this chapter.

37 (2) Sports wagering conducted pursuant to the provisions of this
38 chapter does not constitute bookmaking and is not subject to civil or
39 criminal penalties.

1 (3) The commission has the power to: (a) Negotiate compacts with
2 tribes authorizing sports wagering for tribal casinos; and (b) issue
3 all sports wagering licenses and renewals to card rooms and
4 racetracks. The commission must hear and promptly decide all
5 applications for a sports wagering license.

6 (4) The license to operate a sports pool is in addition to any
7 other license required to be issued pursuant to chapters 9.46 and
8 67.16 RCW.

9 (5) A tribal casino and a sports wagering licensee may operate a
10 sports pool in accordance with the provisions of this chapter.

11 (6) A tribal casino and a sports wagering licensee may enter into
12 an agreement to jointly operate a sports pool at a racetrack in
13 accordance with the provisions of this chapter.

14 (7) A tribal casino and a sports wagering licensee may conduct an
15 online sports pool or may authorize an internet sports pool operator
16 licensed as a casino service industry enterprise to operate an online
17 sports pool on its behalf, provided the terms of the agreement are
18 approved by the commission.

19 (8) The powers and duties of the commission specified in chapter
20 9.46 RCW and other provisions with respect to tribal casinos and
21 licensees apply to the extent not inconsistent with the provisions of
22 this chapter.

23 (9) The commission has the authority to charge a card room and a
24 racetrack a fee for the issuance of a sports wagering license in an
25 amount of five hundred thousand dollars for the initial issuance and,
26 in the case of a renewal, a reasonable fee adopted by rule that is
27 based upon the expense associated with renewal, enforcement, and
28 programs for the prevention and treatment of problem gambling.

29 (10) No sports wagering license may be issued by the commission
30 to any person or entity unless it has established its financial
31 stability, integrity, responsibility, good character, and honesty.

32 (11) No license to operate a sports pool may be issued to any
33 person or entity that is disqualified for a license under chapter
34 9.46 or 67.16 RCW.

35 (12) A licensee must submit to the commission, no later than five
36 years after the date of the issuance of a license and every five
37 years thereafter, or within such lesser periods as the commission may
38 direct, documentation or information as the commission may, by rule,
39 require to demonstrate to the satisfaction of the commission that the
40 licensee continues to meet the requirements of this chapter.

1 (13) The commission, following consultation with the sports
2 wagering licensees, must annually provide a report to the governor
3 and the appropriate committees of the legislature on the impact of
4 sports wagering, including internet wagering on sports events, on
5 problem gamblers and gambling addiction in the state. The report must
6 be prepared by a private organization or entity with expertise in
7 serving the needs of persons with gambling addictions, as selected by
8 the commission. The report must be distributed by the commission. Any
9 costs associated with the preparation and distribution of the report
10 will be borne by the licensees who have been authorized by the
11 commission to conduct internet gaming, and the commission is
12 authorized to assess a fee against the licensees for these purposes.
13 The commission may also periodically report to the governor and the
14 appropriate committees of the legislature on the effectiveness of the
15 statutory and regulatory controls in place to ensure the integrity of
16 gaming operations through the internet.

17 NEW SECTION. **Sec. 4.** (1) Each tribal casino and sports wagering
18 licensee may provide no more than one branded sports wagering web
19 site, which may have an accompanying mobile application bearing the
20 same brand as the web site for an online sports pool.

21 (2) No online sports pool may be opened to the public, and no
22 sports wagering, except for test purposes, may be conducted until an
23 internet sports pool operator receives a sport wagering license or
24 pursuant to the terms of a compact.

25 (3) Tribal casinos, sports wagering licensees, and operators may
26 provide promotional credits, incentives, bonuses, complimentaries, or
27 similar benefits designed to induce sports betters to wager.

28 (4) The server or other equipment used by a tribal casino or a
29 sports wagering licensee to accept wagers at a sports pool or online
30 sports pool must be located in that tribal casino, card room, or
31 racetrack complex.

32 (5) A sports pool must be operated in a sports wagering lounge
33 located at the tribal casino, card room, or racetrack complex. A
34 sports wagering lounge may be located at a casino simulcasting
35 facility. The lounge must conform to all requirements concerning
36 square footage, design, equipment, security measures, and related
37 matters which the commission may prescribe. The space required for
38 the establishment of a lounge must not reduce the space authorized
39 for other gambling activities pursuant to other laws or rules.

1 (6) No tribal casino or sport wagering licensee may operate a
2 sports pool or accept wagers via an online sports pool unless a
3 sports wagering lounge is established and has commenced operation in
4 its complex; provided, however, that a tribal casino or a sports
5 wagering licensee may petition the commission to commence operation
6 of the sports pool at either a temporary facility or an online sports
7 pool, or both, during the pendency of construction of a sports
8 wagering lounge in its complex. The temporary facilities may include,
9 at the discretion of the commission, the utilization of designated
10 windows at the current casino cage or racetrack betting window for
11 purposes of placing sports betting wagers and self-service wagering
12 machines located at the complex.

13 (7) The operator must establish or display the odds at which
14 wagers may be placed on sports events.

15 (8) An operator may accept wagers on sports events only: (a) From
16 persons physically present in the sports wagering lounge; (b) through
17 self-service wagering machines located in its complex as authorized
18 by the commission; or (c) through an online sports pool.

19 (9) A person placing a wager on a sports event must be at least
20 eighteen years of age.

21 NEW SECTION. **Sec. 5.** (1) No sports pool or online sports pool
22 may be offered or made available for wagering to the public by any
23 entity other than a tribal casino or a sports wagering licensee
24 operating such pool on behalf of a licensee, or an internet sports
25 pool operator on behalf of a tribal casino or a sports wagering
26 licensee.

27 (2) Any person who offers a sports pool or an online sports pool
28 without a license or pursuant to a compact is guilty of a class B
29 felony and is subject to a fine of not more than twenty-five thousand
30 dollars, and, in the case of a person other than a natural person, a
31 fine of not more than one hundred thousand dollars.

32 NEW SECTION. **Sec. 6.** (1)(a) Any person who: (i) Is an athlete,
33 coach, referee, or director of a sports governing body or any of its
34 member team; (ii) is a sports governing body or any of its member
35 teams; (iii) is a player or a referee personnel member in or on any
36 sports event overseen by that person's sports governing body based on
37 publicly available information; (iv) holds a position of authority or
38 influence sufficient to exert influence over the participants in a

1 sporting contest, including, but not limited to, coaches, managers,
2 handlers, athletic trainers, or horse trainers; (v) has access to
3 certain types of exclusive information on any sports event overseen
4 by that person's sports governing body based on publicly available
5 information; or (vi) is identified by any lists provided by the
6 sports governing body to the commission may not have any ownership
7 interest in, control of, or otherwise be employed by, an operator, a
8 sports wagering licensee, or a facility in which a sports wagering
9 lounge is located, or place a wager on a sports event that is
10 overseen by that person's sports governing body based on publicly
11 available information. Any person who violates this subsection is
12 guilty of a misdemeanor and must, upon conviction, be punished by
13 either imprisonment in the county jail for a maximum term fixed by
14 the court of not more than ninety days or a fine in an amount fixed
15 by the court of not more than one thousand dollars, or both.

16 (b) Any employee of a sports governing body or its member teams
17 who is not prohibited from wagering on a sports event must provide
18 notice to the commission prior to placing a wager on a sports event.

19 (c) The direct or indirect legal or beneficial owner of ten
20 percent or more of a sports governing body or any of its member teams
21 may not place or accept any wager on a sports event in which any
22 member team of that sports governing body participates.

23 (2) The prohibition set forth in subsection (1) of this section
24 does not apply to any person who is a direct or indirect owner of a
25 specific sports governing body member team, and (a) the person has
26 less than ten percent direct or indirect ownership interest in a
27 casino or racetrack, or (b) the shares of such person are registered
28 pursuant to section 12 of the securities exchange act of 1934 (15
29 U.S.C. Sec. 781), as amended, and the value of the ownership of such
30 team represents less than one percent of the person's total
31 enterprise value.

32 (3) An operator must adopt procedures to prevent persons who are
33 prohibited from placing sports wagers from wagering on sports events.

34 (4) An operator may not accept wagers from any person whose
35 identity is known to the operator and:

36 (a) Whose name appears on any self-exclusion programs list
37 provided under RCW 9.46.071;

38 (b) Who is the operator, director, officer, owner, or employee of
39 the operator or any relative thereof living in the same household as
40 the operator;

1 (c) Who has access to nonpublic confidential information held by
2 the operator; or

3 (d) Who is an agent or proxy for any other person.

4 (5) An operator must adopt procedures to obtain personally
5 identifiable information from any individual who places any single
6 wager in an amount of ten thousand dollars or greater on a sports
7 event while physically present in a tribal casino, card room, or
8 racetrack complex.

9 NEW SECTION. **Sec. 7.** The tribal casino or sports wagering
10 licensee may contract with an entity to conduct the operation in
11 accordance with the rules adopted by the commission. That entity must
12 obtain a license as a casino service industry enterprise, in
13 accordance with the rules adopted by the commission, prior to the
14 execution of any contract.

15 NEW SECTION. **Sec. 8.** (1) An operator must promptly report to
16 the commission:

17 (a) (i) Any criminal or disciplinary proceedings commenced against
18 the operator or its employees in connection with the operations of
19 the sports pool or online sports pool; (ii) any abnormal betting
20 activity or patterns that may indicate a concern about the integrity
21 of a sports event or events; (iii) any other conduct with the
22 potential to corrupt a betting outcome of a sports event for purposes
23 of financial gain, including, but not limited to, match fixing; and

24 (b) Suspicious or illegal wagering activities, including the use
25 of funds derived from illegal activity, wagers to conceal or launder
26 funds derived from illegal activity, the use of agents to place
27 wagers, or the use of false identification.

28 (2) The commission is authorized to share any information under
29 this section with any law enforcement entity, team, sports governing
30 body, or regulatory agency the commission deems appropriate.

31 NEW SECTION. **Sec. 9.** An operator must maintain records of
32 sports wagering operations as specified by the commission.

33 NEW SECTION. **Sec. 10.** (1) A tribal casino or a sports wagering
34 licensee may, in addition to having a sports wagering lounge, conduct
35 wagering on authorized sports events through one or more kiosks or
36 self-service wagering stations located within its complex. The self-

1 service wagering stations may offer games authorized by the
2 commission.

3 (2) All wagers on sports events authorized under this chapter
4 must be initiated, received, and otherwise made within this state
5 unless otherwise determined by the commission in accordance with
6 applicable federal and state laws. Consistent with the intent of the
7 United States congress as articulated in the unlawful internet
8 gambling enforcement act of 2006, 31 U.S.C. Sec. 5361 et seq., the
9 intermediate routing of electronic data relating to a lawful
10 intrastate wager authorized under this chapter does not determine the
11 location or locations in which such wager is initiated, received, or
12 otherwise made.

13 NEW SECTION. **Sec. 11.** (1) Applicants for, and holders of, a
14 sports wagering license must be required to disclose the identity of
15 the following: (a) Each board-appointed officer of the applicant or
16 holder; (b) each director of the applicant or holder; (c) each person
17 who directly holds any voting or controlling interest of five percent
18 or more of the securities issued by such applicant or holder; (d)
19 each person who directly holds any nonvoting or passive ownership
20 interest of twenty-five percent or more of the securities issued by
21 such applicant or holder; and (e) each holding or intermediary
22 company of an applicant for, or holder of, an operator.

23 (2) As to each holding, intermediary, and subsidiary company or
24 entity of an applicant for, or holder of, a sports wagering license,
25 applicants and holders are required to establish and maintain the
26 qualifications of the following: (a) Each board-appointed officer of
27 the entity; (b) each director of the company or entity; (c) each
28 person who directly holds any voting or controlling interest of five
29 percent or more of the securities issued by such applicant or holder;
30 and (d) each person who directly holds any nonvoting or passive
31 ownership interest of twenty-five percent or more in the holding or
32 intermediary company.

33 NEW SECTION. **Sec. 12.** (1) All persons employed directly in
34 wagering-related activities conducted in a sports wagering lounge and
35 an online sports pool must be licensed as a sports wagering key
36 employee or registered as a sports wagering employee.

37 (2) All other employees who are working in the sports wagering
38 lounge may be required to be registered by the commission.

1 (3) Each operator must designate one or more sports wagering key
2 employees who are responsible for the operation of the sports pool.
3 At least one sports wagering key employee must be on the premises
4 whenever sports wagering is conducted.

5 NEW SECTION. **Sec. 13.** (1) Except as otherwise provided by this
6 chapter, the commission has the authority to regulate sports pools,
7 online sports pools, and the conduct of sports wagering under this
8 chapter.

9 (2) No tribal casino, card room, or racetrack may be authorized
10 to operate a sports pool or online sports pool unless it has
11 produced, to the satisfaction of the commission, information,
12 documentation, and assurances concerning its financial background and
13 resources, including cash reserves, that are sufficient to
14 demonstrate that it has the financial stability, integrity, and
15 responsibility to operate a sports pool or online sports pool.

16 (3) In developing and adopting rules applicable to sports
17 wagering, the commission may examine the regulations implemented in
18 other states where sports wagering is conducted and may, as far as
19 practicable, adopt a similar regulatory framework. The commission
20 will adopt rules necessary to carry out the provisions of this
21 chapter, including regulations governing the:

22 (a) Amount of cash reserves to be maintained by operators to
23 cover winning wagers;

24 (b) Acceptance of wagers on a series of sports events;

25 (c) Maximum wagers which may be accepted by an operator from any
26 one patron on any one sports event;

27 (d) Type of wagering tickets which may be used;

28 (e) Method of issuing tickets;

29 (f) Method of accounting to be used by operators;

30 (g) Types of records which must be kept;

31 (h) Use of credit and checks by patrons;

32 (i) Type of system for wagering;

33 (j) Protections for a person placing a wager; and

34 (k) Display of the words "If you or someone you know has a
35 gambling problem and wants help, call 1-800 GAMBLER," or some
36 comparable language approved by the commission, which language must
37 include the words "gambling problem" and "call 1-800 GAMBLER" in all
38 print, billboard, sign, online, or broadcast advertisements of a
39 sports pool, online sports pool, and sports wagering lounge.

1 NEW SECTION. **Sec. 14.** (1) Each operator must adopt
2 comprehensive house rules governing sports wagering transactions with
3 its patrons that must be approved by the commission.

4 (2) The rules must specify the amounts to be paid on winning
5 wagers and the effect of schedule changes.

6 (3) The house rules, together with any other information the
7 commission deems appropriate, must be conspicuously displayed in the
8 sports wagering lounge, posted on the operator's internet web site,
9 and included in the terms and conditions of the account wagering
10 system, and copies must be made readily available to patrons.

11 NEW SECTION. **Sec. 15.** Whenever a tribal casino and a sports
12 wagering licensee or two licensees enter into an agreement to jointly
13 establish a sports wagering lounge, and to operate and conduct sports
14 wagering under this chapter, the agreement must specify the
15 distribution of revenues from the joint sports wagering operation
16 among the parties to the agreement.

17 NEW SECTION. **Sec. 16.** (1) There is levied, and collected from
18 every tribal casino and sports wagering licensee in this state, a tax
19 in the amount of ten percent of the gaming revenue.

20 (2) Gaming revenue from sports wagering must be sourced to the
21 location where the bet is placed.

22 (3) Tribal casinos and sports wagering licensees subject to the
23 tax imposed by this chapter must report to the department of revenue
24 the amount of gaming revenue earned by location, identifying the
25 amount of gaming revenue received from wagers or bets placed on
26 tribal land, broken down by tribe, and the amount of gaming revenue
27 received in Washington outside tribal land. Taxes paid on gaming
28 revenue received from wagers or bets placed on tribal lands will be
29 remitted to the tribe on whose lands the bet was placed.

30 (4) The tax imposed by this chapter must be paid to, and
31 administered by, the department of revenue. The administration of the
32 tax is governed by the provisions of chapter 82.32 RCW.

33 (5) For purposes of this section, "gaming revenue" means the
34 total amount wagered less winnings paid out.

35 NEW SECTION. **Sec. 17.** If a patron does not claim a winning
36 sports pool wager within one year from the time of the event, the
37 obligation of the operator to pay the winnings expires and the

1 operator will retain fifty percent of the winnings and remit the
2 remaining fifty percent of the winnings to the problem gambling
3 account created in RCW 41.05.751. If the sports pool is jointly
4 operated, the operator must apportion the fifty percent of the
5 winnings pursuant to the terms of the parties' operation agreement.

6 NEW SECTION. **Sec. 18.** Wagers may be accepted or pooled with
7 wagers from persons who are not physically present in this state if
8 the commission determines that such wagering is not inconsistent with
9 federal law or the law of the jurisdiction, including any foreign
10 nation, in which any such person is located, or such wagering is
11 conducted pursuant to a reciprocal agreement to which the state is a
12 party that is not inconsistent with federal law.

13 NEW SECTION. **Sec. 19.** If any provision of this act or its
14 application to any person or circumstance is held invalid, the
15 remainder of the act or the application of the provision to other
16 persons or circumstances is not affected.

17 NEW SECTION. **Sec. 20.** A new section is added to chapter 82.04
18 RCW to read as follows:

19 This chapter does not apply to any person in respect to a
20 business activity with respect to which tax liability is specifically
21 imposed under chapter 9.--- RCW (the new chapter created in section
22 21 of this act).

23 NEW SECTION. **Sec. 21.** Sections 1 through 19 and 39 of this act
24 constitute a new chapter in Title 9 RCW.

25 **Sec. 22.** RCW 9.46.0335 and 1987 c 4 s 31 are each amended to
26 read as follows:

27 (1) The legislature ((~~hereby~~)) authorizes any person,
28 association, or organization to ((~~conduct sports pools without a~~
29 ~~license to do so from the commission but only when the outcome of~~
30 ~~which is dependent upon the score, or scores, of a certain athletic~~
31 ~~contest and which is conducted only~~)) conduct sports boards in the
32 following manner:

33 ((~~(1) A board or piece of paper is divided into one hundred equal~~
34 ~~squares, each of which constitutes a chance to win in the sports pool~~

1 ~~and each of which is offered directly to prospective contestants at~~
2 ~~one dollar or less;~~

3 ~~(2))~~ (a) The purchaser of each chance or square signs his or her
4 name on the face of each square or chance he or she purchases; ~~((and~~

5 ~~(3))~~ (b) At some time not later than prior to the start of the
6 subject athletic contest, ~~the ((pool))~~ sports board is closed and no
7 further chances in the ~~((pool))~~ sports board are sold;

8 ~~((4))~~ (c) After the ~~((pool))~~ sports board is closed, a
9 prospective score is assigned by random drawing to each square;

10 ~~((5))~~ (d) All money paid by entrants to enter the ~~((pool))~~
11 sports board less taxes is paid out as the prize or prizes to those
12 persons holding squares assigned the winning score or scores from the
13 subject athletic contest;

14 ~~((6))~~ (e) The sports ~~((pool))~~ board is available for inspection
15 by any person purchasing a chance thereon, the commission, or by any
16 law enforcement agency upon demand at all times prior to the payment
17 of the prize;

18 ~~((7))~~ (f) The person or organization conducting the ~~((pool))~~
19 sports board is conducting no ~~((other))~~ more than two sports ~~((pool))~~
20 boards on the same athletic event; and

21 ~~((8) The sports pool conforms))~~ (g) Sports boards must conform
22 to any rules and regulations of the commission ((applicable
23 thereto)), including maximum wager limits set by the commission.

24 (2) For purposes of this section, "sports board" means a board or
25 piece of paper that is divided into one hundred equal squares, each
26 of which constitutes a chance to win in the sports pool and each of
27 which is offered directly to prospective contestants.

28 **Sec. 23.** RCW 9.46.070 and 2012 c 116 s 1 are each amended to
29 read as follows:

30 The commission shall have the following powers and duties:

31 (1) To authorize and issue licenses for a period not to exceed
32 one year to bona fide charitable or nonprofit organizations approved
33 by the commission meeting the requirements of this chapter and any
34 rules and regulations adopted pursuant thereto permitting said
35 organizations to conduct bingo games, raffles, amusement games, and
36 social card games, to utilize punchboards and pull-tabs in accordance
37 with the provisions of this chapter and any rules and regulations
38 adopted pursuant thereto, and to revoke or suspend said licenses for
39 violation of any provisions of this chapter or any rules and

1 regulations adopted pursuant thereto: PROVIDED, That the commission
2 shall not deny a license to an otherwise qualified applicant in an
3 effort to limit the number of licenses to be issued: PROVIDED
4 FURTHER, That the commission or director shall not issue, deny,
5 suspend, or revoke any license because of considerations of race,
6 sex, creed, color, or national origin: AND PROVIDED FURTHER, That the
7 commission may authorize the director to temporarily issue or suspend
8 licenses subject to final action by the commission;

9 (2) To authorize and issue licenses for a period not to exceed
10 one year to any person, association, or organization operating a
11 business primarily engaged in the selling of items of food or drink
12 for consumption on the premises, approved by the commission meeting
13 the requirements of this chapter and any rules and regulations
14 adopted pursuant thereto permitting said person, association, or
15 organization to utilize punchboards and pull-tabs (~~and~~), to conduct
16 social card games as a commercial stimulant in accordance with the
17 provisions of this chapter and any rules and regulations adopted
18 pursuant thereto, and to revoke or suspend said licenses for
19 violation of any provisions of this chapter and any rules and
20 regulations adopted pursuant thereto: PROVIDED, That the commission
21 shall not deny a license to an otherwise qualified applicant in an
22 effort to limit the number of licenses to be issued: PROVIDED
23 FURTHER, That the commission may authorize the director to
24 temporarily issue or suspend licenses subject to final action by the
25 commission;

26 (3) ~~To authorize and issue licenses ((for a period not to exceed~~
27 ~~one year to any person, association, or organization approved by the~~
28 ~~commission meeting the requirements of this chapter and meeting the~~
29 ~~requirements of any rules and regulations adopted by the commission~~
30 ~~pursuant to this chapter as now or hereafter amended, permitting said~~
31 ~~person, association, or organization to conduct or operate amusement~~
32 ~~games in such manner and at such locations as the commission may~~
33 ~~determine. The commission may authorize the director to temporarily~~
34 ~~issue or suspend licenses subject to final action by the commission))~~
35 as provided in chapter 9.--- RCW (the new chapter created in section
36 21 of this act);

37 (4) To require any license holder to report suspicious activities
38 or irregular betting activities regarding type, scope, and manner, as
39 directed by the commission, and submit such reports as the commission
40 may deem necessary;

1 (5) To authorize, require, and issue, for a period not to exceed
2 one year, such licenses as the commission may by rule provide((7)) to
3 any person, association, or organization to engage in the
4 manufacturing, selling, distributing, or ((otherwise)) supplying ((or
5 in the manufacturing of devices for use within this state)) of
6 devices, equipment software, hardware, or any gambling-related
7 services for those activities authorized by this chapter. The
8 commission may authorize the director to temporarily issue or suspend
9 licenses subject to final action by the commission;

10 ((+5)) (6) To establish a schedule of annual license fees for
11 carrying on specific gambling activities upon the premises, and for
12 such other activities as may be licensed by the commission, which
13 fees shall provide to the commission not less than an amount of money
14 adequate to cover all costs incurred by the commission relative to
15 licensing under this chapter and the enforcement by the commission of
16 the provisions of this chapter and rules and regulations adopted
17 pursuant thereto: PROVIDED, That all licensing fees shall be
18 submitted with an application therefor and such portion of said fee
19 as the commission may determine, based upon its cost of processing
20 and investigation, shall be retained by the commission upon the
21 withdrawal or denial of any such license application as its
22 reasonable expense for processing the application and investigation
23 into the granting thereof: PROVIDED FURTHER, That if in a particular
24 case the basic license fee established by the commission for a
25 particular class of license is less than the commission's actual
26 expenses to investigate that particular application, the commission
27 may at any time charge to that applicant such additional fees as are
28 necessary to pay the commission for those costs. The commission may
29 decline to proceed with its investigation and no license shall be
30 issued until the commission has been fully paid therefor by the
31 applicant: AND PROVIDED FURTHER, That the commission may establish
32 fees for the furnishing by it to licensees of identification stamps
33 to be affixed to such devices and equipment as required by the
34 commission and for such other special services or programs required
35 or offered by the commission, the amount of each of these fees to be
36 not less than is adequate to offset the cost to the commission of the
37 stamps and of administering their dispersal to licensees or the cost
38 of administering such other special services, requirements, or
39 programs;

1 (~~(6)~~) (7) To prescribe the manner and method of payment of
2 taxes, fees, and penalties to be paid to, or collected by, the
3 commission;

4 (~~(7)~~) (8) To require that applications for all licenses contain
5 such information as may be required by the commission: PROVIDED, That
6 all persons (a) having a managerial or ownership interest in any
7 gambling activity, or the building in which any gambling activity
8 occurs, or the equipment to be used for any gambling activity, (~~(e)~~)
9 (b) participating as an employee in the operation of any gambling
10 activity, or (c) participating as an employee in the operation or
11 management of providing gambling-related services for sports gambling
12 as provided in this chapter and chapter 9.--- RCW (the new chapter
13 created in section 21 of this act) shall be listed on the application
14 for the license, and the applicant shall certify on the application,
15 under oath, that the persons named on the application are all of the
16 persons known to have an interest in any gambling activity, building,
17 or equipment by the person making such application: PROVIDED FURTHER,
18 That the commission shall require fingerprinting and national
19 criminal history background checks on any persons seeking licenses,
20 certifications, or permits under this chapter or of any person
21 holding an interest in any gambling activity, building, or equipment
22 to be used therefor, or of any person participating as an employee in
23 the operation of any gambling activity. All national criminal history
24 background checks shall be conducted using fingerprints submitted to
25 the (~~United States department of justice~~) federal bureau of
26 investigation. The commission must establish rules to delineate which
27 persons named on the application are subject to national criminal
28 history background checks. In identifying these persons, the
29 commission must take into consideration the nature, character, size,
30 and scope of the gambling activities requested by the persons making
31 such applications;

32 (~~(8)~~) (9) To require that any license holder maintain records
33 as directed by the commission and submit such reports as the
34 commission may deem necessary;

35 (~~(9)~~) (10) To require that all income from bingo games,
36 raffles, and amusement games be recorded and reported as established
37 by rule or regulation of the commission to the extent deemed
38 necessary by considering the scope and character of the gambling
39 activity in such a manner that will disclose gross income from any
40 gambling activity, amounts received from each player, the nature and

1 value of prizes, and the fact of distributions of such prizes to the
2 winners thereof;

3 ~~((10))~~ (11) To regulate and establish maximum limitations on
4 income derived from bingo. In establishing limitations pursuant to
5 this subsection, the commission shall take into account (a) the
6 nature, character, and scope of the activities of the licensee; (b)
7 the source of all other income of the licensee; and (c) the
8 percentage or extent to which income derived from bingo is used for
9 charitable, as distinguished from nonprofit, purposes. However, the
10 commission's powers and duties granted by this subsection are
11 discretionary and not mandatory;

12 ~~((11))~~ (12) To regulate and establish the type ~~((and))~~, scope
13 of, and manner of conducting the gambling activities authorized by
14 this chapter, including, but not limited to, the extent of wager,
15 money, or other thing of value which may be wagered ~~((or))~~,
16 contributed, or won by a player in any such activities;

17 ~~((12))~~ (13) To regulate the collection of, and the accounting
18 for, the fee which may be imposed by an organization, corporation, or
19 person licensed to conduct a social card game on a person desiring to
20 become a player in a social card game in accordance with RCW
21 9.46.0282;

22 ~~((13))~~ (14) To cooperate with, and secure the cooperation of,
23 county, city, and other local or state agencies in investigating any
24 matter within the scope of its duties and responsibilities;

25 ~~((14))~~ (15) In accordance with RCW 9.46.080, to adopt such
26 rules and regulations as are deemed necessary to carry out the
27 purposes and provisions of this chapter. All rules and regulations
28 shall be adopted pursuant to the administrative procedure act,
29 chapter 34.05 RCW;

30 ~~((15))~~ (16) To set forth for the perusal of counties, city-
31 counties, or cities and towns ~~((r))~~ model ordinances by which any
32 legislative authority thereof may enter into the taxing of any
33 gambling activity authorized by this chapter;

34 ~~((16))~~ (17) (a) To establish and regulate a maximum limit on
35 salaries or wages which may be paid to persons employed in connection
36 with activities conducted by bona fide charitable or nonprofit
37 organizations and authorized by this chapter, where payment of such
38 persons is allowed, and to regulate and establish maximum limits for
39 other expenses in connection with such authorized activities,
40 including, but not limited to, rent or lease payments. However, the

1 commissioner's powers and duties granted by this subsection are
2 discretionary and not mandatory.

3 (b) In establishing these maximum limits the commission shall
4 take into account the amount of income received, or expected to be
5 received, from the class of activities to which the limits will apply
6 and the amount of money the games could generate for authorized
7 charitable or nonprofit purposes absent such expenses. The commission
8 may also take into account, in its discretion, other factors,
9 including, but not limited to, the local prevailing wage scale and
10 whether charitable purposes are benefited by the activities;

11 ~~((17))~~ (18) To authorize, require, and issue for a period not
12 to exceed one year such licenses or permits, for which the commission
13 may by rule provide, to any person to work for any operator of any
14 gambling activity authorized by this chapter in connection with that
15 activity, or any manufacturer, supplier, or distributor of devices
16 for those activities in connection with such business. The commission
17 may authorize the director to temporarily issue or suspend licenses
18 subject to final action by the commission. The commission shall not
19 require that persons working solely as volunteers in an authorized
20 activity conducted by a bona fide charitable or bona fide nonprofit
21 organization, who receive no compensation of any kind for any purpose
22 from that organization, and who have no managerial or supervisory
23 responsibility in connection with that activity, be licensed to do
24 such work. The commission may require that licensees employing such
25 unlicensed volunteers submit to the commission periodically a list of
26 the names, addresses, and dates of birth of the volunteers. If any
27 volunteer is not approved by the commission, the commission may
28 require that the licensee not allow that person to work in connection
29 with the licensed activity;

30 ~~((18))~~ (19) To publish and make available at the office of the
31 commission or elsewhere to anyone requesting it a list of the
32 commission licensees, including the name, address, type of license,
33 and license number of each licensee;

34 ~~((19))~~ (20) To establish guidelines for determining what
35 constitutes active membership in bona fide nonprofit or charitable
36 organizations for the purposes of this chapter;

37 ~~((20))~~ (21) To renew the license of every person who applies
38 for renewal within six months after being honorably discharged,
39 removed, or released from active military service in the armed forces
40 of the United States upon payment of the renewal fee applicable to

1 the license period, if there is no cause for denial, suspension, or
2 revocation of the license;

3 ~~((21))~~ (22) To issue licenses under subsections (1) through (4)
4 of this section that are valid for a period of up to eighteen months,
5 if it chooses to do so, in order to transition to the use of the
6 business licensing services program through the department of
7 revenue; and

8 ~~((22))~~ (23) To perform all other matters and things necessary
9 to carry out the purposes and provisions of this chapter.

10 **Sec. 24.** RCW 9.46.130 and 2011 c 336 s 303 are each amended to
11 read as follows:

12 The premises and paraphernalia, and all the books ~~((and))~~,
13 records, databases, hardware, software, or any other electronic data
14 storage device of any person, association, or organization conducting
15 gambling activities authorized under this chapter and any person,
16 association, or organization receiving profits therefrom or having
17 any interest therein shall be subject to inspection and audit at any
18 reasonable time, with or without notice, upon demand, by the
19 commission or its designee, the attorney general or his or her
20 designee, the chief of the Washington state patrol or his or her
21 designee or the prosecuting attorney, sheriff, or director of public
22 safety or their designees of the county wherein located, or the chief
23 of police or his or her designee of any city or town in which said
24 organization is located, for the purpose of determining compliance or
25 noncompliance with the provisions of this chapter and any rules or
26 regulations or local ordinances adopted pursuant thereto, or any
27 federal or state law. A reasonable time for the purpose of this
28 section shall be: (1) If the items or records to be inspected or
29 audited are located anywhere upon a premises, any portion of which is
30 regularly open to the public or members and guests, then at any time
31 when the premises are so open ~~((7))~~ or at which they are usually open;
32 or (2) if the items or records to be inspected or audited are not
33 located upon a premises set out in subsection (1) of this section,
34 then any time between the hours of 8:00 a.m. and 9:00 p.m., Monday
35 through Friday.

36 The commission shall be provided at such reasonable intervals as
37 the commission shall determine with a report, under oath, detailing
38 all receipts and disbursements in connection with such gambling
39 activities, together with such other reasonable information as

1 required in order to determine whether such activities comply with
2 the purposes of this chapter or any local ordinances relating
3 thereto.

4 **Sec. 25.** RCW 9.46.153 and 1981 c 139 s 14 are each amended to
5 read as follows:

6 (1) It shall be the affirmative responsibility of each applicant
7 and licensee to establish by clear and convincing evidence the
8 necessary qualifications for licensure of each person required to be
9 qualified under this chapter, as well as the qualifications of the
10 facility in which the licensed activity will be conducted;

11 (2) All applicants and licensees shall consent to inspections,
12 searches and seizures, and the supplying of handwriting examples as
13 authorized by this chapter and rules adopted hereunder;

14 (3) All licensees, and persons having any interest in licensees,
15 including, but not limited to, employees and agents of licensees, and
16 other persons required to be qualified under this chapter or rules of
17 the commission shall have a duty to inform the commission or its
18 staff of any action or omission which they believe would constitute a
19 violation of this chapter or rules adopted pursuant thereto, or a
20 violation of state or federal law. No person who so informs the
21 commission or the staff shall be discriminated against by an
22 applicant or licensee because of the supplying of such information;

23 (4) All applicants, licensees, persons who are operators or
24 directors thereof, and persons who otherwise have a substantial
25 interest therein shall have the continuing duty to provide any
26 assistance or information required or requested by the commission and
27 to investigations conducted by the commission. If, upon issuance of a
28 formal request to answer or produce information, evidence, or
29 testimony, any applicant, licensee or officer or director thereof, or
30 person with a substantial interest therein, refuses to comply, the
31 applicant or licensee may be denied or revoked by the commission;

32 (5) All applicants and licensees shall waive any and all
33 liability as to the state of Washington, its agencies, employees, and
34 agents for any damages resulting from any disclosure or publication
35 in any manner, other than a (~~wilfully~~) willfully unlawful
36 disclosure or publication, of any information acquired by the
37 commission during its licensing (~~or~~), other investigations (~~or~~),
38 inquiries, or hearings;

1 (6) Each applicant or licensee may be photographed for
2 investigative and identification purposes in accordance with the
3 rules of the commission;

4 (7) An application to receive a license under this chapter or
5 rules adopted pursuant thereto constitutes a request for a
6 determination of the applicant's, and those person's with an interest
7 in the applicant, general character, integrity, and ability to engage
8 or participate in, or be associated with, gambling or related
9 activities impacting this state. Any written or oral statement made
10 in the course of an official investigation, proceeding, or process of
11 the commission by any member, employee, or agent thereof, or by any
12 witness, testifying under oath, which is relevant to the
13 investigation, proceeding, or process, is absolutely privileged and
14 shall not impose any liability for slander, libel, or defamation, or
15 constitute any grounds for recovery in any civil action.

16 **Sec. 26.** RCW 9.46.155 and 2003 c 53 s 34 are each amended to
17 read as follows:

18 (1) No (~~(applicant or licensee)~~) person shall give or provide, or
19 offer to give or provide, directly or indirectly, to any public
20 official (~~(or)~~), employee, or agent of this state, or any of its
21 agencies or political subdivisions, any compensation or reward, or
22 share of the money or property paid or received through gambling
23 activities, in consideration for obtaining any license,
24 authorization, permission, or privilege to participate in any gaming
25 operations except as authorized by this chapter or rules adopted
26 pursuant thereto.

27 (2) (~~(Violation)~~) No person shall give or provide, or attempt to
28 give or provide, directly or indirectly, any compensation, reward, or
29 thing of value to a sporting event participant, including an athlete,
30 coach, referee, official, medical staff, team, school, league
31 official or employee, or anyone else having actual or potential
32 influence over a sporting event, to influence or require the sporting
33 event participant to manipulate a game or contest as prohibited in
34 chapter 67.04 RCW, or provide confidential or insider information
35 with the intent to use the information to gain an advantage in a
36 gambling activity.

37 (3) Unless otherwise provided in another title or section,
38 violation of this section is a class C felony for which a person,
39 upon conviction, shall be punished by imprisonment for not more than

1 five years or a fine of not more than one hundred thousand dollars,
2 or both.

3 **Sec. 27.** RCW 9.46.190 and 1991 c 261 s 7 are each amended to
4 read as follows:

5 Any person (~~(or)~~), association, or organization operating any
6 gambling activity who or which, directly or indirectly, shall in the
7 course of such operation:

8 (1) Employ any device, scheme, or artifice to defraud; or

9 (2) Make any untrue statement of a material fact, or omit to
10 state a material fact necessary in order to make the statement made
11 not misleading, in the light of the circumstances under which said
12 statement is made; or

13 (3) Engage in any act, practice, or course of operation as would
14 operate as a fraud or deceit upon any person; or

15 (4) Alter or misrepresent the outcome of a game or other event on
16 which wagers have been made after the outcome is made sure, but
17 before it is revealed to the players; or

18 (5) Place, increase, or decrease a bet, or determine the course
19 of play after acquiring knowledge, not available to all players, of
20 the outcome of the game or any event that affects the outcome of the
21 game or which is the subject of the bet, or aid anyone in acquiring
22 such knowledge for the purpose of placing, increasing, or decreasing
23 a bet, or determining the course of play contingent upon that event
24 or outcome; or

25 (6) Claim, collect, or take, or attempt to claim, collect, or
26 take money or anything of value in or from a gambling game, with
27 intent to defraud, without having made a wager contingent thereon, or
28 to claim, collect, or take an amount greater than the amount won; or

29 (7) Knowingly entice or induce another to go to any place where a
30 gambling game is being conducted or operated in violation of this
31 chapter, with the intent that the other person play or participate in
32 that gambling game; or

33 (8) Place or increase a bet after acquiring knowledge of the
34 outcome of the game or other event which is the subject of the bet,
35 including past-posting and pressing bets; or

36 (9) Reduce the amount wagered or cancel the bet after acquiring
37 knowledge of the outcome of the game or other event which is the
38 subject of the bet, including pinching bets; or

1 (10) Manipulate, with the intent to cheat, any component of a
2 gaming device in a manner contrary to the designed and normal
3 operational purpose for the component, including, but not limited to,
4 varying the pull of the handle of a slot machine, with knowledge that
5 the manipulation affects the outcome of the game or with knowledge of
6 any event that affects the outcome of the game; or

7 (11) Offer, promise, or give anything of value to anyone for the
8 purpose of influencing the outcome of a race, sporting event,
9 contest, or game upon which a wager may be made, or place, increase,
10 or decrease a wager after acquiring knowledge, not available to the
11 general public, that anyone has been offered, promised, or given
12 anything of value for the purpose of influencing the outcome of the
13 race, sporting event, contest, or game upon which the wager is
14 placed, increased, or decreased; or

15 (12) Change or alter the normal outcome of any game played on an
16 interactive gaming system or a mobile gaming system or the way in
17 which the outcome is reported to any participant in the game;

18 Shall be guilty of a (~~gross misdemeanor~~) class C felony subject
19 to the penalty set forth in RCW 9A.20.021.

20 **Sec. 28.** RCW 9.46.210 and 2000 c 46 s 1 are each amended to read
21 as follows:

22 (1) It shall be the duty of all peace officers, law enforcement
23 officers, and law enforcement agencies within this state to
24 investigate, enforce, and prosecute all violations of this chapter.

25 (2) In addition to the authority granted by subsection (1) of
26 this section, law enforcement agencies of cities and counties shall
27 investigate and report to the commission all violations of the
28 provisions of this chapter and of the rules of the commission found
29 by them and shall assist the commission in any of its investigations
30 and proceedings respecting any such violations. Such law enforcement
31 agencies shall not be deemed agents of the commission.

32 (3) In addition to its other powers and duties, the commission
33 shall have the power to enforce the penal provisions of (~~chapter~~
34 ~~218, Laws of 1973 1st ex. sess.~~) chapters 9.46 and 9.--- RCW (the
35 new chapter created in section 21 of this act) and as it may be
36 amended, and the penal laws of this state relating to the conduct of,
37 or participation in, gambling activities, including chapter 9A.83
38 RCW, and the manufacturing, importation, transportation,
39 distribution, possession, and sale of equipment or paraphernalia used

1 or for use in connection therewith. The director, the deputy
2 director, both assistant directors, and each of the commission's
3 investigators, enforcement officers, and inspectors shall have the
4 power, under the supervision of the commission, to enforce the penal
5 provisions of (~~chapter 218, Laws of 1973 1st ex. sess.~~) chapters
6 9.46 and 9.--- RCW (the new chapter created in section 21 of this
7 act) and as it may be amended, and the penal laws of this state
8 relating to the conduct of, or participation in, gambling activities,
9 including chapter 9A.83 RCW, and the manufacturing, importation,
10 transportation, distribution, possession, and sale of equipment or
11 paraphernalia used or for use in connection therewith. They shall
12 have the power and authority to apply for and execute all warrants
13 and serve process of law issued by the courts in enforcing the penal
14 provisions of (~~chapter 218, Laws of 1973 1st ex. sess.~~) chapters
15 9.46 and 9.--- RCW (the new chapter created in section 21 of this
16 act) and as it may be amended, and the penal laws of this state
17 relating to the conduct of, or participation in, gambling activities,
18 including chapter 9A.83 RCW, and the manufacturing, importation,
19 transportation, distribution, possession, and sale of equipment or
20 paraphernalia used or for use in connection therewith. They shall
21 have the power to arrest without a warrant((7)) any person or persons
22 found in the act of violating any of the penal provisions of
23 (~~chapter 218, Laws of 1973 1st ex. sess.~~) chapters 9.46 and 9.---
24 RCW (the new chapter created in section 21 of this act) and as it may
25 be amended, and the penal laws of this state relating to the conduct
26 of, or participation in, gambling activities, including chapter 9A.83
27 RCW, and the manufacturing, importation, transportation,
28 distribution, possession, and sale of equipment or paraphernalia used
29 or for use in connection therewith. To the extent set forth above,
30 the commission shall be a law enforcement agency of this state with
31 the power to investigate for violations of, and to enforce, the
32 provisions of this chapter, as now law or hereafter amended, and to
33 obtain information from, and provide information to, all other law
34 enforcement agencies.

35 (4) Criminal history record information that includes
36 nonconviction data, as defined in RCW 10.97.030, may be disseminated
37 by a criminal justice agency to the Washington state gambling
38 commission for any purpose associated with the investigation for
39 suitability for involvement in gambling activities authorized under
40 this chapter. The Washington state gambling commission shall only

1 disseminate nonconviction data obtained under this section to
2 criminal justice agencies.

3 (5) In addition to its other powers and duties, the commission
4 shall have the power to:

5 (a) Establish a sports integrity unit to prevent and detect
6 competition manipulation through education and enforcement of the
7 penal provisions of chapters 9.46 and 9.--- RCW (the new chapter
8 created in section 21 of this act), chapter 67.04 RCW, or any other
9 state penal laws needed to protect the integrity of amateur and
10 professional sporting events and contests within the state; and

11 (b) Track and monitor gambling-related transactions occurring
12 within the state and require any reporting as needed.

13 **Sec. 29.** RCW 9.46.220 and 1997 c 78 s 2 are each amended to read
14 as follows:

15 (1) A person is guilty of professional gambling in the first
16 degree if he or she engages in, or knowingly causes, aids, abets, or
17 conspires with another to engage in, professional gambling as defined
18 in this chapter, and:

19 (a) Acts in concert with or conspires with five or more people;
20 or

21 (b) Personally accepts wagers exceeding five thousand dollars
22 during any thirty-day period on future contingent events; or

23 (c) The operation for whom the person works, or with which the
24 person is involved, accepts wagers exceeding five thousand dollars
25 during any thirty-day period on future contingent events; or

26 (d) Operates, manages, or profits from the operation of a
27 premises or location where persons are charged a fee to participate
28 in card games, lotteries, or other gambling activities that are not
29 authorized by this chapter or licensed by the commission; or

30 (e) Engages in bookmaking as defined in RCW 9.46.0213.

31 (2) However, this section shall not apply to those activities
32 enumerated in RCW 9.46.0305 through 9.46.0361 or to any act or acts
33 in furtherance of such activities when conducted in compliance with
34 the provisions of this chapter and in accordance with the rules
35 adopted pursuant to this chapter.

36 (3) Professional gambling in the first degree is a class B felony
37 subject to the penalty set forth in RCW 9A.20.021.

1 **Sec. 30.** RCW 9.46.240 and 2006 c 290 s 2 are each amended to
2 read as follows:

3 (1) Whoever knowingly transmits or receives gambling information
4 by telephone, telegraph, radio, semaphore, the internet, a
5 telecommunications transmission system, or similar means, or
6 knowingly installs or maintains equipment for the transmission or
7 receipt of gambling information shall be guilty of a class C felony
8 subject to the penalty set forth in RCW 9A.20.021. (~~However, this~~)

9 (2) This section shall not apply to such information transmitted
10 or received, or equipment or devices installed or maintained,
11 relating to activities authorized by this chapter, chapter 9.--- RCW
12 (the new chapter created in section 21 of this act), or to any act or
13 acts in furtherance thereof when conducted in compliance with the
14 provisions of this chapter (~~and~~), in accordance with the rules
15 adopted under this chapter, and consistent with tribal-state gambling
16 compacts.

17 **Sec. 31.** RCW 67.04.010 and 2012 c 117 s 294 are each amended to
18 read as follows:

19 Any person who shall bribe or offer to bribe(~~(r)~~) any (~~(baseball~~
20 ~~player)) sporting event participant, including an athlete, coach,~~
21 ~~referee, official, medical staff, or anyone else having actual or~~
22 ~~potential influence over a sporting event, with the intent to~~
23 ~~influence ((his or her play, action, or conduct in any baseball~~
24 ~~game)) the outcome of a play, game, match, or event, or any person~~
25 ~~who shall bribe or offer to bribe any ((umpire of a baseball game,~~
26 ~~with intent to influence him or her to make a wrong decision or to~~
27 ~~bias his or her opinion or judgment in relation to any baseball game~~
28 ~~or any play occurring therein, or any person who shall bribe or offer~~
29 ~~to bribe any manager, or other official of a baseball club, league,~~
30 ~~or association, by whatsoever name called, conducting said game of~~
31 ~~baseball to throw or lose a game of baseball)) team, school, or~~
32 ~~league official or employee to obtain confidential or insider~~
33 ~~information on a player, team, or coach with the intent to violate a~~
34 ~~section of this act or use the information to gain a gambling~~
35 ~~advantage in violation of chapters 9.46 and 9.---~~ RCW (the new
36 chapter created in section 21 of this act), shall be guilty of a
37 (~~gross misdemeanor~~) class B felony.

1 **Sec. 32.** RCW 67.04.020 and 2012 c 117 s 295 are each amended to
2 read as follows:

3 Any (~~baseball player~~) sporting event athlete, player, or
4 participant who shall accept or agree to accept(~~(7)~~) a bribe offered
5 for the purpose of wrongfully influencing his or her play, action,
6 decision making, or conduct in any (~~baseball game~~) sporting event,
7 or any umpire (~~of a baseball game~~), official, referee, or any other
8 person responsible for implementing game or event rules and scoring
9 who shall accept or agree to accept a bribe offered for the purpose
10 of influencing him or her to make a wrong decision, or biasing his or
11 her opinions, rulings, or judgment with regard to any play, or any
12 (~~manager of a baseball club, or club~~) person, including an owner,
13 manager, coach, medical staff, official, employee of a team,
14 organization, or league official, who shall accept(~~(7)~~) or agree to
15 accept(~~(7)~~) any bribe offered for the purpose of inducing him or her
16 to manipulate a game or contest, including to lose or cause to be
17 lost any (~~baseball~~) game or contest, as set forth in RCW 67.04.010,
18 shall be guilty of a (~~gross misdemeanor~~) class C felony.

19 **Sec. 33.** RCW 67.04.030 and 2012 c 117 s 296 are each amended to
20 read as follows:

21 To complete the offenses mentioned in RCW 67.04.010 and
22 67.04.020, it shall not be necessary that (~~the baseball~~) a player,
23 manager, umpire, (~~or~~) official, or anyone else having actual or
24 potential influence over a sporting event shall, at the time, have
25 been actually employed, selected, or appointed to perform his or her
26 respective duties; it shall be sufficient if the bribe be offered,
27 accepted, or agreed to with the view of probable employment,
28 selection, or appointment of the person to whom the bribe is offered,
29 or by whom it is accepted. Neither shall it be necessary that such
30 (~~baseball~~) player, umpire, (~~or~~) manager, official, or anyone else
31 having actual or potential influence over a sporting event actually
32 play or participate in a game or games concerning which said bribe is
33 offered or accepted; it shall be sufficient if the bribe be given,
34 offered, or accepted in view of his or her possibly participating
35 therein.

36 **Sec. 34.** RCW 67.04.040 and 2012 c 117 s 297 are each amended to
37 read as follows:

1 By a "bribe" as used in RCW 67.04.010 through 67.04.080, is meant
2 any gift, emolument, money or thing of value, testimonial, privilege,
3 appointment, or personal advantage, or the promise of either,
4 bestowed or promised for the purpose of influencing, directly or
5 indirectly, any (~~baseball~~) player, manager, umpire, club or league
6 official, or anyone else having actual or potential influence over a
7 sporting event to see which game an admission fee may be charged, or
8 in which game of (~~baseball~~) any player, manager, (~~or~~) umpire,
9 official, or anyone else having actual or potential influence over a
10 sporting event is paid any compensation for his or her services. Said
11 bribe as defined in RCW 67.04.010 through 67.04.080 need not be
12 direct; it may be such as is hidden under the semblance of a sale,
13 bet, wager, payment of a debt, or in any other manner designed to
14 cover the true intention of the parties.

15 **Sec. 35.** RCW 67.04.050 and 2012 c 117 s 298 are each amended to
16 read as follows:

17 Any (~~baseball~~) player, manager, umpire, referee, official, or
18 club or league (~~official~~) employee who shall commit any willful act
19 of omission or commission in playing, or directing the playing, of a
20 (~~baseball~~) game, sporting event, or contest, with intent to
21 (~~cause~~) manipulate a sporting event, including causing the (~~ball~~
22 ~~club~~) team, with which he or she is affiliated, to lose a
23 (~~baseball~~) game or event; or any umpire, referee, or official
24 officiating in a (~~baseball~~) game or event, or any club or league
25 (~~official~~) employee who shall commit any willful act connected with
26 his or her official duties for the purpose and with the intent to
27 (~~cause~~) manipulate a sporting event, including causing a (~~baseball~~
28 ~~club~~) team to win or lose a (~~baseball~~) game or event, which it
29 would not otherwise have won or lost under the rules governing the
30 playing of said game, shall be guilty of a (~~gross misdemeanor~~)
31 class C felony.

32 **Sec. 36.** RCW 67.04.060 and 1921 c 181 s 6 are each amended to
33 read as follows:

34 In all prosecutions under RCW 67.04.010 through 67.04.080, the
35 venue may be laid in any county where the bribe herein referred to
36 was given, offered or accepted, or in which the (~~baseball game~~)
37 sporting event or contest was played in relation to which the bribe

1 was offered, given or accepted, or the acts referred to in RCW
2 67.04.050 committed.

3 **Sec. 37.** RCW 67.04.070 and 2012 c 117 s 299 are each amended to
4 read as follows:

5 Nothing in RCW 67.04.010 through 67.04.080 shall be construed to
6 prohibit the giving or offering of any bonus or extra compensation to
7 any manager ~~((or baseball))~~, player, coach, or other persons
8 connected with a collegiate or professional team, organization, or
9 league by any person to encourage such manager or player to a higher
10 degree of skill, ability, or diligence in the performance of his or
11 her duties.

12 **Sec. 38.** RCW 67.04.080 and 1921 c 181 s 8 are each amended to
13 read as follows:

14 RCW 67.04.010 through 67.04.080 shall apply only to ~~((baseball~~
15 ~~league and club officials))~~ sporting event leagues, teams, players,
16 referees, umpires, managers ((and players)), or anyone else having
17 actual or potential influence over a sporting event who act in
18 ~~((such))~~ their official capacity in ~~((games))~~ sporting events or
19 contests where the public is generally invited to attend and ~~((a~~
20 ~~general admission))~~ an entrance fee is charged.

21 NEW SECTION. **Sec. 39.** Sports wagering lounges at which a sports
22 pool is operated are a permitted use in all commercial, retail,
23 industrial, nonresidential, and mixed-use zoning districts of a
24 municipality.

25 NEW SECTION. **Sec. 40.** RCW 67.24.010 is recodified as a section
26 in chapter 67.04 RCW.

27 NEW SECTION. **Sec. 41.** RCW 67.24.020 (Scope of 1945 c 107) and
28 1945 c 107 s 2 are each repealed.

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