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**HOUSE BILL 1674**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Representatives Walen, Hoff, Boehnke, and Vick

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

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

9 NEW SECTION. **Sec. 1.** The definitions in this section apply  
10 throughout this chapter unless the context clearly requires  
11 otherwise.

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

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

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

18 (4) "Fantasy sports activity" means any fantasy or simulated  
19 activity or contest with an entry fee in which a participant owns or  
20 manages an imaginary team and competes against other participants or  
21 a target score for a predetermined prize with the outcome reflecting

1 the relative skill of the participants and determined by statistics  
2 generated based on performance by actual individuals participating in  
3 actual competitions or athletic events, provided that the outcome  
4 must not be based solely on the performance of an individual athlete,  
5 or on the score, point spread, or any performance of any single real  
6 team or combination of real teams. "Fantasy sports activity" does not  
7 include any activity in which no entry fee is paid to the fantasy  
8 sports operator or in which a prize is not collected, managed, or  
9 awarded by the operator.

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

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

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

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

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

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

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

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

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

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

15 NEW SECTION. **Sec. 2.** (1) The legislature authorizes sports  
16 wagering through sports pools and online sports pools by a cardroom  
17 or racetrack as provided in this chapter. This chapter does not apply  
18 to sports wagering authorized pursuant to RCW 9.46.0364.

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

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

28 (4) The license to operate a sports pool is in addition to any  
29 other license required to be issued pursuant to chapters 9.46 and  
30 67.16 RCW.

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

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

36 (7) A sports wagering licensee may conduct an online sports pool  
37 or may authorize an internet sports pool operator licensed as a  
38 casino service industry enterprise to operate an online sports pool

1 on its behalf, provided the terms of the agreement are approved by  
2 the commission.

3 (8) The powers and duties of the commission specified in chapter  
4 9.46 RCW and other provisions with respect to licensees apply to the  
5 extent not inconsistent with the provisions of this chapter.

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

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

15 (11) No license to operate a sports pool may be issued to any  
16 person or entity that is disqualified for a license under chapter  
17 9.46 or 67.16 RCW.

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

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

1        NEW SECTION.

2        **Sec. 3.**

3        (1) Each sports wagering licensee may  
4 provide no more than one branded sports wagering website, which may  
5 have an accompanying mobile application bearing the same brand as the  
6 website for an online sports pool. Any sports wagering website and  
7 mobile application must only allow wagering at that cardroom or  
8 racetrack facility. The transmission of gambling information over the  
9 internet for any sports wagering conducted and operated under this  
10 chapter is authorized, provided that the wager may be placed and  
11 accepted at a cardroom or racetrack's facility only while the  
12 customer placing the wager is physically present on the premises of  
13 that cardroom or racetrack facility.

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

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

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

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

33        (6) A sports wagering licensee may not operate a sports pool or  
34 accept wagers via an online sports pool unless a sports wagering  
35 lounge is established and has commenced operation in its facility;  
36 provided, however, that a sports wagering licensee may petition the  
37 commission to commence operation of the sports pool at either a  
38 temporary facility or an online sports pool, or both, during the  
39 pendency of construction of a sports wagering lounge in its facility.  
40 The temporary facilities may include, at the discretion of the  
commission, the use of designated windows at the current casino cage  
or racetrack betting window for purposes of placing sports betting

1 wagers and self-service wagering machines located at the facility. In  
2 accordance with subsection (1) of this section, nothing in this  
3 section authorizes the placement or acceptance of a wager unless the  
4 customer placing the wager is physically present on the premises of  
5 the cardroom or racetrack facility.

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

8 (8) An operator may accept wagers on sports events only: (a) From  
9 persons physically present in the sports wagering lounge; (b) through  
10 self-service wagering machines located in its facility as authorized  
11 by the commission; or (c) through an online sports pool if the  
12 customer placing the wager through the online sports pool is  
13 physically present on the premises of the cardroom or racetrack  
14 facility.

15 (9) A person placing a wager on a sports event must be at least  
16 18 years of age.

17 NEW SECTION. **Sec. 4.** (1) A sports pool or online sports pool  
18 may not be offered or made available for wagering to the public by  
19 any entity other than a sports wagering licensee operating such pool  
20 on behalf of a licensee, or an internet sports pool operator on  
21 behalf of a sports wagering licensee.

22 (2) Any person who offers a sports pool or an online sports pool  
23 without a license or pursuant to a compact is guilty of a class B  
24 felony and is subject to a fine of not more than \$25,000, and, in the  
25 case of a person other than a natural person, a fine of not more than  
26 \$100,000.

27 NEW SECTION. **Sec. 5.** (1)(a) Any person who: (i) Is an athlete,  
28 coach, referee, or director of a sports governing body or any of its  
29 member team; (ii) is a sports governing body or any of its member  
30 teams; (iii) is a player or a referee personnel member in or on any  
31 sports event overseen by that person's sports governing body based on  
32 publicly available information; (iv) holds a position of authority or  
33 influence sufficient to exert influence over the participants in a  
34 sporting contest including, but not limited to, coaches, managers,  
35 handlers, athletic trainers, or horse trainers; (v) has access to  
36 certain types of exclusive information on any sports event overseen  
37 by that person's sports governing body based on publicly available  
38 information; or (vi) is identified by any lists provided by the

1 sports governing body to the commission may not have any ownership  
2 interest in, control of, or otherwise be employed by, an operator, a  
3 sports wagering licensee, or a facility in which a sports wagering  
4 lounge is located, or place a wager on a sports event that is  
5 overseen by that person's sports governing body based on publicly  
6 available information. Any person who violates this subsection is  
7 guilty of a misdemeanor and must, upon conviction, be punished by  
8 either imprisonment in the county jail for a maximum term fixed by  
9 the court of not more than 90 days or a fine in an amount fixed by  
10 the court of not more than \$1,000, or both.

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

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

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

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

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

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

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

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

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

39 (5) An operator must adopt procedures to obtain personally  
40 identifiable information from any individual who places any single

1 wager in an amount of \$10,000 or greater on a sports event while  
2 physically present in a cardroom or racetrack facility.

3 NEW SECTION. **Sec. 6.** The sports wagering licensee may contract  
4 with an entity to conduct the operation in accordance with the rules  
5 adopted by the commission. That entity must obtain a license as a  
6 casino service industry enterprise, in accordance with the rules  
7 adopted by the commission, prior to the execution of any contract.

8 NEW SECTION. **Sec. 7.** (1) An operator must promptly report to  
9 the commission:

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

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

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

24 NEW SECTION. **Sec. 8.** An operator must maintain records of  
25 sports wagering operations as specified by the commission.

26 NEW SECTION. **Sec. 9.** (1) A sports wagering licensee may, in  
27 addition to having a sports wagering lounge, conduct wagering on  
28 authorized sports events through one or more kiosks or self-service  
29 wagering stations located within its facility. The self-service  
30 wagering stations may offer games authorized by the commission.

31 (2) (a) Subject to (b) of this subsection, all wagers on sports  
32 events authorized under this chapter must be initiated, received, and  
33 otherwise made within this state unless otherwise determined by the  
34 commission in accordance with applicable federal and state laws.  
35 Consistent with the intent of the United States congress as  
36 articulated in the unlawful internet gambling enforcement act of



1 2006, 31 U.S.C. Sec. 5361 et seq., the intermediate routing of  
2 electronic data relating to a lawful intrastate wager authorized  
3 under this chapter does not determine the location or locations in  
4 which such wager is initiated, received, or otherwise made.

5 (b) In accordance with section 3(1) of this act, nothing in this  
6 section authorizes the placement, initiation, receipt, or making of a  
7 wager unless the customer placing the wager is physically present on  
8 the premises of the cardroom or racetrack facility. The commission is  
9 prohibited from modifying this requirement.

10 NEW SECTION. **Sec. 10.** (1) Applicants for, and holders of, a  
11 sports wagering license must be required to disclose the identity of  
12 the following: (a) Each board-appointed officer of the applicant or  
13 holder; (b) each director of the applicant or holder; (c) each person  
14 who directly holds any voting or controlling interest of five percent  
15 or more of the securities issued by such applicant or holder; (d)  
16 each person who directly holds any nonvoting or passive ownership  
17 interest of 25 percent or more of the securities issued by such  
18 applicant or holder; and (e) each holding or intermediary company of  
19 an applicant for, or holder of, an operator.

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

30 NEW SECTION. **Sec. 11.** (1) All persons employed directly in  
31 wagering-related activities conducted in a sports wagering lounge and  
32 an online sports pool must be licensed as a sports wagering key  
33 employee or registered as a sports wagering employee.

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

36 (3) Each operator must designate one or more sports wagering key  
37 employees who are responsible for the operation of the sports pool.

1 At least one sports wagering key employee must be on the premises  
2 whenever sports wagering is conducted.

3 NEW SECTION. **Sec. 12.** (1) Except as otherwise provided by this  
4 chapter, the commission has the authority to regulate sports pools,  
5 online sports pools, and the conduct of sports wagering under this  
6 chapter.

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

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

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

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

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

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

26 (e) Method of issuing tickets;

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

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

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

30 (i) Type of system for wagering;

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

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

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

17       NEW SECTION.       **Sec. 15.**       (1) There is levied, and collected from  
18 every sports wagering licensee in this state, a tax in the amount of  
19 10 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) Sports wagering licensees subject to the tax imposed by this  
23 chapter must report to the department of revenue the amount of gaming  
24 revenue earned by location, and identifying the amount of gaming  
25 revenue received from wagers or bets placed.

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

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

31       NEW SECTION.       **Sec. 16.**       If a patron does not claim a winning  
32 sports pool wager within one year from the time of the event, the  
33 obligation of the operator to pay the winnings expires and the  
34 operator will retain 50 percent of the winnings and remit the  
35 remaining 50 percent of the winnings to the problem gambling account  
36 created in RCW 41.05.751. If the sports pool is jointly operated, the

1 operator must apportion the 50 percent of the winnings pursuant to  
2 the terms of the parties' operation agreement.

3 NEW SECTION. **Sec. 17.** Wagers may be pooled with wagers from  
4 persons who are not physically present in this state if the  
5 commission determines that such wagering is not inconsistent with  
6 federal law or the law of the jurisdiction, including any foreign  
7 nation, in which any such person is located, or such wagering is  
8 conducted pursuant to a reciprocal agreement to which the state is a  
9 party that is not inconsistent with federal law.

10 NEW SECTION. **Sec. 18.** Sports wagering lounges at which a sports  
11 pool is operated are a permitted use in all commercial, retail,  
12 industrial, nonresidential, and mixed-use zoning districts of a  
13 municipality.

14 **Sec. 19.** RCW 9.46.0335 and 1987 c 4 s 31 are each amended to  
15 read as follows:

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

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

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

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

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

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

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

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

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

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

15       **Sec. 20.** RCW 9.46.153 and 1981 c 139 s 14 are each amended to  
16 read as follows:

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

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

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

34       (4) All applicants, licensees, persons who are operators or  
35 directors thereof, and persons who otherwise have a substantial  
36 interest therein shall have the continuing duty to provide any  
37 assistance or information required or requested by the commission and  
38 to investigations conducted by the commission. If, upon issuance of a  
39 formal request to answer or produce information, evidence, or

1 testimony, any applicant, licensee or officer or director thereof, or  
2 person with a substantial interest therein, refuses to comply, the  
3 applicant or licensee may be denied or revoked by the commission;

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

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

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

26 **Sec. 21.** RCW 9.46.155 and 2003 c 53 s 34 are each amended to  
27 read as follows:

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

37 (2) (~~Violation~~) No person shall give or provide, or attempt to  
38 give or provide, directly or indirectly, any compensation, reward, or  
39 thing of value to a sporting event participant, including an athlete,

1 coach, referee, official, medical staff, team, school, league  
2 official or employee, or anyone else having actual or potential  
3 influence over a sporting event, to influence or require the sporting  
4 event participant to manipulate a game or contest as prohibited in  
5 chapter 67.04 RCW, or provide confidential or insider information  
6 with the intent to use the information to gain an advantage in a  
7 gambling activity.

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

13 **Sec. 22.** RCW 9.46.210 and 2020 c 127 s 7 are each amended to  
14 read as follows:

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

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

25 (3) In addition to its other powers and duties, the commission  
26 shall have the power to enforce the penal provisions of this chapter  
27 and chapter 9.--- RCW (the new chapter created in section 36 of this  
28 act), as it may be amended, and the penal laws of this state relating  
29 to the conduct of or participation in gambling activities, including  
30 chapter 9A.83 RCW, and the manufacturing, importation,  
31 transportation, distribution, possession, and sale of equipment or  
32 paraphernalia used or for use in connection therewith. The director,  
33 the deputy director, both assistant directors, and each of the  
34 commission's investigators, enforcement officers, and inspectors  
35 shall have the power, under the supervision of the commission, to  
36 enforce the penal provisions of this chapter and chapter 9.--- RCW  
37 (the new chapter created in section 36 of this act), as it may be  
38 amended, and the penal laws of this state relating to the conduct of  
39 or participation in gambling activities, including chapter 9A.83 RCW,

1 and the manufacturing, importation, transportation, distribution,  
2 possession, and sale of equipment or paraphernalia used or for use in  
3 connection therewith. They shall have the power and authority to  
4 apply for and execute all warrants and serve process of law issued by  
5 the courts in enforcing the penal provisions of this chapter and  
6 chapter 9.--- RCW (the new chapter created in section 36 of this  
7 act), as it may be amended, and the penal laws of this state relating  
8 to the conduct of or participation in gambling activities and the  
9 manufacturing, importation, transportation, distribution, possession,  
10 and sale of equipment or paraphernalia used or for use in connection  
11 therewith. They shall have the power to arrest without a warrant, any  
12 person or persons found in the act of violating any of the penal  
13 provisions of this chapter and chapter 9.--- RCW (the new chapter  
14 created in section 36 of this act), as it may be amended, and the  
15 penal laws of this state relating to the conduct of or participation  
16 in gambling activities and the manufacturing, importation,  
17 transportation, distribution, possession, and sale of equipment or  
18 paraphernalia used or for use in connection therewith. To the extent  
19 set forth above, the commission shall be a law enforcement agency of  
20 this state with the power to investigate for violations of and to  
21 enforce the provisions of this chapter, as now law or hereafter  
22 amended, and to obtain information from and provide information to  
23 all other law enforcement agencies.

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

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

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



1 (a) Establish a sports integrity unit to prevent and detect  
2 competition manipulation through education and enforcement of the  
3 penal provisions of chapters 9.46, 67.04, and 9.--- RCW (the new  
4 chapter created in section 36 of this act), or any other state penal  
5 laws needed to protect the integrity of amateur and professional  
6 sporting events and contests within the state; and

7 (b) Track and monitor gambling-related transactions occurring  
8 within the state to aid in its enforcement of the penal provisions of  
9 this chapter ((~~o~~)), chapters 9A.83, 9.46, and 9.--- (the new chapter  
10 created in section 36 of this act) RCW, or any other state penal laws  
11 related to suspicious or illegal wagering activities, including the  
12 use of funds derived from illegal activity, wagers to conceal or  
13 launder funds derived from illegal activity, use of agents to place  
14 wagers, or use of false identification by a player.

15 **Sec. 23.** RCW 9.46.240 and 2020 c 127 s 10 are each amended to  
16 read as follows:

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

23 (2) This section shall not apply to such information transmitted  
24 or received or equipment or devices installed or maintained relating  
25 to activities authorized by this chapter including, but not limited  
26 to, sports wagering authorized under chapter 9.--- RCW (the new  
27 chapter created in section 36 of this act), RCW 9.46.0364 and  
28 9.46.0368, or to any act or acts in furtherance thereof when  
29 conducted in compliance with the provisions of this chapter and in  
30 accordance with the rules adopted under this chapter and conducted in  
31 accordance with tribal-state compacts.

32 **Sec. 24.** RCW 67.04.010 and 2012 c 117 s 294 are each amended to  
33 read as follows:

34 Any person who shall bribe or offer to bribe((~~r~~)) any ((~~baseball~~  
35 ~~player~~)) sporting event participant, including an athlete, coach,  
36 referee, official, medical staff, or anyone else having actual or  
37 potential influence over a sporting event, with the intent to  
38 influence ((his or her play, action, or conduct in any baseball

1 game)) the outcome of a play, game, match, or event, or any person  
2 who shall bribe or offer to bribe any (~~umpire of a baseball game,~~  
3 ~~with intent to influence him or her to make a wrong decision or to~~  
4 ~~bias his or her opinion or judgment in relation to any baseball game~~  
5 ~~or any play occurring therein, or any person who shall bribe or offer~~  
6 ~~to bribe any manager, or other official of a baseball club, league,~~  
7 ~~or association, by whatsoever name called, conducting said game of~~  
8 ~~baseball to throw or lose a game of baseball~~)) team, school, or  
9 league official or employee to obtain confidential or insider  
10 information on a player, team, or coach with the intent to violate  
11 this chapter or use the information to gain a gambling advantage in  
12 violation of chapters 9.46 and 9.--- RCW (the new chapter created in  
13 section 36 of this act), shall be guilty of a (~~gross misdemeanor~~)  
14 class B felony.

15 **Sec. 25.** RCW 67.04.020 and 2012 c 117 s 295 are each amended to  
16 read as follows:

17 Any (~~baseball player~~) sporting event athlete, player, or  
18 participant who shall accept or agree to accept(~~(7)~~) a bribe offered  
19 for the purpose of wrongfully influencing his or her play, action,  
20 decision making, or conduct in any (~~baseball game~~) sporting event,  
21 or any umpire (~~of a baseball game~~), official, referee, or any other  
22 person responsible for implementing game or event rules and scoring  
23 who shall accept or agree to accept a bribe offered for the purpose  
24 of influencing him or her to make a wrong decision, or biasing his or  
25 her opinions, rulings, or judgment with regard to any play, or any  
26 (~~manager of a baseball club, or club~~) person, including an owner,  
27 manager, coach, medical staff, official, employee of a team,  
28 organization, or league official, who shall accept(~~(7)~~) or agree to  
29 accept(~~(7)~~) any bribe offered for the purpose of inducing him or her  
30 to manipulate a game or contest, including to lose or cause to be  
31 lost any (~~baseball~~) game or contest, as set forth in RCW 67.04.010,  
32 shall be guilty of a (~~gross misdemeanor~~) class C felony.

33 **Sec. 26.** RCW 67.04.030 and 2012 c 117 s 296 are each amended to  
34 read as follows:

35 To complete the offenses mentioned in RCW 67.04.010 and  
36 67.04.020, it shall not be necessary that (~~the baseball~~) a player,  
37 manager, umpire, (~~or~~) official, or anyone else having actual or  
38 potential influence over a sporting event shall, at the time, have

1 been actually employed, selected, or appointed to perform his or her  
2 respective duties; it shall be sufficient if the bribe be offered,  
3 accepted, or agreed to with the view of probable employment,  
4 selection, or appointment of the person to whom the bribe is offered,  
5 or by whom it is accepted. Neither shall it be necessary that such  
6 ~~((baseball))~~ player, umpire, ~~((or))~~ manager, official, or anyone else  
7 having actual or potential influence over a sporting event actually  
8 play or participate in a game or games concerning which said bribe is  
9 offered or accepted; it shall be sufficient if the bribe be given,  
10 offered, or accepted in view of his or her possibly participating  
11 therein.

12 **Sec. 27.** RCW 67.04.040 and 2012 c 117 s 297 are each amended to  
13 read as follows:

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

28 **Sec. 28.** RCW 67.04.050 and 2012 c 117 s 298 are each amended to  
29 read as follows:

30 Any ~~((baseball))~~ player, manager, umpire, referee, official, or  
31 club or league ~~((official))~~ employee who shall commit any willful act  
32 of omission or commission in playing, or directing the playing, of a  
33 ~~((baseball))~~ game, sporting event, or contest, with intent to  
34 ~~((cause))~~ manipulate a sporting event, including causing the ~~((ball~~  
35 ~~club))~~ team, with which he or she is affiliated, to lose a  
36 ~~((baseball))~~ game or event; or any umpire, referee, or official  
37 officiating in a ~~((baseball))~~ game or event, or any club or league  
38 ~~((official))~~ employee who shall commit any willful act connected with

1 his or her official duties for the purpose and with the intent to  
2 ((~~cause~~)) manipulate a sporting event, including causing a ((~~baseball~~  
3 ~~club~~)) team to win or lose a ((~~baseball~~)) game or event, which it  
4 would not otherwise have won or lost under the rules governing the  
5 playing of said game, shall be guilty of a ((~~gross misdemeanor~~))  
6 class C felony.

7 **Sec. 29.** RCW 67.04.060 and 1921 c 181 s 6 are each amended to  
8 read as follows:

9 In all prosecutions under RCW 67.04.010 through 67.04.080, the  
10 venue may be laid in any county where the bribe herein referred to  
11 was given, offered or accepted, or in which the ((~~baseball game~~))  
12 sporting event or contest was played in relation to which the bribe  
13 was offered, given or accepted, or the acts referred to in RCW  
14 67.04.050 committed.

15 **Sec. 30.** RCW 67.04.070 and 2012 c 117 s 299 are each amended to  
16 read as follows:

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

24 **Sec. 31.** RCW 67.04.080 and 1921 c 181 s 8 are each amended to  
25 read as follows:

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

33 NEW SECTION. **Sec. 32.** A new section is added to chapter 82.04  
34 RCW to read as follows:

35 This chapter does not apply to any person in respect to a  
36 business activity with respect to which tax liability is specifically

1 imposed under chapter 9.--- RCW (the new chapter created in section  
2 36 of this act).

3 NEW SECTION. **Sec. 33.** RCW 67.24.010 is recodified as a section  
4 in chapter 67.04 RCW.

5 NEW SECTION. **Sec. 34.** RCW 67.24.020 (Scope of 1945 c 107) is  
6 decodified.

7 NEW SECTION. **Sec. 35.** If any provision of this act or its  
8 application to any person or circumstance is held invalid, the  
9 remainder of the act or the application of the provision to other  
10 persons or circumstances is not affected.

11 NEW SECTION. **Sec. 36.** Sections 1 through 18 of this act  
12 constitute a new chapter in Title 9 RCW.

--- END ---