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**SENATE BILL 5212**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Senators King, Liias, and Wilson, C.

AN ACT Relating to authorizing sports wagering at cardrooms and racetracks; amending RCW 9.46.0335, 9.46.153, 9.46.155, 9.46.210, 9.46.240, 67.04.010, 67.04.020, 67.04.030, 67.04.040, 67.04.050, 67.04.060, 67.04.070, and 67.04.080; adding a new section to chapter 82.04 RCW; adding a new section to chapter 67.04 RCW; adding a new chapter to Title 9 RCW; recodifying RCW 67.24.010; decodifying RCW 67.24.020; and prescribing penalties.

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

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

(1) "Cardroom" means a business licensed to conduct social card games pursuant to RCW 9.46.0325 as of December 1, 2020.

(2) "Collegiate sport or athletic event" has the same meaning as in RCW 9.46.038.

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

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

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

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

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

(8) "Professional sport or athletic event" has the same meaning as in RCW 9.46.038.

(9)(a) "Prohibited sports event" means any collegiate sport or athletic event that takes place in this state or a sport or athletic event in which any Washington state college team participates regardless of where the event takes place. "Prohibited sports event" includes all high school sports events, electronic sports, and competitive video games, but does not include international sports events in which persons under age 18 make up a minority of the participants.

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

(10) "Racetrack" means a business licensed to conduct horse race meets under a license issued by the Washington horse racing commission pursuant to chapter 67.16 RCW as of December 1, 2020.

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

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

(13) "Sports wagering lounge" means an area wherein an authorized sports pool is operated at a cardroom or racetrack complex.

NEW SECTION. **Sec.**  (1) The legislature authorizes sports wagering through sports pools and online sports pools by a cardroom or racetrack as provided in this chapter. This chapter does not apply to sports wagering authorized pursuant to RCW 9.46.0364.

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

(3) The commission has the power to issue all sports wagering licenses and renewals to cardrooms and racetracks. The commission must hear and promptly decide all applications for a sports wagering license. No sports wagering license may be issued until the execution of a tribal compact amendment authorizing sports wagering has been completed.

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

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

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

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

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

(9) The commission has the authority to charge a cardroom and a racetrack a fee for the issuance of a sports wagering license in an amount of $100,000 for the initial issuance and, in the case of a renewal, a reasonable fee adopted by rule that is based upon the expense associated with renewal, enforcement, and programs for the prevention and treatment of problem gambling.

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

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

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

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

NEW SECTION. **Sec.**  (1) Each sports wagering licensee may provide no more than one branded sports wagering website, which may have an accompanying mobile application bearing the same brand as the website for an online sports pool. Any sports wagering website and mobile application must only allow wagering at that card room or racetrack complex.

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

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

(4) The server or other equipment used by a sports wagering licensee to accept wagers at a sports pool or online sports pool must be located in that cardroom or racetrack complex.

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

(6) A sports wagering licensee may not operate a sports pool or accept wagers via an online sports pool unless a sports wagering lounge is established and has commenced operation in its complex; provided, however, that a sports wagering licensee may petition the commission to commence operation of the sports pool at either a temporary facility or an online sports pool, or both, during the pendency of construction of a sports wagering lounge in its complex. The temporary facilities may include, at the discretion of the commission, the utilization of designated windows at the current casino cage or racetrack betting window for purposes of placing sports betting wagers and self-service wagering machines located at the complex.

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

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

(9) A person placing a wager on a sports event must be at least 18 years of age.

NEW SECTION. **Sec.**  (1) A sports pool or online sports pool may not be offered or made available for wagering to the public by any entity other than a sports wagering licensee operating such pool on behalf of a licensee, or an internet sports pool operator on behalf of a sports wagering licensee.

(2) Any person who offers a sports pool or an online sports pool without a license or pursuant to a compact is guilty of a class B felony and is subject to a fine of not more than $25,000, and, in the case of a person other than a natural person, a fine of not more than $100,000.

NEW SECTION. **Sec.**  (1)(a) Any person who: (i) Is an athlete, coach, referee, or director of a sports governing body or any of its member team; (ii) is a sports governing body or any of its member teams; (iii) is a player or a referee personnel member in or on any sports event overseen by that person's sports governing body based on publicly available information; (iv) holds a position of authority or influence sufficient to exert influence over the participants in a sporting contest including, but not limited to, coaches, managers, handlers, athletic trainers, or horse trainers; (v) has access to certain types of exclusive information on any sports event overseen by that person's sports governing body based on publicly available information; or (vi) is identified by any lists provided by the sports governing body to the commission may not have any ownership interest in, control of, or otherwise be employed by, an operator, a sports wagering licensee, or a facility in which a sports wagering lounge is located, or place a wager on a sports event that is overseen by that person's sports governing body based on publicly available information. Any person who violates this subsection is guilty of a misdemeanor and must, upon conviction, be punished by either imprisonment in the county jail for a maximum term fixed by the court of not more than 90 days or a fine in an amount fixed by the court of not more than $1,000, or both.

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

(c) The direct or indirect legal or beneficial owner of 10 percent or more of a sports governing body or any of its member teams may not place or accept any wager on a sports event in which any member team of that sports governing body participates.

(2) The prohibition set forth in subsection (1) of this section does not apply to any person who is a direct or indirect owner of a specific sports governing body member team, and (a) the person has less than 10 percent direct or indirect ownership interest in a casino or racetrack, or (b) the shares of such person are registered pursuant to section 12 of the securities exchange act of 1934 (15 U.S.C. Sec. 781), as amended, and the value of the ownership of such team represents less than one percent of the person's total enterprise value.

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

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

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

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

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

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

(5) An operator must adopt procedures to obtain personally identifiable information from any individual who places any single wager in an amount of $10,000 or greater on a sports event while physically present in a cardroom or racetrack complex.

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

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

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

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

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

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

NEW SECTION. **Sec.**  (1) A sports wagering licensee may, in addition to having a sports wagering lounge, conduct wagering on authorized sports events through one or more kiosks or self-service wagering stations located within its complex. The self-service wagering stations may offer games authorized by the commission.

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

NEW SECTION. **Sec.**  (1) Applicants for, and holders of, a sports wagering license must be required to disclose the identity of the following: (a) Each board-appointed officer of the applicant or holder; (b) each director of the applicant or holder; (c) each person who directly holds any voting or controlling interest of five percent or more of the securities issued by such applicant or holder; (d) each person who directly holds any nonvoting or passive ownership interest of 25 percent or more of the securities issued by such applicant or holder; and (e) each holding or intermediary company of an applicant for, or holder of, an operator.

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

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

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

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

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

(2) No cardroom or racetrack may be authorized to operate a sports pool or online sports pool unless it has produced, to the satisfaction of the commission, information, documentation, and assurances concerning its financial background and resources, including cash reserves, that are sufficient to demonstrate that it has the financial stability, integrity, and responsibility to operate a sports pool or online sports pool.

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

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

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

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

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

(e) Method of issuing tickets;

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

(g) Types of records which must be kept;

(h) Use of credit and checks by patrons;

(i) Type of system for wagering;

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

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

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

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

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

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

NEW SECTION. **Sec.**  (1) There is levied, and collected from every sports wagering licensee in this state, a tax in the amount of 10 percent of the gaming revenue.

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

(3) Sports wagering licensees subject to the tax imposed by this chapter must report to the department of revenue the amount of gaming revenue earned by location, and identifying the amount of gaming revenue received from wagers or bets placed.

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

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

NEW SECTION. **Sec.**  If a patron does not claim a winning sports pool wager within one year from the time of the event, the obligation of the operator to pay the winnings expires and the operator will retain 50 percent of the winnings and remit the remaining 50 percent of the winnings to the problem gambling account created in RCW 41.05.751. If the sports pool is jointly operated, the operator must apportion the 50 percent of the winnings pursuant to the terms of the parties' operation agreement.

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

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

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

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

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

NEW SECTION. **Sec.**  Sections 1 through 18 of this act constitute a new chapter in Title 9 RCW.

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

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

((~~(1) A board or piece of paper is divided into one hundred equal squares, each of which constitutes a chance to win in the sports pool and each of which is offered directly to prospective contestants at one dollar or less;~~

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

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

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

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

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

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

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

(2) For purposes of this section, "sports board" means a board or piece of paper that is divided into 100 equal squares, each of which constitutes a chance to win in the sports pool and each of which is offered directly to prospective contestants.

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

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

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

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

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

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

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

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

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

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

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

(3) Unless otherwise provided in another title or section, violation of this section is a class C felony for which a person, upon conviction, shall be punished by imprisonment for not more than five years or a fine of not more than one hundred thousand dollars, or both.

**Sec.**  RCW 9.46.210 and 2020 c 127 s 7 are each amended to read as follows:

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

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

(3) In addition to its other powers and duties, the commission shall have the power to enforce the penal provisions of this chapter and chapter 9.--- RCW (the new chapter created in section 21 of this act), as it may be amended, and the penal laws of this state relating to the conduct of or participation in gambling activities, including chapter 9A.83 RCW, and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. The director, the deputy director, both assistant directors, and each of the commission's investigators, enforcement officers, and inspectors shall have the power, under the supervision of the commission, to enforce the penal provisions of this chapter and chapter 9.--- RCW (the new chapter created in section 21 of this act), as it may be amended, and the penal laws of this state relating to the conduct of or participation in gambling activities, including chapter 9A.83 RCW, and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. They shall have the power and authority to apply for and execute all warrants and serve process of law issued by the courts in enforcing the penal provisions of this chapter and chapter 9.--- RCW (the new chapter created in section 21 of this act), as it may be amended, and the penal laws of this state relating to the conduct of or participation in gambling activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. They shall have the power to arrest without a warrant, any person or persons found in the act of violating any of the penal provisions of this chapter and chapter 9.--- RCW (the new chapter created in section 21 of this act), as it may be amended, and the penal laws of this state relating to the conduct of or participation in gambling activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. To the extent set forth above, the commission shall be a law enforcement agency of this state with the power to investigate for violations of and to enforce the provisions of this chapter, as now law or hereafter amended, and to obtain information from and provide information to all other law enforcement agencies.

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

(5) In addition to its other powers and duties, the commission may ensure sport integrity and prevent and detect competition manipulation through education and enforcement of the penal provisions of this chapter or chapter 67.04 or 67.24 RCW, or any other state penal laws related to the integrity of sporting events, athletic events, or competitions within the state.

(6) In addition to its other powers and duties, the commission may ((~~track~~)):

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

(b) Track and monitor gambling-related transactions occurring within the state to aid in its enforcement of the penal provisions of this chapter ((~~or~~)), chapters 9A.83, 9.46, and 9.--- (the new chapter created in section 21 of this act) RCW, or any other state penal laws related to suspicious or illegal wagering activities, including the use of funds derived from illegal activity, wagers to conceal or launder funds derived from illegal activity, use of agents to place wagers, or use of false identification by a player.

**Sec.**  RCW 9.46.240 and 2020 c 127 s 10 are each amended to read as follows:

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

(2) This section shall not apply to such information transmitted or received or equipment or devices installed or maintained relating to activities authorized by this chapter including, but not limited to, sports wagering authorized under chapter 9.--- RCW (the new chapter created in section 21 of this act), RCW 9.46.0364 and 9.46.0368, or to any act or acts in furtherance thereof when conducted in compliance with the provisions of this chapter and in accordance with the rules adopted under this chapter and conducted in accordance with tribal-state compacts.

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

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

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

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

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

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

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

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

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

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

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

In all prosecutions under RCW 67.04.010 through 67.04.080, the venue may be laid in any county where the bribe herein referred to was given, offered or accepted, or in which the ((~~baseball game~~)) sporting event or contest was played in relation to which the bribe was offered, given or accepted, or the acts referred to in RCW 67.04.050 committed.

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

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

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

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

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

NEW SECTION. **Sec.**  RCW 67.24.020 (Scope of 1945 c 107) is decodified.

**--- END ---**