

WSR 24-03-065

PROPOSED RULES

GAMBLING COMMISSION

[Filed January 12, 2024, 12:23 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-22-081.

Title of Rule and Other Identifying Information: WAC 230-03-182
Additional requirements for nonhouse-banked, Class F, and house-banked card rooms.

Hearing Location(s): On March 14, 2024, at 9:30 a.m., at the Washington State Gambling Commission, 4565 7th Avenue S.E., Lacey, WA 98503. The meeting time and location are tentative. Visit our website at www.wsgc.wa.gov approximately seven days prior to the meeting and select "About Us" and then "Upcoming commission meetings" to confirm the hearing date, location, start time, and agenda items.

Date of Intended Adoption: March 14, 2024.

Submit Written Comments to: Damon Mentzer, P.O. Box 42400, Olympia, WA 98504-2400, email rules.coordinator@wsgc.wa.gov, www.wsgc.wa.gov, by March 13, 2024.

Assistance for Persons with Disabilities: Contact Julie Anderson, phone 360-486-3453, TTY 360-486-3637, email julie.anderson@wsgc.wa.gov, www.wsgc.wa.gov, by March 13, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The new proposed rule is an amended version of an old rule that created conditions for the situation of card rooms adjacent to one another. The rule further clarifies under which limited conditions nonhouse-banked, Class F, and house-banked card rooms can be adjacent to one another.

Reasons Supporting Proposal: Licensees need additional clarity on the conditions that must exist for two card rooms to be adjacent to one another.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: RCW 9.46.070.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington state gambling commission, governmental.

Name of Agency Personnel Responsible for Drafting: Damon Mentzer, Rules Coordinator, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3455; Implementation: Tina Griffin, Director, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3546; and Enforcement: Gary Drumheller, Deputy Director, 4565 7th Avenue S.E., Lacey, WA 98503, 509-325-7904.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. A cost-benefit analysis is not required per RCW 34.05.328 (5) (b) (v).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; and rule content is explicitly and specifically dictated by statute.

Scope of exemption for rule proposal:

Is fully exempt.

January 12, 2024

Lisa C. McLean

OTS-5132.2

NEW SECTION

WAC 230-03-182 Additional requirements for nonhouse-banked, Class F, and house-banked card rooms. (1) The licensed business premises of nonhouse-banked, Class F, and house-banked card rooms may not be adjacent to each other unless:

(a) Each is a fully separate and distinct licensed business premises; and

(b) There is a solid wall, with no internal access, between the two premises; and

(c) Each licensed business premises must operate as an independent commercial stimulant as defined in RCW 9.46.0217.

(2) Subsection (1) of this section does not apply to nonhouse-banked, Class F, and house-banked card room physical locations that have any of the features listed in subsection (1) of this section and were licensed as of July 1, 2018. The provisions of subsection (1) of this section will take effect upon the issuance of a new license.

(3) Adjacent card rooms must post signs at each entrance that is accessible by the public to clearly notify customers of the licensed business premises' identity.