

Rule Changes / Fee Simplification (Package #2)

Various Rules in:



- WAC 230-05-102 – All licensed organizations report activity quarterly beginning with the July 1, 2018 through September 30, 2018 quarter.
- Chapter 230 – 06 WAC – Rules for all licensees.
- Chapter 230 – 07 WAC – Charitable and nonprofit rules.
- Chapter 230 – 09 WAC – Fund-raising event rules.
- Chapter 230 – 10 WAC – Bingo Rules.
- Chapter 230 – 11 WAC – Raffles.
- Chapter 230 – 13 WAC – Amusement game rules.
- Chapter 230 – 14 WAC – Punchboard and pull tab.
- Chapter 230 – 15 WAC – Card game rules.
- Chapter 230 – 16 WAC – Manufacturer, distributor, and gambling service supplier rules.
- Chapter 230 – 17 WAC – Brief Adjudicative Proceedings.
- WAC 230-03-085 – Denying, suspending, or revoking an application, license or permit.

October 2017 – Discussion and Possible Filing

Tab 3: OCTOBER 2017 Commission Meeting Agenda.	Statutory Authority 9.46.070
Who Proposed the Rule Change?	
Staff	
Describe the Rule Changes	
<p>This is the second of at least three packages staff will bring forward to make changes to the Commission’s licensing fee structure. The key rules in this second package:</p> <ul style="list-style-type: none"> • Delete references to the term “classes.” While the current fee structure is based on a “classes” system, the new proposed system is based primarily on gross gambling receipts. Therefore, approximately twenty rules need to be changed to delete references to “classes.” • Establish new due dates for activity reports. All licensees will begin reporting their activity quarterly beginning with the July 1-September 30 quarter. These rules establish those new dates: <ul style="list-style-type: none"> ○ New language for (WAC 230-07-155) Reporting annual activities for raffles, enhanced raffles, amusement games, Class A, B or C bingo, or combination licenses; ○ New language for (WAC 230-07-160) Reporting annual activity for agricultural fairs; ○ New language for (WAC 230-09-056) Activity reports for fund-raising events; ○ New language for (WAC’s 230-10-330 and 230-10-331) Activity reports for bingo, agricultural fairs, and other organizations. Activity reports for Class D and above bingo licensees; ○ New language for (WAC 230-13-169) Annual activity reports for commercial amusement game licensees; ○ New language for (WAC 230-14-284) Activity reports for punchboard pull-tab licensees; ○ New language for (WAC 230-15-200) Reporting card game activity; ○ Defining “activity reports by manufacturers and distributors.” (WAC 230-16-220) • Adds the process (brief adjudicative proceeding) we will use if licensees don’t submit their quarterly license reports and/or quarterly license fees. 	

A third rules package will include any corrections or updates to the rules filed in packages #1 or #2. This package will likely be on your January agenda.

Attachments:

WAC 230-05-102

WAC Chapters 230-06 through 230-17 containing changes.

WAC 230-03-085

Policy Considerations

The Commissioners began considering changing the fee structure in 2014. The current fee structure was created over 40 years ago. It began with 25 fees. Today the Gambling Commission has approximately 194 different fees for Commercial and Non-Profit organizations and individuals. This fee schedule is typically based on a “class” system, which can be cumbersome for licensees and agency staff. The Gambling Commission is looking to simplify this current system to allow it to be easier to navigate and have a licensing fee schedule that is more predictable for both the agency and its licensees.

Staff Recommendation

Staff recommends filing for further discussion.
Staff anticipates asking for an effective date of July 1, 2018.

NEW SECTION

WAC 230-05-102 All licensed organizations report activity quarterly beginning with the July 1, 2018, through September 30, 2018, quarter. (1) Beginning July 1, 2018, all licensed organizations must submit activity reports quarterly, regardless of whether they previously submitted reports annually, quarterly, or semi-annually and regardless of when their permit or license year ends.

(2) This includes gambling service suppliers and any other licensed organizations that did not previously submit activity reports.

(3) The activity reports must be in the format we require and must:

Cover the period:	Be received by us no later than:
July 1 through September 30	October 30
October 1 through December 31	January 30
January 1 through March 31	April 30
April 1 through June 30	July 30

(4) All licensed organizations must submit quarterly license fees to us for each licensed gambling activity after the first quarter of their license year that begins on or after July 1, 2018, as set forth in WAC 230-05-124.

Chapter 230-06 WAC

RULES FOR ALL LICENSEES

Last Update: 1/19/17

WAC

RULES FOR CONDUCTING A GAMBLING ACTIVITY

- 230-06-002 "We," "our," and "us" mean the commission and staff.
- 230-06-003 Defining "cash."
- 230-06-004 Defining "consecutively numbered," "consecutive," and "consecutively."
- 230-06-005 Accept checks in gambling activities.
- 230-06-007 Licensed employees must wear nametags.
- 230-06-010 Age restrictions for players.
- 230-06-011 Detaining and identifying persons under eighteen years of age engaging in or attempting to engage in authorized gambling activities.
- 230-06-012 Conducting underage compliance test programs with minors.
- 230-06-015 Prevent intoxicated persons from operating or playing gambling activities.
- 230-06-020 Restrictions on alcohol as prizes.
- 230-06-025 Restrictions on firearms as prizes.
- 230-06-030 Restrictions and conditions for gambling promotions.
- 230-06-031 Using wheels in promotional contests of chance, fund-raising events, or gambling activities.

- 230-06-035 Credit, loans, or gifts prohibited.
- 230-06-045 Conduct gambling activities on licensed business premises only.
- 230-06-046 Additional requirements for licensed business premises of nonhouse-banked, eClass E, F, and house-banked card rooms.
- ~~230-06-050~~ Review of electronic or mechanical gambling equipment.
- 230-06-051 Computation of time.
- 230-06-052 Withdrawing gambling equipment authorization.
- 230-06-054 Notification of electronic or mechanical gambling equipment malfunctions.

NOTIFYING LAW ENFORCEMENT, POSTING PUBLIC NOTICES, AND RECORDKEEPING

- 230-06-055 Notify law enforcement of gambling activity.
- 230-06-065 Displaying of licenses.
- 230-06-070 Keep monthly records.
- 230-06-071 Washington state identification and inspection stamps to be called "I.D. stamps."
- 230-06-074 Assistance required for commission inspections.
- 230-06-075 Removal of equipment or records for inspection.

REPORTING CHANGES TO APPLICATION INFORMATION

- 230-06-080 Report changes to application information and submit updated documents and information.
- 230-06-081 Submitting gambling service supplier contracts for review.
- 230-06-082 Manufacturers, distributors, gambling service suppliers, linked bingo prize providers, and call centers for enhanced raffles reporting changes in licensed employees.
- 230-06-083 Card game licensees reporting changes in licensed employees.

REPORTING CRIMINAL, ADMINISTRATIVE, AND CIVIL ACTIONS

- 230-06-085 Report criminal actions filed.
- 230-06-090 Report administrative and civil actions filed.

CHANGING NAMES OR LOCATIONS

- 230-06-095 Change name, trade name, or corporate name.
- 230-06-100 Changing business locations.

CHANGING MANAGEMENT OR OWNERSHIP

- 230-06-105 Report change of management.
- 230-06-106 Limited transfers of ownership allowed.
- 230-06-107 Ownership changes—Allowed.
- 230-06-108 Ownership changes—Prohibited.

SALES AND TRANSFERS OF EQUIPMENT, PRODUCTS, AND SERVICES

- 230-06-109 Sales invoices for merchandise prizes.
- 230-06-110 Buying, selling, or transferring gambling equipment.
- 230-06-112 Buying, selling, renting and leasing amusement games.
- 230-06-120 Selling or transferring gambling equipment when no longer licensed.

~~LICENSE RENEWALS AND~~ ACTIVITY REPORTS

- 230-06-124 Online filing ~~and payments~~ required with waivers available upon request for good cause.
- ~~230-06-125 Renew your license in a timely manner.~~

- ~~230-06-130 Exceeding license class.~~
- ~~230-06-135 Failing to apply for license class upgrade.~~
- ~~230-06-140 Partial refund of license fees if gambling receipts limit not met.~~
- ~~230-06-145 Surrendering suspended or revoked licenses.~~

DEFINITIONS

- 230-06-150 Defining "gross gambling receipts."
- 230-06-155 Defining "gross sales."
- 230-06-160 Defining "net gambling receipts."
- 230-06-165 Defining "net gambling income."
- 230-06-170 Defining "net win."
- 230-06-175 Defining "cost."

SURRENDERING SUSPENDED OR REVOKED LICENSES

- 230-06-176 Surrendering suspended or revoked licenses.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 230-06-001 Defining "operator." [Statutory Authority: RCW 9.46.070. WSR 06-17-132 (Order 601), § 230-06-001, filed 8/22/06, effective 1/1/08.] Repealed by WSR 07-21-116 (Order 617), filed 10/22/07, effective 1/1/08. Statutory Authority: RCW 9.46.070.

230-06-060 Maintain copy of commission rules on business premises. [Statutory Authority: RCW 9.46.070.
WSR 06-17-132 (Order 601), § 230-06-060, filed 8/22/06, effective 1/1/08.] Repealed by WSR
11-05-058 (Order 675), filed 2/10/11, effective 3/13/11. Statutory Authority: RCW 9.46.070.

230-06-115 Using checks or credit cards to purchase gambling equipment, products, or services. [Stat-
utory Authority: RCW 9.46.070. WSR 06-17-132 (Order 601), § 230-06-115, filed 8/22/06,
effective 1/1/08.] Repealed by WSR 08-21-087 (Order 633), filed 10/14/08, effective 1/1/09.
Statutory Authority: RCW 9.46.070.

WAC 230-06-046 Additional requirements for licensed business prem-

ises of nonhouse-banked, class ~~E~~, F, and house-banked card rooms. (1)

The licensed business premises of nonhouse-banked, class ~~E~~, F, and house-banked card rooms may not be adjacent to each other if each licensed business premises:

(a) Shares inside public access between the two licensed business premises; or

(b) Has employee access between the two licensed business premises visible to the public; or

(c) Shares windows or similar structures that allow customers to see into the other licensed business premises.

(2) Subsection (1) of this section does not apply to nonhouse-banked class ~~E~~, F, and house-banked card room physical locations that have any of the features listed in subsection (1) of this section and were licensed on the effective date of this rule.

(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.

[Statutory Authority: RCW 9.46.070 and 9.46.0282. WSR 10-07-102, § 230-06-046, filed 3/19/10, effective 7/1/10.]

NEW SECTION

WAC 230-06-081 Submitting gambling service supplier contracts for re-view.

Prior to executing financing, consulting, or management contracts, gambling service suppliers must submit these agreements to us for re-view for compliance with WAC 230 and RCW 9.46.

NEW SECTION

WAC 230-06-082 Manufacturers, distributors, gambling service suppliers, linked bingo prize providers, and call centers for enhanced raffles reporting changes in licensed employees.

Manufacturers, distributors, gambling service suppliers, linked bingo prize providers and call centers for enhanced raffle licensees must:

(1) Submit an application and the required fees before allowing licensed employees to begin working.

~~(1)~~(2) Notify us in the format we require when a licensed employee no longer works for them. We must receive the notice at our Lacey office within ten days of the licensed employee's last day.

WAC 230-06-083 Card game licensees reporting changes in licensed

employees. Card game licensees, ~~except Class B or Class D~~ must:

(1) Submit an ~~add/transfer~~ application and the required fees before allowing a licensed card room employee to begin working.

(2) Notify us in ~~the format we require~~writing when a licensed card room employee no longer works for them. We must receive the notice at our Lacey office within ten days of the card room employee's last day-terminating employment.

[Statutory Authority: RCW 9.46.070. WSR 08-21-087 (Order 633), § 230-06-083, filed 10/14/08, effective 1/1/09.]

WAC 230-06-100 Changing business locations. ~~(1)~~ Licensees must ap-

ply to us and pay a fee to change the location of their licensed business premises. Licensees must receive our approval before changing the business location.

~~(2) Commercial amusement game licensees may add or delete from the list of locations for which we issued their license without paying a fee.~~

[Statutory Authority: RCW 9.46.070. WSR 06-17-132 (Order 601), § 230-06-100, filed 8/22/06, effective 1/1/08.]

WAC 230-06-110 Buying, selling, or transferring gambling equipment.

(1) All licensees and persons authorized to possess gambling equipment must closely control the gambling equipment in their possession.

(2) Before selling gambling equipment, licensees must ensure that the buyer possesses a valid gambling license or can legally possess the equipment without a license.

(3) Before purchasing gambling equipment, licensees must ensure that the seller possesses a valid gambling license.

(4) Applicants for Class F or house-banked card room licenses may purchase and possess gambling equipment during the prelicensing process, but only after receiving written approval from us.

(5) Charitable and nonprofit organizations conducting unlicensed bingo games, as allowed by RCW 9.46.0321, may possess bingo equipment without a license.

(6) Group 12 amusement games can only be sold or leased to ~~Class B and above~~ amusement game licensees by a licensed manufacturer or distributor. ~~Class B and above~~ A amusement game licensees can lease or rent group 12 amusement games for operation at the approved ~~Class A~~ amusement game locations licensees. ~~Lease agreements entered into prior to the effective date of this rule may continue until the manufacturer is licensed or December 31, 2016, whichever occurs first.~~

(7) Licensees may transfer gambling equipment as a part of a sale of a business as long as a condition of the sale is that the buyer receives a gambling license before the sale is complete. Licensees must make a complete record of all gambling equipment transferred in this manner, including I.D. stamps. Licensees must report these transfers, including a copy of the inventory record, to us.

[Statutory Authority: RCW 9.46.070, 9.46.0201. WSR 16-19-015, § 230-06-110, filed 9/8/16, effective 10/9/16; WSR 16-08-033 (Order 718), § 230-06-110, filed 3/30/16, effective 4/30/16. Statutory Authority: RCW 9.46.070. WSR 08-11-044 (Order 628), § 230-06-110, filed 5/14/08, effective 7/1/08; WSR 07-21-116 (Order 617), § 230-06-110, filed 10/22/07, effective 1/1/08; WSR 06-17-132 (Order 601), § 230-06-110, filed 8/22/06, effective 1/1/08.]

WAC 230-06-112 Buying, selling, renting and leasing amusement

games. (1) ~~Class A~~ amusement game licensees can rent or lease amusement games from other~~Class B and above~~ amusement game licensees.

(2) ~~A Class B and above~~ amusement game licensees can:

(a) Own and operate group 1 through 12 amusement games at their licensed premises;

(b) Buy or lease group 12 amusement games from a licensed manufacturer or distributor and lease or rent them for operation at the other approved Class A amusement game location licensees; and

(c) Rent or lease group 1 through 11 amusement games to approved Class A amusement game location licensees.

[Statutory Authority: RCW 9.46.070, 9.46.0201. WSR 16-19-015, § 230-06-112, filed 9/8/16, effective 10/9/16.]

ACTIVITY REPORTS

WAC 230-06-124 Online filing ~~and payments~~ required with waivers available upon request for good cause. (1) All licensees must submit activity reports~~the following~~ online:

~~(a) Renewal application and fees, as referenced in Title 230 WAC;~~

and

~~(b) Activity reports, as referenced in Title 230 WAC.~~

(2) We may waive these requirements if a licensed organization can show good cause. The reasons for good cause include:

(a) You do not have access to the internet using your own computer or similar equipment; or

(b) You do not have a bank account; or

(c) Your bank is unable to send electronic fund transactions; or

(d) Some other circumstance or condition exists that, in our judgment, prevents you from submitting online.

~~(3) We may waive these requirements if a licensed individual can show good cause. The reasons for good cause include:~~

~~(a) You do not have access to the internet using your own computer or similar equipment; or~~

~~(b) You do not have a bank account or credit card; or~~

~~(c) Your bank is unable to send electronic fund transactions; or~~

~~(d) Some other circumstance or condition exists that, in our judgment, prevents you from submitting online.~~

~~(4)(3) You must request a waiver, in writing, no later than sixty days before your activity report due date or license expiration date. A waiver will cover subsection (1)(a) and (b) of this section.~~

[Statutory Authority: RCW 9.46.070. WSR 15-08-017 (Order 712), § 230-06-124, filed 3/24/15, effective 7/1/15.]

~~**WAC 230-06-125 Renew your license in a timely manner.** (1) You must renew online, unless you have received a waiver, as outlined in WAC 230-06-124 and allow for enough time to:~~

~~(a) Print the license prior to midnight before the license expires;~~
~~or~~

~~(b) Have us print the license and mail it to you so you receive it before your license expires.~~

~~(2) If you have a waiver and are not renewing your license online, you must ensure a properly completed renewal application and all applicable fees are received at our administrative office in Lacey at least fifteen days before the expiration date on the license.~~

~~(3) If licensees do not submit a properly completed application and all fees and their license expires, they must immediately stop the gambling activity covered by their license.~~

~~(4) If your license expires, you must submit an application and you must not operate any gambling activity until a new license is issued.~~

~~[Statutory Authority: RCW 9.46.070. WSR 15-08-017 (Order 712), § 230-06-125, filed 3/24/15, effective 7/1/15; WSR 08-03-062 (Order 623), § 230-06-125, filed 1/14/08, effective 2/14/08; WSR 06-17-132 (Order 601), § 230-06-125, filed 8/22/06, effective 1/1/08.]~~

~~**WAC 230-06-130 Exceeding license class.** (1) Licensees must not exceed the gross gambling receipts limits for their license class during any annual license period.~~

~~(2) Licensees must apply a projection of year-to-date receipts to the remaining period of their license and, if it indicates that it is reasonably likely that they may exceed their license, they must immediately:~~

~~(a) Apply for a license that authorizes the anticipated level of gross gambling receipts; and~~

~~(b) Submit the fee required for the new license, minus the amount originally submitted for the previous license, plus a change of classification fee.~~

~~(3) If we issue a license upgrade, it is valid only for the remainder of the original term of the license.~~

~~(4) Licensees may exceed license class limits once, by the amount shown in the fees table, without having to upgrade or pay the penalties as long as they upgrade to the higher license class the next time they renew their license.~~

~~[Statutory Authority: RCW 9.46.070. WSR 06 17 132 (Order 601), § 230-06-130, filed 8/22/06, effective 1/1/08.]~~

~~**WAC 230-06-135 Failing to apply for license class upgrade.** (1) If licensees fail to apply for a license class upgrade and exceed the license class limit within a present or previous license year, we assess an additional fee. We charge an additional fee of up to fifty percent of the difference between the fee for the present license class and the new license class, or one thousand dollars, whichever is less.~~

~~(2) Licensees must pay any required license class upgrade fee, plus any additional fee required by subsection (1) of this section, within thirty days of our notification.~~

~~(3) Failure to pay the fees may result in an immediate summary suspension of all licenses.~~

~~[Statutory Authority: RCW 9.46.070. WSR 06-17-132 (Order 601), § 230-06-135, filed 8/22/06, effective 1/1/08.]~~

~~**WAC 230-06-140 Partial refund of license fees if gambling receipts limit not met.** (1) Licensees may apply for a partial refund of their license fee when their annual gross gambling receipts are less than the minimum for the class of license we issued to them.~~

~~(2) Licensees may receive a refund for the difference between the fees actually paid and the fees that would normally apply to the level of gross gambling receipts actually received during the period less our processing costs.~~

~~(3) Licensees may make their request for refund after the end of any annual license period and before the end of the next annual license period.~~

~~[Statutory Authority: RCW 9.46.070. WSR 15-07-055 (Order 711), § 230-06-140, filed 3/13/15, effective 4/13/15; WSR 06-17-132 (Order 601), § 230-06-140, filed 8/22/06, effective 1/1/08.]~~

~~WAC 230-06-145 Surrendering suspended or revoked licenses. If we suspend or revoke your license, you must, on demand, surrender the license and return it to us.~~

~~[Statutory Authority: RCW 9.46.070. WSR 06 17 132 (Order 601), § 230-06-145, filed 8/22/06, effective 1/1/08.]~~

DEFINITIONS

WAC 230-06-150 Defining "gross gambling receipts." (1) "Gross gambling receipts" for activity reports means the amount due to any operator of a gambling activity for:

- (a) Purchasing chances to play a punch-board or pull-tab series;
- and
- (b) Purchasing chances to enter a raffle; and
- (c) Fees or purchase of cards to participate in bingo games; and
- (d) Fees to participate in an amusement game, including rent or lease payments paid to licensees or franchisers for allowing operation of an amusement game on their premises; and
- (e) "Net win" from a house-banked card game; and
- (f) Tournament entry fees; and
- (g) Administrative fees from player-supported jackpots; and

(h) Fees to participate in a nonhouse-banked card game (for example, time, rake, or per hand fee).

(2) The amount must be stated in U.S. currency.

(3) The value must be before any deductions for prizes or other expenses.

(4) "Gross gambling receipts" does not include fees from players to enter player-supported jackpots. However, any portion of wagers deducted for any purpose other than increasing current prizes or repayment of amounts used to seed prizes are "gross gambling receipts."

[Statutory Authority: RCW 9.46.070. WSR 08-20-007 (Order 630), § 230-06-150, filed 9/18/08, effective 1/1/09.]

WAC 230-06-170 Defining "net win." "Net win" for activity reports

means gross wagers received from gambling activities or fund-raising events minus the:

(1) Amount paid to players for winning wagers; and

(2) Accrual of prizes for progressive jackpot contests; and

(3) Repayment of amounts used to seed guaranteed progressive jackpot prizes.

[Statutory Authority: RCW 9.46.070. WSR 08-20-007 (Order 630), § 230-06-170, filed 9/18/08, effective 1/1/09.]

SURRENDERING SUSPENDED OR REVOKED LICENSES.

NEW SECTION

WAC 230-06-176 Surrendering suspended or revoked licenses. If we suspend or revoke your license, you must, on demand, surrender the license and return it to us.

Chapter 230-07 WAC

CHARITABLE AND NONPROFIT RULES

Last Update: 10/28/16

WAC

- 230-07-001 Defining "charitable or nonprofit licensee."
- 230-07-005 Defining "licensees," "licensee," "organizations," and "organization."
- 230-07-010 Use of gambling proceeds.
- 230-07-015 Regulatory group assignments.
- 230-07-020 Making "significant progress."
- 230-07-025 Additional requirements for "significant progress" for Groups IV and V.
- 230-07-030 Defining "functional expenses."
- 230-07-035 Defining "program service expenses."
- 230-07-040 Defining "supporting service expenses."
- 230-07-045 Obtaining a waiver for significant progress requirements.
- 230-07-050 Defining "excessive reserves."
- 230-07-051 Accumulating excessive reserves.
- 230-07-055 Prorating expenses when gambling funds are not kept separate.
- 230-07-060 Independent management structure required.
- 230-07-065 Group III, IV, and V management control system.
- 230-07-070 Defining "direct relatives."

- 230-07-075 Conflicts of interest.
- 230-07-080 Qualification reviews for Groups III, IV and V.
- 230-07-085 Compensating gambling management and operations personnel.
- 230-07-090 Keeping and depositing all gambling funds separate from other funds.
- 230-07-095 Fund-raising events and members only raffles exempt from deposit requirements.
- 230-07-100 Special banking exemption for Point Roberts Peninsula.
- 230-07-105 Safeguarding prize inventory.
- 230-07-106 Insuring prizes.
- 230-07-110 Supervision requirements.
- 230-07-115 Duties of charitable or nonprofit gambling managers.
- 230-07-120 Notifying us of changes in responsibilities of charitable or nonprofit gambling managers.

RECORDKEEPING FOR LOWER VOLUME LICENSEES

- 230-07-125 Recordkeeping requirements for lower volume charitable or nonprofit organizations.

RECORDKEEPING AND ACCOUNTING STANDARDS

- 230-07-130 Additional recordkeeping for charitable or nonprofit licensees.
- 230-07-135 Recording gifts.
- 230-07-140 Minimum accounting records for ~~Class D and above~~ bingo licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous license year and licensees with combined activities over five hundred thousand dollars in their previous license year.

REQUIRED ANNUAL REPORTS

230-07-145 Reporting annual progress.

230-07-150 Financial statements required for Groups III, IV, and V.

230-07-155 Reporting annual activity for raffles, enhanced raffles, amusement games, Class A, B, or C bingo, or combination licenses.

230-07-160 Reporting annual activity for agricultural fairs.

WAC 230-07-090 Keeping and depositing all gambling funds separate from other funds. Charitable or nonprofit licensees must protect all funds generated from gambling activities and keep these funds separate from their general funds.

(1) Licensees must:

(a) Keep a separate gambling receipts account(s) in a recognized Washington state bank, mutual savings bank, or credit union; and

(b) Deposit only gambling receipts into that account. Licensees may deposit receipts from nongambling activities operated in conjunction with bingo games into the gambling receipts account if the licensee keeps detailed receipting records of the nongambling receipts; and

(c) Deposit all gambling receipts first into the account before spending or transferring them into other accounts, except for prize payouts; and

(d) Deposit funds received from commercial amusement game operators operating amusement games on their premises in the licensee's gambling receipts account no later than the second banking day after they receive the receipts; and

(e) Make all deposits of net gambling receipts from each activity separately from all other deposits, and keep the validated deposit receipt as a part of their records. Deposit receipts are a part of the applicable daily or monthly records and licensees must make them available for our inspection; and

(f) Deposit all net gambling receipts which they are holding, pending pay out:

(i) From bingo, no later than the second banking day after they receive them. Licensees may withhold bingo receipts from deposits for "jar," "pig," or other special game prizes if the total of all such prize funds does not exceed two hundred dollars, enter the amount withheld each session in the bingo daily record, and record the reconciliation of the special game fund on the bingo daily record. "Reconcile" means the licensee must compare the two balances, resolve any differences, and document the comparison and the differences in writing. Licensees must keep the reconciliation as part of their records; and

(ii) From raffles ~~(Class E and above)~~ and amusement games ~~(Class D and above)~~, with gross gambling receipts over fifty thousand dollars in their previous license year, at least once each week; and

(iii) From punch-board and pull-tabs, including cost recovery for merchandise prizes awarded, no later than two banking days after they remove the board or series from play; and

(g) Record the Washington state identification number assigned to the punch-board or pull-tab series and the amount of net gambling receipts on the deposit slip/receipt. Licensees may record the number and the receipts on a separate record if they record the bank validation number and maintain the record with the deposit slip/receipt; and

(2) These requirements do not apply to organizations who:

(a) Conduct only one or more of the following activities:

(i) Raffles under the provisions of RCW 9.46.0315;

(ii) Bingo, raffles, or amusement games under the provisions of RCW 9.46.0321;

(iii) Bingo, raffle, and amusement game licensees with gross gambling receipts of fifty thousand dollars or less in their previous license year~~Class A, B, or C bingo game;~~

~~(iv) Class A, B, C, or D raffle; or~~

~~(v) Class A, B, or C amusement game; and~~

[Statutory Authority: RCW 9.46.070. WSR 07-10-032 (Order 609), § 230-07-090, filed 4/24/07, effective 1/1/08.]

RECORDKEEPING FOR LOWER VOLUME LICENSEES

WAC 230-07-125 Recordkeeping requirements for lower volume charitable or nonprofit organizations. (1) Organizations operating without a license under RCW 9.46.0315 or 9.46.0321 and lower volume charitable or nonprofit licensees must keep a set of permanent monthly records of the gambling activities. Lower volume licensees include:

(a) Fund-raising events;

(b) Bingo with gross gambling receipts of one hundred fifty thousand dollars or less in their previous license year~~(Classes A, B, and C);~~

(c) Raffles with gross gambling receipts of fifty thousand dollars or less in their previous license year~~(Classes A, B, C, and D);~~

(d) Amusement games with gross gambling receipts of fifty thousand dollars or less in their previous license year~~(Classes A, B, C, and D);~~

and

(e) Nonhouse-banked cCard games ~~(Classes A, B, and C).~~

(2) The monthly records must include, at least:

(a) The gross gambling receipts from each activity;

(b) The gross gambling receipts from group 12 amusement games;

(c) The total amount of cash prizes actually paid out;

(d) The total of the cost to the licensee of all merchandise prizes actually paid out for each activity;

(e) A summary of all expenses related to each of the activities; and

(f) The net income received from the activity, the purpose(s) for which the net income was raised, and the amount paid to each recipient.

(3) Licensees must keep these records for three years from the end of the license year for which the record was created.

(4) Organizations operating under RCW 9.46.0315 or 9.46.0321 must maintain their records for one year.

[Statutory Authority: RCW 9.46.070, 9.46.0201. WSR 16-22-049, § 230-07-125, filed 10/28/16, effective 11/28/16. Statutory Authority: RCW 9.46.070. WSR 07-10-032 (Order 609), § 230-07-125, filed 4/24/07, effective 1/1/08.]

WAC 230-07-140 Minimum accounting records for ~~Class D and above~~ bingo licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous license year and licensees with combined activities over five hundred thousand dollars in their previous license year. ~~Bingo Class D and above bingo licensees~~ with gross gambling

receipts over one hundred fifty thousand dollars in their previous li-
cense year and licensees with ~~who are authorized for more than~~over five
hundred thousand dollars in gross gambling receipts from combined gam-
bling activities in their previous licensed~~during any fiscal~~ year must
keep accounting records necessary to document all receipts, costs, and
disbursements, including, at least, those related to gambling activi-
ties.

Requirements for accounting records

For these accounting records, licensees must:

- (1) Conform to generally accepted accounting principles (GAAP) ex-
cept as modified by other commission rules; and
- (2) Include, at least:
 - (a) A cash disbursements journal and/or check register;
 - (b) A cash receipts and/or sales journal;
 - (c) A list of all assets the licensee paid for;
 - (d) A listing of all liabilities;
 - (e) A complete general ledger system; and
 - (f) A list of all donated items valued at more than two hundred
fifty dollars; and
 - (g) Bank statements, related deposit slips, and canceled checks or
facsimiles of canceled checks; and

Donated items

(3) Document donated items. Licensees must:

(a) Use the fair market value at the time of donation;

(b) Add items to the list no later than thirty days after receiving them;

(c) Remove items when they no longer have legal ownership; and

(d) Not remove an item from the list, even if it has become obsolete or completely depreciated, until management has completed and documented appropriate review. A depreciation schedule for all capitalized items is sufficient; and

(e) Add items to the list when they convert items from gambling merchandise prize inventory to licensee use. This list must include, at least:

(i) A description of the item;

(ii) The date purchased, acquired by donation, or converted from the gambling prize pool;

(iii) The cost at the time of purchase or, if donated, the fair market value at the time received; and

(iv) The date and method of disposition of the item; and

Method of accounting

(4) Use the accrual method of accounting; and

(5) The cash, modified cash, or tax basis accounting methods may be used only if that method accurately represents the licensee's financial position, the results of operations, and the licensee does not have substantial liabilities or expenses, such as depreciation or amortization expenses, which require a current outlay of cash; and

Expenditures for nongambling activities

(6) Sufficiently document all expenditures relating to nongambling activities in order to provide a satisfactory audit trail and to allow us to verify that the funds were used for the licensee's stated purpose(s); and

Expenditures for gambling activities

(7) Sufficiently document all of the licensee's expenditures relating to gambling activities. Canceled checks or facsimiles of canceled checks, and bank statements are not sufficient documentation for expenditures without additional support. Licensees must provide additional support for expenditures, including:

(a) Invoices or other supporting documents from commercial vendors or service agencies with at least:

(i) The name of the person or entity selling the goods or providing the services;

(ii) A complete description of goods or services purchased;

- (iii) The amount of each product sold or services provided;
- (iv) The price of each unit;
- (v) The total dollar amount billed; and
- (vi) The date of the transaction.

(b) Documentation, in the form of checks and other written records of disbursements in excess of twenty-five dollars made directly to individuals who do not furnish normal, business type, invoices or statements. The written records must indicate at least:

- (i) The name of the person receiving the payment;
- (ii) The amount;
- (iii) The date; and
- (iv) The purpose; and

(8) Document allocated expenditures that relate to more than one function to the various functions. Licensees must document their methods of allocation and make them available for our review; and

Capitalizing assets

(9) Include a capitalization policy based on materiality and expected life of operating assets. To determine a minimum level for capitalizing assets, licensees must:

(a) Capitalize and depreciate, or amortize over the useful life of the asset, any assets of more than two thousand dollars that have a useful life of more than one year; and

(b) Capitalize and depreciate, or amortize over sixty months, beginning with the first month that bingo games are conducted, preoperating start up costs related to bingo games of more than six thousand dollars; and

(c) Amortize, over a period not longer than the life of the lease, any leasehold improvements related to gambling activities that are more than six thousand dollars. Licensees may extend the amortization period to include any lease option periods if the licensee's management states a reasonable expectation that they will use the lease option; and

(d) Charge all unamortized leasehold improvements as an expense of the gambling activities in the year that the lease expires.

[Statutory Authority: RCW 9.46.070. WSR 08-03-062 (Order 623), § 230-07-140, filed 1/14/08, effective 2/14/08; WSR 07-10-032 (Order 609), § 230-07-140, filed 4/24/07, effective 1/1/08.]

WAC 230-07-155 Reporting annual activity for raffles, enhanced raffles, amusement games, Class A, B, or C bingo, or combination licenses.

(1) Raffle, enhanced raffle, amusement game, Class A, B, or C bingo, or

combination licensees must submit an annual report of all their activities in the format we require.

(2) We must receive the completed report in our office postmarked no later than thirty days following the expiration of their license(s). Beginning July 1, 2018, reports required by this section must be submitted quarterly, as set forth in WAC 230-05-102.

(3) The highest ranking officer or his/her designee must sign the report.

(4) If the licensee has someone else prepare the report, then the preparer must include his/her name and phone number on the report.

(5) Licensees that operate retail sales activities in conjunction with bingo games must report the net income from those retail sales activities.

[Statutory Authority: RCW 9.46.070 and 9.46.0209. WSR 13-19-056 (Order 692), § 230-07-155, filed 9/16/13, effective 10/17/13. Statutory Authority: RCW 9.46.070. WSR 07-10-032 (Order 609), § 230-07-155, filed 4/24/07, effective 1/1/08.]

WAC 230-07-160 Reporting annual activity for agricultural fairs.

(1) Charitable or nonprofit licensees who operate bingo, raffles, and/or amusement games only at agricultural fairs and other special properties

and permittees as defined in WAC 230-03-015 who operate bingo under another's license at agricultural fairs and other special properties must submit an annual report of all their activities in the format we require.

(2) We must receive the completed report in our office postmarked no later than thirty days following the expiration of the license year. Beginning July 1, 2018, reports required by this section must be submitted quarterly, as set forth in WAC 230-05-102.

(3) Permittees operating under another's license must provide the licensee with all information about the permitted operation that is needed by the licensee to complete the annual activity report not less than ten days before the time that we require the licensee to file his or her report.

(4) The highest ranking officer or his or her designee must sign the report. If the licensee has someone else prepare the report, then the preparer must include his or her name and phone number on the report. [Statutory Authority: RCW 9.46.070. WSR 07-10-032 (Order 609), § 230-07-160, filed 4/24/07, effective 1/1/08.]

Chapter 230-09 WAC

FUND-RAISING EVENT RULES

Last Update: 5/18/09

WAC

- 230-09-001 Purpose.
- 230-09-005 Notify local law enforcement.
- 230-09-007 Canceling, changing time, date, or location of fund-raising events.
- 230-09-010 Ten thousand dollars net receipts limit.
- 230-09-015 Fund-raising events on December 31.
- 230-09-020 Post house rules.
- 230-09-022 Wagering limits for fund-raising events.
- 230-09-025 No wagering among participants.
- 230-09-030 Use chips or scrip.
- 230-09-035 Prepare membership list.
- 230-09-040 Separation of duties for central accounting system required.
- 230-09-045 Counting money.
- 230-09-050 Use lock boxes and money paddles.
- 230-09-055 Maintain records of net receipts.
- 230-09-056 Activity reports for fund-raising events.
- 230-09-060 Winners must be present and participating to win.

- 230-09-065 Use only full and regular members to operate the fund-raising event.
- 230-09-070 Compensation of other authorized employees.
- 230-09-075 Workers must wear name tags.

PREMISES AND EQUIPMENT FOR FUND-RAISING EVENTS

- 230-09-080 Holding fund-raising events on commercial business premises.
- 230-09-085 Commercial business must not participate in fund-raising events.
- 230-09-090 Control of premises.
- 230-09-095 Using, leasing, or renting equipment.

GAMBLING ACTIVITIES AUTHORIZED AT FUND-RAISING EVENTS

- 230-09-100 Pull-tabs authorized.
- 230-09-105 Processing pull-tabs after play.
- 230-09-110 Punch-boards not authorized.
- 230-09-115 Bingo authorized.
- 230-09-120 Disposable bingo cards at fund-raising events.
- 230-09-125 Raffles authorized.
- 230-09-130 Blackjack or "21" authorized.
- 230-09-131 Poker tournaments authorized.

JOINT FUND-RAISING EVENTS

- 230-09-135 Joining together with other licensees to conduct a fund-raising event.
- 230-09-140 Lead organization responsibilities.

LIMITED FUND-RAISING EVENTS

230-09-145 Limited fund-raising event defined.

230-09-150 Operating a limited fund-raising event.

230-09-155 Recordkeeping at limited fund-raising events.

230-09-160 Fund-raising event distributor rules at limited fund-raising events.

230-09-165 Restrictions on gambling activities at limited fund-raising events.

WAC 230-09-056 Activity reports for fund-raising events. Fund-raising event licensees must submit an activity report to the commission concerning the operation of the licensed activities of each event. Licensees must complete the report in the format we require and the report must be:

(1) Received at our administrative office or postmarked no later than thirty days after the end of the authorized operating day or days. and Beginning July 1, 2018, reports required by this section must be submitted quarterly, as set forth in WAC 230-05-102.

(2) Signed by the licensee's highest ranking executive officer or designee. If someone other than the licensee or an employee prepares the report, the preparer must print his or her name and phone number on the report.

[Statutory Authority: RCW 9.46.070. WSR 07-21-116 (Order 617), § 230-09-056, filed 10/22/07, effective 1/1/08.]

WAC 230-09-115 Bingo authorized. Licensees must operate bingo solely under their FRE license, not under a separate bingo license. If licensees operate bingo, they must:

(1) Count income from bingo against the maximum net receipts authorized for FREs; and

(2) Comply with all of our rules for ~~Class A, B, and C~~ bingo licensees with gross gambling receipts of one hundred fifty thousand dollars or less in their previous license year.

[Statutory Authority: RCW 9.46.070. WSR 06-22-051 (Order 604), § 230-09-115, filed 10/27/06, effective 1/1/08.]

WAC 230-09-125 Raffles authorized. (1) Licensees may operate raffles at FREs in one of two ways:

(a) **Solely under their fund-raising event license.** Licensees must conduct all aspects of the raffle during the FRE. Income from this raffle counts toward the FRE limits; or

(b) **Under a separate raffle license.** Licensees must sell all tickets for the raffle and deposit all tickets in the drawing receptacle before

the FRE and hold the raffle drawing at the FRE. ~~Income from this raffle counts toward the limits of the licensee's raffle class.~~

(2) For raffles conducted under an FRE license, licensees must:

(a) Not sell single FRE raffle tickets for more than twenty-five dollars per ticket; and

(b) Not require a person to buy more than one ticket; and

(c) Use consecutively numbered tickets; and

(d) Ensure that each ticket has a separate and equal chance to win;

and

(e) Randomly draw the winning ticket; and

(f) Operate and account for raffles as independent gambling stations at the FRE; and

(g) Maintain records to verify gross sales of tickets; and

(h) Report all FRE raffle income, prizes awarded, and other expenses and these amounts count toward the maximum net receipts authorized for FREs.

[Statutory Authority: RCW 9.46.070. WSR 06-22-051 (Order 604), § 230-09-125, filed 10/27/06, effective 1/1/08.]

Chapter 230-10 WAC

BINGO RULES

Last Update: 11/14/14

WAC

BINGO DEFINITIONS AND EQUIPMENT REQUIREMENTS

- 230-10-001 Defining "licensees," "licensee," "organizations," "organization," "operators" and "operator."
- 230-10-005 Agricultural fair bingo game licensees must only allow a permittee to operate bingo under their license.
- 230-10-010 Defining "bingo game."
- 230-10-015 Defining "bingo session."
- 230-10-020 Defining "bingo occasion."
- 230-10-025 Defining "bingo equipment."
- 230-10-030 Bingo card definitions.
- 230-10-035 Bingo card requirements.
- 230-10-040 Disposable bingo cards—Additional requirements.
- 230-10-045 Disposable bingo card inventory control.
- 230-10-050 Electronically generated bingo cards—Additional requirements.
- 230-10-055 Bingo cards required for licensees with gross gambling receipts over six hundred fifty thousand dollars in their previous license year~~Class F and above bingo games.~~

- 230-10-060 Bingo ball requirements.
- 230-10-065 Bingo ball mixer required ~~for licensees with gross gambling receipts one hundred fifty thousand dollars in license year~~Class D and above bingo games.
- 230-10-070 Bingo flashboard requirements ~~for licensees with gross gambling receipts one hundred fifty thousand dollars in license year~~Class D and above bingo games.

OPERATING BINGO GAMES

- 230-10-075 Licensed bingo manager required.
- 230-10-080 Supervision required for bingo workers.
- 230-10-085 Members or employees only to work bingo.
- 230-10-090 Workers not playing in ~~Class D and above bingo games~~at bingo licensees with gross gambling receipts more than one hundred fifty thousand dollars in a license year.
- 230-10-095 Compensation limits for bingo employees.
- 230-10-100 Hours for bingo games.
- 230-10-105 Posting bingo rules.
- 230-10-110 Changing prize amounts in bingo games.
- 230-10-115 Selling bingo cards.
- 230-10-120 Duplicate bingo cards not sold for ~~Class D or above bingo games of licensees with gross gambling receipts more than one hundred fifty thousand dollars in a license year.~~
- 230-10-125 Duplicate bingo cards pay out and documentation for ~~Class D or above bingo~~licensees with gross gambling receipts more than one hundred fifty thousand dollars in a license yeargames.
- 230-10-130 Reserve only Braille bingo cards.

230-10-135 Bingo cards sold on premises only.

230-10-140 Drawing, calling, and posting bingo numbers.

230-10-145 Determining bingo winners.

230-10-150 Multiple bingo winners.

230-10-155 Verifying bingo winners.

230-10-160 Shutting off the bingo ball blower.

230-10-165 Awarding bingo prizes.

230-10-170 Prizes paid for and available before bingo game starts.

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230-10-175 Defining "electronic bingo card daubers."

230-10-180 Electronic bingo card daubers requirements.

230-10-185 Electronic bingo card daubers restrictions.

230-10-190 Discount marketing for electronic bingo card daubers.

230-10-195 Leasing electronic bingo card daubers.

230-10-200 Reserving and assigning electronic bingo card daubers.

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230-10-215 Player selection bingo game requirements.

230-10-220 Player selection bingo game card requirements.

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230-10-230 Hidden face bingo games authorized.

230-10-235 Hidden face bingo game requirements.

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230-10-240 Three number speed bingo authorized.

230-10-245 Three number speed bingo restrictions.

230-10-250 Operating three number speed bingo.

230-10-255 Wagers and prizes required in chips for three number speed bingo.

230-10-260 Chip standards for three number speed bingo.

230-10-265 Banking services for three number speed bingo.

230-10-270 Ticket sales and receipting for three number speed bingo income.

230-10-275 Exceptions to other bingo rules for three number speed bingo.

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230-10-280 Drawings for prizes, good neighbor prizes, and second element of chance prizes as part of
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230-10-285 Selling entry guarantee tickets for special event bingo.

230-10-290 Controlling entry guarantee tickets.

230-10-295 Canceling bingo special events with entry guarantee tickets.

230-10-300 Refunding entry guarantee tickets.

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- 230-10-305 Gift certificates as bingo prizes.
- 230-10-310 Selling gift certificates.
- 230-10-315 Gift certificates requirements.
- 230-10-320 Redeeming gift certificates.
- 230-10-325 Reconcile gift certificates monthly.

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- 230-10-330 Recordkeeping requirements~~Activity reports~~ for Class A, B, and C bingo licensees with gross gambling receipts less than one hundred fifty thousand dollars in their previous license year, agricultural fairs, and other organizations.
- 230-10-331 Activity reports for Class D and above bingo licensees.
- 230-10-335 Bingo daily records.
- 230-10-340 Daily records review by gambling manager.
- 230-10-345 Retaining daily records.
- 230-10-350 Recording bingo winners.

CASH FLOW REQUIREMENTS

- 230-10-355 Charitable or nonprofit organizations purpose and spending limits for bingo operations.
- 230-10-360 Defining "bingo operation."
- 230-10-365 Defining "adjusted cash flow from the bingo operations."
- 230-10-375 Failing to maintain a positive cash flow.

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- 230-10-385 Receipting of bingo income required.

230-10-390 Disposable bingo card method for receipting bingo income required when disposable bingo cards used.

230-10-395 Cash register method of receipting for bingo income.

230-10-400 Customer receipts for cash register method of receipting for bingo income.

230-10-405 Retaining cash register receipts for cash register method of receipting for bingo income.

230-10-410 Electronically generated bingo card method of receipting bingo income.

230-10-415 Electronically generated bingo card method of receipting for bingo income requirements.

230-10-420 Ticket method of receipting bingo income.

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230-10-430 Keeping an inventory record for the ticket method of bingo receipting.

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230-10-446 Defining "linked bingo prize."

230-10-447 Prizes in linked bingo prize games.

230-10-451 Recordkeeping for linked bingo prize games.

230-10-456 Additional accounting records for linked bingo prize providers.

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230-10-460 Shared bingo facilities.

230-10-465 Sharing facilities and using the cash register system of receipting bingo income.

230-10-470 Sharing management and accounting for shared bingo facilities.

SHARING BINGO FACILITIES WITH FOR-PROFIT BUSINESSES

230-10-475 Operating bingo in a for-profit business premises.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

230-10-370 Ticket sales and receipting for three number speed bingo income [Adjusted cash flow limits for bingo]. [Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-370, filed 4/24/07, effective 1/1/08.] Repealed by WSR 14-23-049 (Order 710), filed 11/14/14, effective 12/15/14. Statutory Authority: RCW 9.46.070 and 9.46.0209.

230-10-380 Drawings for prizes, good neighbor prizes, and second element of chance prizes as part of bingo games [Relief reduction for minimum annual adjusted cash flow]. [Statutory Authority: RCW 9.46.070. WSR 09-17-075 (Order 655), § 230-10-380, filed 8/14/09, effective 9/14/09; WSR 07-10-033 (Order 610), § 230-10-380, filed 4/24/07, effective 1/1/08.] Repealed by WSR 14-23-049 (Order 710), filed 11/14/14, effective 12/15/14. Statutory Authority: RCW 9.46.070 and 9.46.0209.

230-10-450 Controlling gambling equipment by linked bingo prize licensees. [Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-450, filed 4/24/07, effective 1/1/08.] Repealed by WSR 07-21-116 (Order 617), filed 10/22/07, effective 1/1/08. Statutory Authority: RCW 9.46.070.

230-10-455 Operating linked bingo prize games. [Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-455, filed 4/24/07, effective 1/1/08.] Repealed by WSR 08-11-037

(Order 626), filed 5/14/08, effective 7/1/08. Statutory Authority: RCW 9.46.070 and 34.05.353.

WAC 230-10-045 Disposable bingo card inventory control. Bingo licensees must control and account for all disposable bingo cards they purchase or otherwise obtain.

(1) All licensees must keep:

(a) All purchase invoices, or photocopies of the invoices, for received disposable bingo cards on the bingo premises; and

(b) All manufacturer packing records as part of the inventory control record.

(2) ~~Class D and above~~ Bingo licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous license year must prepare an inventory control record in the format we require immediately after purchase of disposable bingo cards or before the next bingo session. We may approve alternative formats, such as electronically generated forms, if the licensee requests it in writing.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-045, filed 4/24/07, effective 1/1/08.]

WAC 230-10-055 Bingo cards required for licensees with gross gambling receipts over six hundred fifty thousand dollars in their previous license year~~Class F and above bingo games~~. ~~Class F and above b~~Bingo licensees with gross gambling receipts over six hundred fifty thousand dollars in their previous license year must use disposable bingo cards, electronically generated bingo cards, player selection bingo cards, or three number speed bingo cards.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-055, filed 4/24/07, effective 1/1/08.]

WAC 230-10-065 Bingo ball mixer required. ~~Class D and above b~~Bingo licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous license year must use a machine that mixes balls and selects balls using air flow (a blower). The blower must:

- (1) Allow players full view of the mixing action of the balls; and
- (2) Not allow changes to the random placement of the balls in the exit tube of the blower except when it is shut off.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-065, filed 4/24/07, effective 1/1/08.]

WAC 230-10-070 Bingo flashboard required~~Class D and above bingo games.~~ (1) ~~Class D and above b~~Bingo licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous license year must use flashboards to display numbers. The flashboards must be visible to all players and clearly indicate all numbers that have been called; and

(2) If a flashboard malfunctions, licensees must repair it before using it in any other bingo occasion.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-070, filed 4/24/07, effective 1/1/08.]

OPERATING BINGO GAMES

WAC 230-10-075 Licensed bingo manager required. A licensed bingo manager must be on the premises and supervising bingo operation during all hours bingo games are conducted, except bingo games conducted:

(1) Under RCW 9.46.0321; or

(2) At a qualified agricultural fair; or

(3) By licensees with gross gambling receipts of one hundred fifty thousand dollars or less in their previous license year~~Under a Class A, B, or C bingo license;~~ or

(4) At a special bingo property we authorize.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-075, filed 4/24/07, effective 1/1/08.]

WAC 230-10-085 Members or employees only to work bingo. (1) Bingo licensees must not allow anyone except full and regular members or employees of the organization to take part in managing or operating bingo games.

(2) Licensees may allow:

(a) Persons other than the primary bingo manager to participate in bingo games for another bingo licensee. We do not consider a licensed assistant gambling manager to be a manager for this section; or

(b) Primary managers to manage or operate bingo for more than one ~~Class A, B, or C~~ licensee with gross gambling receipts of one hundred fifty thousand dollars or less in their previous license year as long as the managers do not receive payment for services from more than one licensee; or

(c) A person to manage or take part in operating a shared bingo operation according to WAC 230-10-470.

(3) Qualified agricultural fairs licensed to operate bingo are not required to meet these management or operation restrictions.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-085, filed 4/24/07, effective 1/1/08.]

WAC 230-10-090 Workers not playing in ~~Class D and above~~ bingo games.

(1) ~~Class D and above~~ Bingo licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous license year must not allow persons who participate in operating or managing their bingo games to play in any of their bingo games.

(2) Persons who work without compensation for ~~Class D and above~~ bingo licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous license year may play bingo, but they must not play during bingo sessions they are operating or managing.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-090, filed 4/24/07, effective 1/1/08.]

WAC 230-10-120 Duplicate bingo cards not sold for ~~Class D or above~~ bingo games. (1) ~~Class D or above~~ Bingo licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous li-
cense year must not sell duplicate cards in bingo games. Licensees using cards from multiple manufacturers may result in duplicate cards because

the majority of cards in the "1 to 9000 series" are duplicate, regardless of the manufacturer.

(2) Licensees must:

(a) Inform players of limits on prizes if duplicate cards win because Braille cards are in play; and

(b) Not be held responsible for duplicate cards caused by Braille cards in play.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-120, filed 4/24/07, effective 1/1/08.]

WAC 230-10-125 Duplicate bingo cards pay out and documentation for

~~Class D or above bingo games.~~ (1) If ~~Class D or above~~ bingo licensees with gross receipts over one hundred fifty thousand dollars in their previous license year inadvertently sell duplicate bingo cards, they must:

(a) Pay all winners with duplicate cards the entire prize amount that would be due if there were no duplicate cards; or

(b) Compute and pay all winners with duplicate cards using the following guidelines:

(i) **If the game provides a bonus for a single winner and all winners have duplicate cards,** then the licensee must pay all winners the bonus;
or

(ii) **If the game results in multiple winners and some of the players have duplicate cards,** then the licensee must calculate the split of the prize pool by counting all duplicate card winners as one. All winners will be paid according to the calculated prize split; or

(iii) **If the prize pool contains noncash or merchandise prizes,** then the licensee may use the cost or retail value of the merchandise, whichever is posted in the game schedule, to calculate the amount added to the prize pool to make the split. Manufacturers are not responsible for reimbursement to this noncash or merchandise prize pool; or

(iv) **If the prize is more than one thousand dollars,** then the licensee must increase the total prize pool by no more than fifty percent or five thousand dollars, whichever is less. We authorize this limitation only once within a twelve-month period; and

(2) Licensees may deduct increases to prize pools caused by card manufacturers from prize pay outs when calculating cash flow.

(3) Licensees must document details of circumstances that resulted in duplicate cards being sold and maintain that documentation as a part of the daily bingo record for the session.

(4) Licensees must notify us within forty-eight hours after discovery of a duplicate card sale if:

(a) Manufacturer printing, packaging, or collation errors caused the duplication. Licensees must request reimbursement from the manufacturer responsible for duplicate card errors; or

(b) The licensee did not pay any winning player with a duplicate card the entire prize amount.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-125, filed 4/24/07, effective 1/1/08.]

WAC 230-10-275 Exceptions to other bingo rules for three number speed bingo. The following rules do not apply to three number speed bingo:

(1) Prize disclosure before players pay to play. Licensees must still disclose the per card cost to play and the amount required to wager on a single card; and

(2) Number of balls used to conduct the game; and

(3) Number of spaces required on each bingo card; and

(4) Requirements that ~~Class F and above~~ licensees with gross gambling receipts over six hundred fifty thousand dollars in their previous license year use disposable bingo cards; and

(5) Requirements to account for all income at the time it is received; and

(6) Requirements of WAC 230-10-145 about drawing and physically displaying bingo numbers. However, licensees offering three number speed bingo must display the number on a flashboard and use the audio system to announce the number; and

(7) Recordkeeping for prizes awarded.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-275, filed 4/24/07, effective 1/1/08.]

RECORDKEEPING FOR BINGO GAMES

WAC 230-10-330 Recordkeeping requirements~~Activity reports for Class A, B, and C bingo~~ licensees with gross gambling receipts less than one hundred fifty thousand dollars in their previous license year, agricultural fairs, and other organizations. Licensees must immediately account for all income from bingo games. ~~Class A, B, and C b~~Bingo licensees with gross gambling receipts less than one hundred fifty thousand dollars in their previous license year, organizations conducting bingo under the provisions of RCW 9.46.0321, and bingo activities conducted at a qualified agricultural fair must follow the recordkeeping requirements in WAC 230-07-125 or any of the receipting methods for bingo income required for Class D or above licensees.

[Statutory Authority: RCW 9.46.070. WSR 07-21-116 (Order 617), § 230-10-330, filed 10/22/07, effective 1/1/08; WSR 07-10-033 (Order 610), § 230-10-330, filed 4/24/07, effective 1/1/08.]

WAC 230-10-331 **Activity reports for Class D and above bingo licensees**. Class D and above bingo game licensees must submit activity reports to the commission. The activity reports must be in the format we require and must:

(1) Cover the periods:

(a) January 1 through March 31; and

(b) April 1 through June 30; and

(c) July 1 through September 30; and

(d) October 1 through December 31 of each year; and

(2) Be received at our administrative office or postmarked no later than thirty days following the end of the reporting period. Beginning July 1, 2018, reports required by this section must be submitted quarterly, as set forth in WAC 230-05-102; and

(3) Be signed by the licensee's highest ranking executive officer or a designee. If someone other than the licensee or an employee prepares the report, the preparer must print his or her name and business telephone number on the report; and

(4) Submit a report for any period of time their license was valid, even if they had no activity or did not renew.

[Statutory Authority: RCW 9.46.070. WSR 07-21-116 (Order 617), § 230-10-331, filed 10/22/07, effective 1/1/08.]

WAC 230-10-350 Recording bingo winners. Organizations conducting bingo under the provisions of RCW 9.46.0321, and bingo activities con-

ducted at a qualified agricultural fair, and ~~Class A and B~~ bingo licensees with gross receipts of seventy-five thousand dollars or less in their license year do not have to follow this rule if they meet the requirements for lower volume charitable or nonprofit organizations in WAC 230-07-125. All other bingo licensees must report all prize payments for bingo games and drawings for prizes, good neighbor prizes, and second element of chance prizes at bingo games and record payment on a prize receipt.

(1) Licensees must use prize receipts printed by a commercial printer. The receipts must:

(a) Be two-part, self-duplicating paper that provides for an original and a duplicate copy; and

(b) If the licensee ~~is Class F or above~~ has gross gambling receipts of over six hundred fifty thousand dollars in their previous license year, be imprinted with the name of the licensee and a consecutive ascending number that does not repeat in at least 100,000 occurrences; and

(c) If the licensee ~~is Class E or below~~ has gross gambling receipts of six hundred fifty thousand dollars or less in their previous license year, the receipt is not required to be imprinted with the licensee's

name and the consecutive ascending number may repeat in 1,000 occurrences; and

(d) Provide space for the licensee to record the information we require.

Prize receipt

(2) Operators must complete the prize receipt including, at least:

(a) Date; and

(b) Game number; and

(c) Complete name of the winner; and

(d) Complete address of the winner, if the prize is over twenty dollars; and

(e) Dollar amount of the prize or the operator's cost, if noncash prize; and

(f) Full description of all noncash prizes; and

(g) Check number, if any portion of the prize is paid by check; and

(h) Initials of the bingo worker making the payout; and

(i) Initials of the cashier making the payment.

Prize log

(3) Licensees may receipt prizes of twenty dollars or less on a single prize log. Licensees must:

(a) Maintain a separate prize log for each session; and

(b) Record the same information required on prize receipts; and

(c) Retain the prize log as a part of the bingo daily records.

Linked bingo prizes

(4) Except for linked bingo prizes, licensees may omit an address for the winner if:

(a) The licensee pays all prizes greater than \$300 by check or a combination of cash and check; and

(b) Checks are drawn on the licensee's gambling bank account; and

(c) Checks used are of a type that provides a duplicate copy. The copies must be kept as a part of the daily bingo records; and

(d) Checks are made payable only to the winner. Licensees may make checks for prizes won by players under age eighteen payable to the guardian or immediate family member accompanying the player; and

(e) Licensees note the game number and prize receipt number on the check; and

(f) The bank returns all original checks to the licensee. Licensees must have the original checks available for our inspection on demand; and

(g) The licensee does not cash or otherwise redeem prize checks.

(5) Licensees must record the complete name and address of the winner of linked bingo prizes.

(6) Licensees must:

(a) Issue prize receipts consecutively in an ascending order; and

(b) Void and retain with the daily records any prize receipts bearing a lower number than the highest number issued during a session; and

(c) Give the original of each prize receipt to the winner; and

(d) Keep a duplicate copy as a part of their records for not less than three years; and

(e) Account for and document all prize receipts purchased or otherwise obtained on a vendor's invoice; and

(f) Keep the vendor's invoice, or a photocopy of it, on the premises and have it available for our inspection. The purchase invoice must document, at least:

(i) Name of the vendor;

(ii) Name of the purchasing organization;

(iii) Date of purchase;

(iv) Number of receipts purchased; and

(v) The beginning and ending receipt number.

[Statutory Authority: RCW 9.46.070. WSR 08-03-062 (Order 623), § 230-10-350, filed 1/14/08, effective 2/14/08; WSR 07-10-033 (Order 610), § 230-10-350, filed 4/24/07, effective 1/1/08.]

METHODS OF RECEIPTING BINGO INCOME

WAC 230-10-385 Receipting of bingo income required. Bingo licensees must account for all income from bingo games at the time they receive the income. Licensees must issue each player a receipt for the amount paid to play in each game or set of games at the time of payment. Players must keep this receipt to prove that they have properly purchased the number of cards they are playing.

(1) ~~Class A, B, and C~~ licensees with gross gambling receipts of one hundred fifty thousand dollars or less in their previous license year, organizations conducting bingo under the provisions of RCW 9.46.0321, and bingo activities conducted at a qualified agricultural fair may use the receipting method for bingo income in WAC 230-07-125 or any of the methods for receipting bingo income required for ~~Class D or above~~ licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous license year; and

(2) ~~Class D and above~~ licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous license year must use the receipting method for bingo income required for the bingo games they are offering:

(a) The disposable bingo card receipting method; or

- (b) The cash register receipting method; or
- (c) The electronically generated receipting method; or
- (d) The ticket receipting method; or
- (e) The combination receipting method.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-385, filed 4/24/07, effective 1/1/08.]

WAC 230-10-395 Cash register method of receipting for bingo income.

Bingo licensees may use a cash register to record bingo income if the cash registers:

- (1) Have separate keys to record each type of sale; and
- (2) Store and compute a total for each type of sale recorded and is capable of providing the total on request; and
- (3) Retain in the memory unit all transactions recorded during a session, regardless of whether or not the cash register power source is interrupted; and
- (4) Record all transactions, customer receipt numbers, and control totals on the internal tape retained in the cash register. The licensee must keep the internal tape, showing these transactions, as part of the daily bingo records; and

(5) Assign and imprint on the customer receipt and internal tape a minimum four-digit consecutive number for every sales transaction processed. Only cash register service personnel may reset this numbering system and the numbering system must not return to zero at the conclusion of any period of use or power interruption. If licensees receive written approval from us before use, they may use cash registers that do not meet these requirements but have adequate alternative control features; and

(6) ~~For Class D and above~~ Licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous license year, must imprint a minimum three-digit consecutive number on the customer receipt and internal tape to note each time transactions are totaled or when a set of transactions are totaled and closed. If licensees receive written approval from us before use, they may use cash registers that do not meet these requirements but have adequate alternative control features.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-395, filed 4/24/07, effective 1/1/08.]

WAC 230-10-420 Ticket method of receipting bingo income. Bingo

licensees may use tickets to document receipts of bingo income. Tickets must be:

(1) Manufactured by a commercial printer and imprinted with:

(a) At least four digit numbers in a consecutive series. ~~Class F and above~~ Licensees with gross gambling receipts over six hundred fifty thousand dollars in their previous license year must use tickets with numbers that do not repeat in at least 99,999 occurrences; and

(b) Each ticket on a roll must represent the same dollar value or amount of money; and

(c) ~~Include~~ The name of the licensee operating ~~Class F and above~~ bingo ~~game~~ with gross gambling receipts over six hundred fifty thousand dollars in their previous license year; and

(2) If used by ~~Class F or above~~ licensees with gross gambling receipts over six hundred fifty thousand dollars in their previous li-
cence year, purchased from a licensed distributor or manufacturer; and

(3) Issued consecutively from each roll, starting with the lowest numbered ticket; and

(4) Accounted for by the licensee. If purchased from a commercial business or licensed distributor, documentation must be on the sales

invoice. This invoice, or a photocopy, shall be maintained on the premises and available for inspection. Document the following information on the sales invoice for each roll of tickets purchased:

(a) Name of distributor; and

(b) Name of purchasing licensee; and

(c) Date of purchase; and

(d) Number of rolls of tickets purchased; and

(e) The color, dollar value, total number of tickets, and beginning ticket number for each roll; and

(5) Recorded in the daily records in the format we require; and

(6) Retained by the licensee as a part of the bingo daily records for those not issued as receipts and that bears a number falling below the highest numbered ticket issued during that session and not be used to receipt for any type of income; and

(7) Not be the same color and imprinted with the same ticket number as any other ticket on the premises.

[Statutory Authority: RCW 9.46.070. WSR 07-21-116 (Order 617), § 230-10-420, filed 10/22/07, effective 1/1/08; WSR 07-10-033 (Order 610), § 230-10-420, filed 4/24/07, effective 1/1/08.]

WAC 230-10-425 Ticket method of bingo receipting for bingo income

restrictions. (1) All bingo licensees may use the ticket method of receipting bingo income for drawings and good neighbor prizes offered at their bingo games.

(2) ~~Class E and below~~ licensees with gross gambling receipts of six hundred fifty thousand dollars or less in their previous license year may use the ticket method for games operated with hard cards and for bonus games.

(3) ~~Class F and above~~ licensees with gross gambling receipts over six hundred fifty thousand dollars in their previous license year may use the ticket method for bonus games as a part of the combination receipting method.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-425, filed 4/24/07, effective 1/1/08.]

WAC 230-10-435 Combination receipting method of receipting bingo

income. (1) Bingo licensees may use a receipting method that combines cash register receipting with another approved method of receipting bingo income.

(2) ~~Class F and above~~ Licensees with gross gambling receipts over six hundred fifty thousand dollars in their previous license year must

use combination receipting for income from sales of:

(a) Disposable bingo card packets; and

(b) Disposable bingo card sheets from a set of bingo cards divided into subgroups; and

(c) Electronically generated bingo cards, if sales transactions and issuing of cards are not completed and documented at the same time; and

(d) Bonus games.

[Statutory Authority: RCW 9.46.070. WSR 07-10-033 (Order 610), § 230-10-435, filed 4/24/07, effective 1/1/08.]

WAC 230-10-451 Recordkeeping for linked bingo prize games. (1)

~~Class A, B, or C~~ bAll linked bBingo licensees ~~participating in linked bingo games~~ must maintain all records required for ~~Class D~~ bingo licensees with gross gambling receipts over one hundred fifty thousand dollars in their previous license year for all their bingo operations; and

(2) For funds contributed to accrued linked bingo prizes, licensees must modify each bingo game daily record to include, at least:

(a) The amount of the contribution; and

(b) The amount of any consolation prize the licensee paid for a linked bingo prize game; and

(c) The name of the linked bingo prize provider to whom the contribution is made.

[Statutory Authority: RCW 9.46.070. WSR 07-21-116 (Order 617), § 230-10-451, filed 10/22/07, effective 1/1/08.]

WAC 230-10-457 Activity reports for linked bingo prize providers.

Linked bingo prize providers must submit activity reports to us twice a year for their sales and services. The activity reports must be in the format we require and must:

(1) Cover the periods:

(a) January 1 through June 30; and

(b) July 1 through December 31; and

(2) Be received at our administrative office or postmarked no later than thirty days following the end of the reporting period. Beginning July 1, 2018, reports required by this section must be submitted quarterly, as set forth in WAC 230-05-102; and

(3) Be signed by the licensee's highest ranking executive officer or a designee. If someone other than the licensee or an employee prepares

the report, the preparer must print his or her name and business telephone number on the report; and

(4) Submit a report for any period of time their license was valid, even if they had no activity or did not renew.

[Statutory Authority: RCW 9.46.070. WSR 07-21-116 (Order 617), § 230-10-457, filed 10/22/07, effective 1/1/08.]

Chapter 230-11 WAC

RAFFLES

Last Update: 10/13/14

WAC

CONDUCTING A RAFFLE

- 230-11-001 Defining "licensees," "licensee," "organizations," and "organization."
- 230-11-002 The definition of raffle as used in this chapter.
- 230-11-005 Display the raffle license.
- 230-11-006 Requiring raffle ticket purchase for membership prohibited.
- 230-11-010 Number tickets consecutively.
- 230-11-012 Licensees may conduct a joint raffle.

SELLING TICKETS

- 230-11-014 Maximum raffle ticket price.
- 230-11-015 Provide rules to participants.
- 230-11-020 Record information on ticket stub.
- 230-11-025 Bundling and selling tickets at a discount.
- 230-11-030 Restrictions on ticket sales.
- 230-11-035 Incentives for selling tickets.

DRAWING TICKETS

- 230-11-040 Place ticket stubs in receptacle for drawing.

- 230-11-045 Draw winning tickets randomly.
- 230-11-050 Using alternative drawing formats.
- 230-11-055 Authorized alternative drawing formats.
- 230-11-060 Using a second element of chance in alternative drawing format raffles.

PRIZES

- 230-11-065 Raffle prizes.
- 230-11-067 Requesting commission approval prior to offering raffle prizes exceeding forty thousand dollars per prize or three hundred thousand dollars in a license year.

CONDUCTING A MEMBERS-ONLY RAFFLE

- 230-11-070 Defining "members-only" raffles.
- 230-11-075 Limit number of guests for members-only raffles.
- 230-11-080 Post rules of play for members-only raffles.
- 230-11-085 Modified and discounted pricing plans for tickets for members-only raffles.
- 230-11-086 Discounted pricing plans for tickets to members-only raffles.
- 230-11-087 Other pricing plans for members-only raffles.
- 230-11-090 Authorized alternative drawing formats for members-only raffles.
- 230-11-091 Members-only progressive raffle.

RECORDKEEPING FOR RAFFLES

- 230-11-095 Recordkeeping requirements for ~~Class A through D~~ licensees with gross gambling receipts of fifty thousand dollars or less in their previous license year and unlicensed raffles.

230-11-100 Recordkeeping requirements for ~~Class E and F~~ licensees with gross gambling receipts over fifty thousand dollars in their previous license year and raffles using alternative drawing formats.

230-11-102 Recordkeeping requirements for enhanced raffles.

230-11-103 Independent audit required for enhanced raffles.

230-11-105 Retain and store raffle records.

RECORDKEEPING FOR RAFFLES

WAC 230-11-095 Recordkeeping requirements for ~~Class A through D~~ licensees with gross gambling receipts of fifty thousand dollars or less in their previous license year and unlicensed raffles. ~~Class A through D~~ ~~Licensees~~ with gross gambling receipt of fifty thousand dollars or less in their previous license year raffles and organizations conducting unlicensed raffles under the authority of RCW 9.46.0315 or 9.46.0321 must keep a record by month of the following:

- (1) Gross receipts; and
- (2) Prizes paid; and
- (3) Net income; and
- (4) Documentation of expenses; and
- (5) Documentation of how the proceeds were used.

[Statutory Authority: RCW 9.46.070. WSR 06-20-040 (Order 602), § 230-11-095, filed 9/26/06, effective 1/1/08.]

WAC 230-11-100 Recordkeeping requirements for ~~Class E and F~~ licensees with gross gambling receipts over fifty thousand dollars in their previous license year and raffles using alternative drawing formats.

Licensees conducting ~~Class E or Class F~~ raffles with gross gambling receipts over fifty thousand dollars in their previous license year or conducting raffles using alternative drawing formats must prepare a detailed record for each raffle they conduct. Licensees must:

- (1) Record all data required in the standard format we provide; and
- (2) Maintain the following:
 - (a) Validated deposit receipts for each deposit of raffle proceeds; and
 - (b) All winning tickets; and
 - (c) Name, address, and telephone number of all winners of a prize with a fair market value of more than fifty dollars; and
 - (d) All ticket stubs for raffles that participants are not required to be present at the drawing; and
 - (e) All unsold tickets for individual raffles for which gross gambling receipts exceed five thousand dollars; and
 - (f) Invoices and other documentation recording the purchase or receipt of prizes; and

(g) Invoices and other documentation recording the purchase of tickets and other expenses of the raffle; and

(3) Complete all records no later than thirty days following the drawing.

[Statutory Authority: RCW 9.46.070. WSR 06-20-040 (Order 602), § 230-11-100, filed 9/26/06, effective 1/1/08.]

Chapter 230-13 WAC

AMUSEMENT GAME RULES

Last Update: 10/28/16

WAC

- 230-13-001 Defining "operator."
- 230-13-005 Amusement games authorized.
- 230-13-010 Approval of new amusement games.
- 230-13-015 Group 1—Ball toss or kick amusement game standards.
- 230-13-020 Group 2—Dart amusement game standards.
- 230-13-025 Group 3—Hoop or ring toss amusement game standards.
- 230-13-030 Group 4—Coin or token toss amusement game standards.
- 230-13-035 Group 5—Hand/eye coordination amusement game standards.
- 230-13-040 Group 6—Strength test amusement game standards.
- 230-13-045 Group 7—Crane amusement game standards.
- 230-13-050 Group 8—Penny fall amusement game standards.
- 230-13-055 Group 9—Ball roll amusement game standards.
- 230-13-060 Group 10—Shooting amusement game standards.
- 230-13-065 Group 11—Cake walk and fish pond amusement game standards.
- 230-13-067 Group 12—Electronic puzzle and pattern solving game standards.

OPERATING AMUSEMENT GAMES

- 230-13-070 Notifying local law enforcement of amusement game operation.
- 230-13-075 ~~Assigning and r~~eporting ~~group numbers of~~ authorized amusement games.
- 230-13-080 Operating coin or token activated amusement games.
- 230-13-085 Control and maintenance of amusement games.
- 230-13-090 Adult supervision of unattended amusement games.
- 230-13-100 Material degree of skill required in amusement games.
- 230-13-105 Attended amusement game requirements.
- 230-13-110 Charitable or nonprofit amusement game operation and management.
- 230-13-115 "Limited location" license requirements.
- 230-13-120 Posting amusement game rules.
- 230-13-125 Factors affecting skill readily visible for amusement games.
- 230-13-130 Display and exchange of amusement game prizes.
- 230-13-135 Maximum wagers and prize limitations.
- 230-13-145 Marking the difference between objects thrown in multiple amusement games on the same premises.

AUTHORIZED LOCATIONS AND RENTAL OF AMUSEMENT GAMES OR PREMISES

- 230-13-150 Amusement game locations.
- 230-13-152 **Applying for an approved location to operate amusement games**
- 230-13-155 Contracts for commercial amusement games.
- 230-13-160 Basing rent on a percentage of gross receipts.
- 230-13-165 Charitable or nonprofit organizations renting amusement game equipment.

RECORDKEEPING FOR AMUSEMENT GAMES

- 230-13-169 Annual activity reports for commercial amusement game licensees.
- 230-13-170 Recordkeeping for commercial amusement games.
- 230-13-175 Recordkeeping for unlicensed charitable and nonprofit amusement games.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 230-13-140 Price to play amusement games must be paid in cash or check. [Statutory Authority: RCW 9.46.070. WSR 07-15-064 (Order 612), § 230-13-140, filed 7/16/07, effective 1/1/08.] Repealed by WSR 16-09-045 (Order 719), filed 4/15/16, effective 7/15/16. Statutory Authority: RCW 9.46.070, 9.46.0201.

WAC 230-13-075 ~~Assigning and r~~Reporting group numbers of authorized amusement games. ~~(1) Amusement game licensees must determine the authorized group number of each game and prepare a list of all games they plan to operate during each license year. They must submit this list to us with their activity report. The list must contain, at least, the name and group number of each game.~~

~~(2) Amusement game licensees must notify us within thirty days of putting into play and removing from play a group 12 amusement game. Reporting must be in the format we require.~~

[Statutory Authority: RCW 9.46.070, 9.46.0201. WSR 16-22-049, § 230-13-075, filed 10/28/16, effective 11/28/16. Statutory Authority: RCW

9.46.070. WSR 07-15-064 (Order 612), § 230-13-075, filed 7/16/07, effective 1/1/08.]

NEW SECTION

WAC 230-13-152 Applying for an approved location to operate amusement games. (1)Operators must apply, pay a fee, and receive a license for each location they will operate approved amusement games.

(2) Operators must notify us in the format we require within thirty days of removing all amusement games from an approved location.

WAC 230-13-155 Contracts for commercial amusement games. (1) Operators must ensure that all contracts are written and specific in terms, setting out the term of the contract, amount of rent or consideration, rent due dates, and all expenses each party must pay.

(2) All contracts become part of the operator's license file. If commercial amusement game operators violate any terms of a contract, it may be grounds for suspension or revocation of their license.

(3) ~~Operators Class B or above licensees~~ may enter into contracts with business owners of any of the following approved locations to operate amusement games on their premises:

(a) Amusement parks; or

(b) Regional shopping centers; or

(c) Any location that possesses a valid license from the Washington state liquor control board and prohibits minors on their premises; or

(d) Movie theaters; or

(e) Bowling alleys; or

(f) Miniature golf course facilities; or

(g) Skating facilities; or

(h) Amusement centers; or

(i) Department or grocery stores having more than ten thousand square feet of retail and support space, not including the parking areas; or

(j) Charitable or nonprofit organizations ~~with a premises licensed for Class A amusement games~~; or

(k) Any commercial business that provides food service for on premises consumption as its primary activity.

(4) Operators must not only place amusement games at a location after a license has been issued under WAC 230-13-152.~~which does not have a valid license~~

[Statutory Authority: RCW 9.46.070. WSR 07-15-064 (Order 612), § 230-13-155, filed 7/16/07, effective 1/1/08.]

WAC 230-13-160 Basing rent on a percentage of gross receipts. ~~Class B or above a~~A amusement game operators:

(1) May base the rent or consideration ~~paid to Class A commercial amusement game location or charitable or nonprofit amusement game location for group 12 amusement games~~ on a percentage of revenue the activity generates if the method of distribution is specific. This applies to the following locations:

(a) All commercial businesses; and

(b) Charitable and nonprofit organizations renting group 12 amusement games.

(2) May not base the rent or consideration paid to a charitable or nonprofit organization on a percentage of revenue the activity generates

unless the amount returned to the organization is equal to or exceeds twenty-two percent of the gross gambling receipts.

(3) Operators must pay the organization at least once a month.

(4) If located at regional shopping centers, may use a percentage of receipts to pay rental leases. They are also exempt from the profits restrictions of RCW 9.46.120(2).

[Statutory Authority: RCW 9.46.070, 9.46.0201. WSR 16-08-033 (Order 718), § 230-13-160, filed 3/30/16, effective 4/30/16. Statutory Authority: RCW 9.46.070. WSR 07-15-064 (Order 612), § 230-13-160, filed 7/16/07, effective 1/1/08.]

RECORDKEEPING FOR AMUSEMENT GAMES

WAC 230-13-169 Annual activity reports for commercial amusement game licensees. Commercial amusement game licensees must submit an annual activity report to us in the format we require and must:

(1) Cover the license year of one calendar year or less; and

(2) Be received at our administrative office or postmarked no later than thirty days following the end of the reporting period. Beginning July 1, 2018, reports required by this section must be submitted quarterly, as set forth in WAC 230-05-102; and

(3) Be signed by the licensee's highest ranking executive officer or a designee. If someone other than the commercial amusement game

licensee or its employee prepares the report, then it must provide the preparer's name and business telephone number; and

(4) Submit a report for any period of time their license was valid, even if they had no activity or did not renew their license; and

(5) Complete the report according to the instructions furnished with the report.

[Statutory Authority: RCW 9.46.070. WSR 08-20-007 (Order 630), § 230-13-169, filed 9/18/08, effective 1/1/09; WSR 07-21-116 (Order 617), § 230-13-169, filed 10/22/07, effective 1/1/08.]

Chapter 230-14 WAC

PUNCH-BOARD AND PULL-TAB RULES

Last Update: 1/19/16

WAC

PUNCH-BOARDS AND PULL-TABS

- 230-14-001 Defining "licensee," "licensees," "operator," and "operators."
- 230-14-005 Defining "punch-board."
- 230-14-010 Defining "pull-tab."
- 230-14-015 Rules apply to both punch-boards and pull-tabs.
- 230-14-020 Washington state identification and inspection stamps to be called "I.D. stamps."
- 230-14-025 Punch-boards, pull-tabs, and pull-tab dispensers must meet all requirements.
- 230-14-030 Determining winners or location of winners in advance prohibited.
- 230-14-035 Defining "pull-tab series."
- 230-14-040 Maximum number of pull-tabs in a series.
- 230-14-045 Authorized pull-tab dispensers.
- 230-14-047 Standards for electronic video pull-tab dispensers.
- 230-14-050 Operating restrictions for punch-boards and pull-tabs.
- 230-14-055 Selling pull-tabs.
- 230-14-060 Defining "flare."
- 230-14-065 Flares for punch-board or pull-tab series.

230-14-070 Displaying flares.

230-14-075 Substitute flares.

230-14-080 Prize limits and percentage of winners required.

230-14-085 Calculating markup for merchandise prizes.

230-14-090 Controlling prizes.

230-14-095 Displaying prizes.

230-14-100 Removing prizes from flares.

230-14-105 Paying prizes not deleted from flares.

230-14-110 Recording winners.

230-14-115 Defacing winning punches or pull-tabs.

230-14-120 Permanently reserving punch-boards or pull-tab series.

230-14-125 Temporarily removing punch-boards or pull-tab series from play.

230-14-130 Defining "happy hour punch-board or pull-tab games."

230-14-135 Operating spindle, banded, or "jar" type pull-tabs which award only merchandise prizes.

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230-14-140 Defining "seal card pull-tab series."

230-14-145 Defining "seal card round."

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PROGRESSIVE JACKPOT PULL-TAB SERIES

230-14-155 Definitions for "progressive jackpot pull-tab series."

230-14-160 Progressive jackpot dispensers with a bank system.

230-14-165 Additional operating requirements for progressive jackpot pull-tab series.

230-14-170 Prizes in progressive jackpot pull-tab series.

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230-14-180 Paying out prizes and defacing tabs in progressive jackpot pull-tab series.

230-14-185 Additional recordkeeping for progressive jackpot pull-tab series.

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230-14-190 Defining "event pull-tab series" and "event round."

230-14-195 Operating requirements for event pull-tabs.

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230-14-200 Defining "bonus pull-tab series."

230-14-205 Operating requirements for bonus pull-tab series.

230-14-210 Flares for bonus and step-up prizes.

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230-14-215 Defining "carry-over jackpot pull-tab series" and "contribution amount."

230-14-220 Prize limits for carry-over jackpot pull-tab series.

230-14-225 Sufficient funds for carry-over jackpot pull-tab prizes.

230-14-230 Transferring a carry-over jackpot to another game.

230-14-235 Replacing played out carry-over jackpot series.

230-14-240 Distributing carry-over pull-tab jackpots.

230-14-245 Retaining carry-over jackpot pull-tab series.

230-14-250 Recording carry-over jackpots on a cash basis.

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230-14-255 Net income and cash flow requirements when operating punch-boards and pull-tabs.

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230-14-260 Inventory control.

230-14-265 Retention requirements for punch-boards and pull-tab series.

230-14-266 Location of unplayed punch-boards and pull-tab series.

230-14-270 Additional retention requirements for some commercial stimulant licensees.

230-14-275 Returning punch-boards and pull-tab series to the distributor or manufacturer.

230-14-280 Unrecorded or inaccurate ~~Records review of~~ gross gambling receipts.

230-14-284 Activity reports for punch-board and pull-tab licensees.

230-14-285 Monthly income summary.

230-14-290 Calculating cash over and cash short on the punch-board and pull-tab monthly income summary.

230-14-295 Electronic facsimiles of I.D. stamps.

230-14-320 Defining a cumulative prize pool pull-tab game.

230-14-325 Defining a cumulative prize pool pull-tab game board.

230-14-330 Defining a cumulative prize pool pull-tab series.

230-14-335 Operating requirements for cumulative prize pool pull-tab games.

WAC 230-14-250 Recording carry-over jackpots on a cash basis. (1)

Operators must record carry-over jackpots on a cash basis. "Cash basis"

means operators do not record carry-over jackpot contributions until the prize is awarded.

(2) However, punch-board and pull-tab licensees who also hold a ~~Class F or above~~ bingo license with gross gambling receipts over six hundred fifty thousand dollars in their previous license year may record carry-over jackpot contributions on their monthly records if they:

(a) Record contribution amounts, up to the jackpot maximum, as prizes paid on the monthly records; and

(b) When the jackpot is awarded, record only amounts not previously accrued as prizes paid; and

(c) Play no more than five carry-over jackpot series at once; and

(d) Maintain a proper audit trail and adequate security over the funds if the licensee does not deposit the contributions with the net receipts.

[Statutory Authority: RCW 9.46.070. WSR 07-17-058 (Order 614), § 230-14-250, filed 8/10/07, effective 1/1/08.]

WAC 230-14-280 Unrecorded or inaccurate~~Records review of~~ gross gambling receipts. For licensees that have not recorded all of their punch-board/pull-tabs gross gambling receipts or reported inaccurately, we will use the following calculations to determine their gross gambling

~~receipts: To meet the gross gambling receipts and license class requirements, punch boards and pull-tab licensees must adjust gross gambling receipts from the operation to comply with commission records review findings.~~

~~Licensees must perform the following calculations:~~

(1) For unrecorded punch-boards and pull-tab series -

$$\begin{array}{r} \text{Unadjusted gross gambling receipts} \\ + \\ \text{Unrecorded punch-boards or pull-tab series} \\ \text{(total number of chances multiplied by price)} \\ \hline \text{Adjusted gross gambling receipts}^* \end{array}$$

To account for any unrecorded punch-boards and pull-tab series, licensees add the unrecorded punch-board or pull-tab series to the unadjusted gross gambling receipts. To get the total of unrecorded punch boards or pull-tab series, licensees multiply the total number of chances available by the price of a single chance to determine the maximum amount that could be generated from the punch-board or pull-tab series.

(a) The unadjusted gross gambling receipts is the amount reported for the period.

(b) The unrecorded punchboard or pull-tab series is the total number of chances or games play multiplied by the price per game.

(c) Adjusted gross gambling receipts is the amount the licensee must record for the month in which they purchased the punchboard or pull-tab series.

* Licensees must apply this figure to the records for the month in which they purchased the punch board or pull-tab series.

(2) For recording errors -

$$\begin{array}{r} \text{Unadjusted gross gambling receipts} \\ +/- \\ \text{Adjustment factor} \\ \text{(amount of sample group divided by recorded} \\ \text{amount for the licensee)} \\ \hline \text{Adjusted gross gambling receipts for the quarter} \\ \text{and the three quarters preceding**} \end{array}$$

To adjust gross gambling receipts for the results of our records review, licensees divide the amount we determined for a randomly selected sample of punchboards or pull-tab series by the recorded amount for them.

(a) The unadjusted gross gambling receipts is the amount reported for the period.

(b) The adjustment factor is the amount of a randomly selected sample of punchboard or pull-tab series divided by the amount the licensee recorded.

(c) We will apply the adjusted gross gambling receipts to the total recorded gross gambling receipts for the calendar quarter from which we took the sample and to the three quarters immediately before.

~~** Licenses apply this figure to the total recorded gross gambling receipts for the calendar quarter from which we took the sample and to the three quarters immediately before.~~

[Statutory Authority: RCW 9.46.070. WSR 07-17-058 (Order 614), § 230-14-280, filed 8/10/07, effective 1/1/08.]

WAC 230-14-284 Activity reports for punch-board and pull-tab licenses. Punch-boards and pull-tab licensees must submit an activity report to the commission. Licensees must complete the report in the format we require and must:

(1) Prior to July 1, 2018, cover the periods:

(a) January 1 through June 30; and

(b) July 1 through December 31; and

(2) Beginning July 1, 2018, reports required by this section must be submitted quarterly, as set forth in WAC 230-05-102; and

(3) Be received at our administrative office or postmarked no later than thirty days following the end of the reporting period; and

~~(3)~~(4) Be signed by the licensee's highest ranking executive officer or a designee. If someone other than the punch-board and pull-tab licensee or its employee prepares the report, then it must provide the preparer's name and business telephone number; and

~~(4)~~(5) Be filed even if they do not renew their license. They must file a report for the period between the previous report filed and the expiration date of the license; and

~~(5)~~(6) Unless they are also licensed for Class D or above bingo, charitable and nonprofit licensees must submit a semiannual activity report for punch-boards and pull-tabs; and

~~(6)~~(7) Class D or above bingo licensees with a punch-board and pull-tab license must report punch-board and pull-tab activity, on the combined quarterly report provided by the commission as explained in WAC 230-10-331.

[Statutory Authority: RCW 9.46.070. WSR 07-21-116 (Order 617), § 230-14-284, filed 10/22/07, effective 1/1/08.]

Chapter 230-15 WAC

CARD GAME RULES

Last Update: 1/19/17

WAC

OPERATING CARD GAMES

- 230-15-001 "Public card room" defined.
- 230-15-005 Requirements for public card games.
- 230-15-010 "Social card games" defined.
- 230-15-015 "Charitable and nonprofit social card room" and "guest" defined.
- 230-15-020 Approving area of premises for card games.
- 230-15-025 Hours of play.
- 230-15-030 Authorized nonhouse-banked card games.
- 230-15-035 Authorizing new games or changing game rules.
- 230-15-040 Requirements for authorized card games.
- 230-15-045 Withdrawing card game authorization.
- 230-15-050 Minimum cash on hand requirements.
- 230-15-055 Limit on number of players at each table.
- 230-15-060 Posting rules for play.
- 230-15-065 Enforcement of card game rules of play.
- 230-15-070 Fee restrictions for nonhouse-banked card games.

230-15-075 Card game fees for nonhouse-banked card games.

230-15-080 Authorized fees and authorized methods of collection.

230-15-085 Requirements for authorized methods of collecting fees.

230-15-090 Requirements for drop boxes.

230-15-100 Providing cards and chips in card games.

230-15-105 Only authorized cards or chips may be used.

230-15-110 Standards for chips.

230-15-111 Destruction and disposal of gambling chips.

230-15-115 Standards for cards.

230-15-116 Electronic facsimiles of cards allowed.

230-15-120 Fees for decks of cards.

230-15-125 Cutting cards in player-dealt games.

230-15-126 Cutting cards in center dealer-dealt games.

230-15-130 Rotating the deal in player-dealt games.

230-15-135 Wagering limits for nonhouse-banked card games.

230-15-140 Wagering limits for house-banked card games.

230-15-141 Additional merchandise or cash prizes for card games.

230-15-145 Making wagers with chips or coin.

230-15-150 Selling and redeeming chips.

230-15-155 NSF checks.

230-15-158 Ensuring card room employees meet license requirements.

- 230-15-160 Providing dealers.
- 230-15-165 Defining "floor supervisor."
- 230-15-170 Photos of card room employees required.
- 230-15-180 Playing for or assisting others prohibited.
- 230-15-185 Preventing cheating in card games.

GENERAL RECORDS AND RECORDKEEPING FOR CARD GAMES

- 230-15-190 Preparing card game records.
- 230-15-195 Keeping and making daily records available.
- 230-15-200 Reporting card game activity semiannually.

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- 230-15-205 Card tournament licenses.
- 230-15-210 Entry fees and buy-ins for card tournaments.
- 230-15-215 Getting card tournaments approved.
- 230-15-220 Restricting length of card tournaments.
- 230-15-225 Tournament rules and prizes.
- 230-15-230 Offering discounted tournament fees as customer appreciation.
- 230-15-235 Exclusive tournament entry as customer appreciation.
- 230-15-240 Value of tournament chips.
- 230-15-245 Reporting entry fees as gambling receipts.
- 230-15-250 Recordkeeping for card tournaments.

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230-15-255 Posting rules for unlicensed card and dice games.

230-15-260 Allowing guests to play social card games.

SURVEILLANCE REQUIREMENTS FOR CLASS F AND HOUSE-BANKED CARD GAME LICENSEES

230-15-265 Closed circuit television system surveillance requirements.

230-15-267 Remote access of closed circuit television surveillance systems.

230-15-270 Surveillance when operating both Class F and house-banked card games.

230-15-275 Surveillance requirements for Class F card games.

230-15-280 Surveillance requirements for house-banked card games.

230-15-285 Camera and monitor requirements for closed circuit television systems.

230-15-290 Analog video recording equipment requirements.

230-15-295 Digital video recording equipment requirements.

230-15-300 Using multiplex and quad recording devices in required surveillance.

230-15-305 Reporting illegal or suspicious activities.

230-15-310 Resolving disputes using video recordings.

230-15-319 Retaining video recordings.

230-15-320 Surveillance room requirements for house-banked card game licensees.

230-15-325 Surveillance room sign-in log.

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230-15-340 Minimum number of licensed employees required.

- 230-15-345 Numbering tables.
- 230-15-350 Transporting drop boxes.
- 230-15-353 Using match play coupons in nonhouse-banked card games.
- 230-15-355 Counting procedures for fees.

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- 230-15-365 Getting approval for player-supported jackpots.
- 230-15-370 Naming a prize fund custodian for a player-supported jackpot.
- 230-15-375 Posting rules for a player-supported jackpot.
- 230-15-380 Seeding a player-supported jackpot.
- 230-15-385 Collecting funds for a player-supported jackpot.
- 230-15-390 Collecting an administrative fee on the player-supported jackpot.
- 230-15-395 House dealer required for a player-supported jackpot.
- 230-15-400 Accounting for player-supported jackpot funds.
- 230-15-405 Paying out prizes on a player-supported jackpot.
- 230-15-410 Owners, prize fund custodians, and card room employees participating in player-supported
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- 230-15-415 Removing a player-supported jackpot from play.
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- 230-15-460 Supervision requirements for house-banked card rooms.
- 230-15-465 Dealing all house-banked card games from a dealing shoe.
- 230-15-470 Numbering gambling tables.
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- 230-15-480 Commissions on winning hands.
- 230-15-490 Limiting pay outs for odds-based wagers.
- 230-15-491 Limiting payouts to dealers for tip or "toke" wagers for odds-based payouts.
- 230-15-495 Opening tables.
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- 230-15-505 Selling gambling chips to players.
- 230-15-510 Transferring chips and coin to the gambling tables.
- 230-15-515 Requirements for request for fill/credit slips.

- 230-15-520 Requirements for fill/credit slips.
- 230-15-525 Completing the fill process.
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- 230-15-535 Closing tables.
- 230-15-540 Notifying the commission of card game interruptions.
- 230-15-545 Interruption of card games for more than seven days.

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- 230-15-550 Closely controlling money.
- 230-15-553 Defining "cash equivalent."
- 230-15-555 Cashier's cage design and structure.
- 230-15-560 Operating the cashier's cage.
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- 230-15-580 Accepting checks at the cashier's cage.

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- 230-15-585 Using drop boxes.
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- 230-15-605 Requirements for count rooms.

- 230-15-610 Preparing to conduct a count.
- 230-15-615 Conducting the count.
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- 230-15-630 Controlling keys and restricting access.

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- 230-15-680 Operating progressive jackpot prizes.
- 230-15-685 Restrictions on progressive jackpots.
- 230-15-690 Paying out progressive jackpot prizes.
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- 230-15-700 Merchandise prizes for progressive jackpots.
- 230-15-705 Temporarily removing a progressive jackpot from play.
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- 230-15-715 Tax authorities seizing all, or a portion, of a progressive jackpot.
- 230-15-720 Deposit and reconciliation requirements for progressive jackpot prizes.

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- 230-15-725 Keeping all card game records.
- 230-15-730 Keeping an accounting system.
- 230-15-735 Keeping employee licensing records.

230-15-740 Preparing required financial statements.

230-15-745 Signature cards.

230-15-750 Signature requirements for documents, records, and forms.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

230-15-175 Reporting card room employees no longer working. [Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-175, filed 4/10/07, effective 1/1/08.] Repealed by WSR 08-21-087 (Order 633), filed 10/14/08, effective 1/1/09. Statutory Authority: RCW 9.46.070.

230-15-189 House-banked and Class F card game licensee pilot program on wagering limits for Texas Hold'em poker. [Statutory Authority: RCW 9.46.070, 9.46.0282. WSR 10-19-048 (Order 672), § 230-15-189, filed 9/13/10, effective 10/15/10.] Repealed by WSR 12-21-048 (Order 680), filed 10/12/12, effective 1/1/13. Statutory Authority: RCW 9.46.070 and 9.46.0282.

230-15-485 Electronic facsimiles of cards allowed. [Statutory Authority: RCW 9.46.070. WSR 07-21-116 (Order 617), § 230-15-485, filed 10/22/07, effective 1/1/08; WSR 07-09-033 (Order 608), § 230-15-485, filed 4/10/07, effective 1/1/08.] Repealed by WSR 13-07-040 (Order 685), filed 3/14/13, effective 4/14/13. Statutory Authority: RCW 9.46.070, 9.46.0282.

230-15-570 Cashier's cage bank requirements. [Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-570, filed 4/10/07, effective 1/1/08.] Repealed by WSR 14-11-021 (Order 699), filed 5/9/14, effective 7/1/14. Statutory Authority: RCW 9.46.070 and 9.46.0282.

230-15-635 Electronic key control systems. [Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order

608), § 230-15-635, filed 4/10/07, effective 1/1/08.] Repealed by WSR 15-15-065 (Order 714), filed 7/10/15, effective 8/9/15. Statutory Authority: RCW 9.46.070 and 9.46.0282.

230-15-640 Keeping individual key control boxes for departments. [Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-640, filed 4/10/07, effective 1/1/08.] Repealed by WSR 15-15-065 (Order 714), filed 7/10/15, effective 8/9/15. Statutory Authority: RCW 9.46.070 and 9.46.0282.

230-15-645 Keeping a key control log. [Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-645, filed 4/10/07, effective 1/1/08.] Repealed by WSR 15-15-065 (Order 714), filed 7/10/15, effective 8/9/15. Statutory Authority: RCW 9.46.070 and 9.46.0282.

230-15-650 Keys for the gambling operations department. [Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-650, filed 4/10/07, effective 1/1/08.] Repealed by WSR 15-15-065 (Order 714), filed 7/10/15, effective 8/9/15. Statutory Authority: RCW 9.46.070 and 9.46.0282.

230-15-655 Keys for the security department. [Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-655, filed 4/10/07, effective 1/1/08.] Repealed by WSR 15-15-065 (Order 714), filed 7/10/15, effective 8/9/15. Statutory Authority: RCW 9.46.070 and 9.46.0282.

230-15-660 Keys for the accounting department. [Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-660, filed 4/10/07, effective 1/1/08.] Repealed by WSR 15-15-065 (Order 714), filed 7/10/15, effective 8/9/15. Statutory Authority: RCW 9.46.070 and 9.46.0282.

230-15-665 Keys for the surveillance department. [Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-665, filed 4/10/07, effective 1/1/08.] Repealed by WSR 15-15-065 (Order 714), filed 7/10/15, effective 8/9/15. Statutory Authority: RCW 9.46.070 and 9.46.0282.

230-15-670 Keeping a master key control box. [Statutory Authority: RCW 9.46.070. WSR 07-21-116 (Order 617), § 230-15-670, filed 10/22/07, effective 1/1/08; WSR 07-09-033 (Order 608), § 230-15-670, filed 4/10/07, effective 1/1/08.] Repealed by WSR 15-15-065 (Order 714), filed 7/10/15, effective 8/9/15. Statutory Authority: RCW 9.46.070 and 9.46.0282.

230-15-675 Key control box for the emergency key. [Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-675, filed 4/10/07, effective 1/1/08.] Repealed by WSR 15-15-065 (Order 714), filed 7/10/15, effective 8/9/15. Statutory Authority: RCW 9.46.070 and 9.46.0282.

WAC 230-15-005 Requirements for public card games. At any time public card game licensees are conducting card games, they must have:

(1) ~~Have~~ The food and/or drink business being commercially stimulated open to the public; and

(2) A licensed card room employee on duty and in the public card room area if operating the following card games:

(i) ~~For Class E, Class F, or~~

(ii) ~~Hh~~ouse-banked ~~card games, or~~

(iii) Commercial nonhouse-banked card games of poker or other nonhouse-banked card games specifically approved by the director or the director's designee and a fee is collected to play.~~have a licensed card room employee on duty and in the public card room area.~~

[Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-005, filed 4/10/07, effective 1/1/08.]

WAC 230-15-080 Authorized fees and authorized methods of collection. Card game licensees must collect only one type of card game fee at a table at any given time. The following are authorized types of fees, the card game licensees who may use those fee types, and the methods of collection:

Authorized types of fees	Licensees authorized to use the fee types	Authorized methods of collection	Maximum amount to collect
<p>(1) Period of time -</p> <p>(a) Licensees must collect the fee at least once per hour at times the licensee chooses, for example, at thirty minute increments; and</p> <p>(b) Licensees must record all fees immediately after collection; or</p>	<p><u>Nonhouse-banked card games</u>Class A, B, C, E, Class F, and house-banked</p>	<p>Direct collection; or</p> <p>Chip rack - Only allowed if licensed for three or fewer tables; or</p> <p>Drop box.</p>	<p>Not more than ten dollars per hour, per player.</p>
<p>(2) Per hand played -</p> <p>(a) Players must place fees charged on a per-hand basis in a designated area of the table and dealers must collect them before dealing the first round of cards; and</p> <p>(b) After collecting the fees, dealers must deposit all chips or coins in either the drop box or chip rack; or</p>	<p>Class F and house-banked</p>	<p>Drop box; or</p> <p>Chip rack - Only allowed if licensed for three or fewer tables.</p>	<p>Not more than one dollar per hand, per player.</p>

Authorized types of fees	Licensees authorized to use the fee types	Authorized methods of collection	Maximum amount to collect
(3) Rake - (a) Dealers must collect fees charged on the amounts wagered during the play of the hand and place the fees in a designated area of the table; and (b) Once dealers accumulate the maximum fee for a hand, they must spread the chips or coins to allow players and the surveillance system to view the amount collected. After spreading the chips or coins, the dealer deposits them in either the drop box or chip rack.	Class F and house-banked	Drop box; or Chip rack - Only allowed if licensed for three or fewer tables.	Not more than ten percent of the total wagers for a hand.

[Statutory Authority: RCW 9.46.070 and 9.46.0201. WSR 16-23-153, § 230-15-080, filed 11/22/16, effective 12/23/16. Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-080, filed 4/10/07, effective 1/1/08.]

WAC 230-15-100 Providing cards and chips in card games. (1) Card game licensees, except for nonhouse-banked card game~~Class D~~ licensees that do not charge a fee to play, must supply all chips and cards and not allow any other chips or cards to be used on their premises.

(2) Card game licensees must not charge additional fees to players for chips and cards except as allowed under WAC 230-15-110.

[Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-100, filed 4/10/07, effective 1/1/08.]

WAC 230-15-110 Standards for chips. (1) Chips must be of conventional size and design that maximize the integrity of the card games. Chips must be identifiable as belonging to the licensee and must:

- (a) Include the house name or logo; and
- (b) Denote the chip value; and
- (c) Be made by a licensed manufacturer; and
- (d) Be purchased from a licensed manufacturer or distributor.

(2) Nonhouse-banked card game~~Class D~~ licensees that do not charge a fee to play are exempt from subsection (1) of this section.

(3) Card game licensees must:

- (a) Safeguard all chips in their possession; and
- (b) Not allow any other person to buy or sell chips for use in card games on their premises.

(4) Nonhouse-banked card game~~Class A, B, C, and E~~ licensees that charge a fee to play and have~~with~~ five or fewer tables may use chips without a house name or logo if the chips are identifiable as belonging to the licensee and they prominently post values of the chips in the card room.

[Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-110, filed 4/10/07, effective 1/1/08.]

WAC 230-15-115 Standards for cards. (1) Card game licensees must:

(a) Supply cards of conventional size and design to maximize the integrity of the card games; and

(b) Safeguard all cards; and

(c) Not allow cards that have been modified or marked in any manner.

(2) For ~~Class E, Class F, and house-banked,~~ and nonhouse-banked card games licensees that play poker or other games approved by the director or the director's designee and collect a fee to play, the cards must:

(a) Be made by a licensed manufacturer; and

(b) Be purchased from a licensed manufacturer or distributor.

(3) Cards with the house name or logo must be used for house-banked card games.

[Statutory Authority: RCW 9.46.070. WSR 09-11-087 (Order 648), § 230-15-115, filed 5/18/09, effective 7/1/09; WSR 07-09-033 (Order 608), § 230-15-115, filed 4/10/07, effective 1/1/08.]

WAC 230-15-120 Fees for decks of cards. (1) Card game licensees may charge a fee to a player asking for a new deck of cards.

(2) In addition, nonhouse-banked card game~~Class D~~ licensees who do not charge a fee to play may charge a fee for every deck supplied to a table.

(3) The fee must not be greater than the licensee's actual cost for the deck.

(4) At the time licensees introduce new decks, they must collect the fee in cash directly from the player requesting the deck or the players of the game.

[Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-120, filed 4/10/07, effective 1/1/08.]

WAC 230-15-135 Wagering limits for nonhouse-banked card games.

Card room licensees must not exceed these wagering limits:

(1) **Poker** -

(a) There must be no more than five betting rounds in any one game; and

(b) There must be no more than four wagers in any betting round, for example, the initial wager plus three raises; and

(c) The maximum amount of a single wager must not exceed forty dollars; however, Class F and house-banked card game licensees may offer a single wager not to exceed three hundred dollars;

(2) **Games based on achieving a specific number of points** - Each point must not exceed five cents in value;

(3) **Ante** - No more than the maximum wager allowed for the first betting round for any game, except for Panguingue (Pan). The ante may, by house rule:

(a) Be made by one or more players, but the total ante may not exceed the maximum wager allowed for the first betting round; and

(b) Be used as part of a player's wager;

(4) **Panguingue (Pan)** - The maximum value of a chip must not exceed ten dollars. An ante must not exceed one chip. We prohibit doubling of conditions. Players going out may collect no more than two additional chips for going out from each participating player.

[Statutory Authority: RCW 9.46.070 and 9.46.0201. WSR 16-23-153, § 230-15-135, filed 11/22/16, effective 12/23/16; WSR 16-18-024, § 230-15-135, filed 8/26/16, effective 9/26/16. Statutory Authority: RCW 9.46.070 and 9.46.0282. WSR 12-21-048 (Order 680), § 230-15-135, filed 10/12/12, effective 1/1/13; WSR 09-21-013 (Order 658), § 230-15-135, filed 10/9/09, effective 11/9/09. Statutory Authority: RCW 9.46.070. WSR 09-09-056 (Order 642), § 230-15-135, filed 4/10/09, effective 7/1/09; WSR 07-21-116 (Order 617), § 230-15-135, filed 10/22/07, ef-

fective 1/1/08; WSR 07-09-033 (Order 608), § 230-15-135, filed 4/10/07, effective 1/1/08.]

WAC 230-15-200 Reporting card game activity—~~semiannually~~. Card game licensees, except for Class D, must submit an activity report for their card games to us.

(1) Licensees must complete the report in the format we require; and

(2) We must receive the completed report, or the report must be postmarked, no later than thirty days after the end of the reporting period; and

(3) The highest ranking executive officer or designee must sign the report. If someone other than the licensee or an employee prepares the report, the preparer must print his or her name and phone number on the report; and

(4) Prior to July 1, 2018, ~~l~~licensees must report activities for:

January 1 through June 30; and

July 1 through December 31; and

(5) Beginning July 1, 2018, reports required by this section must be submitted quarterly, as set forth in WAC 230-05-102; and

(6) Licensees must submit a report for any period of time their license was valid. If licensees do not renew, they must submit a report for the period between the previous ~~semiannual~~ report they filed and the date their license expired.

[Statutory Authority: RCW 9.46.070. WSR 07-09-033 (Order 608), § 230-15-200, filed 4/10/07, effective 1/1/08.]

CARD TOURNAMENTS

WAC 230-15-205 Card tournament licenses. ~~(1) Class A, B, E, F, or~~ house-banked, and nonhouse-banked card game licensees may conduct a card tournament where a fee or buy-in is charged without getting a card tournament license, but they must only operate those card games approved for their license typeclass.

~~(2) Class D licensees must obtain a card tournament license to charge a fee for a card tournament.~~

[Statutory Authority: RCW 9.46.070. WSR 08-21-087 (Order 633), § 230-15-205, filed 10/14/08, effective 1/1/09; WSR 07-09-033 (Order 608), § 230-15-205, filed 4/10/07, effective 1/1/08.]

Chapter 230-16 WAC

MANUFACTURER, DISTRIBUTOR, AND GAMBLING SERVICE SUPPLIER RULES

Last Update: 7/22/14

WAC

GENERAL RULES FOR MANUFACTURERS, DISTRIBUTORS, AND GAMBLING SERVICE SUPPLIERS

230-16-001 Manufacturers, distributors, and gambling service suppliers must ensure representatives are licensed.

230-16-005 Transporting, displaying, and selling gambling equipment at trade shows and conventions.

PUNCH-BOARD AND PULL-TAB REQUIREMENTS

230-16-010 Manufacturers, distributors, and gambling service suppliers must comply with punch-board and pull-tab rules.

230-16-015 Punch-board and pull-tab sales restrictions.

230-16-020 Sales to Indian tribes.

230-16-025 Punch-board construction.

230-16-030 Step up punch-board construction.

230-16-035 Pull-tab construction.

230-16-040 Winner protection and secondary verification codes.

230-16-045 Defective punch-boards, pull-tabs, or pull-tab dispensers.

230-16-050 Punch-board and pull-tab quality control program.

230-16-052 Standards for flares.

230-16-055 Bonus or step up flares.

230-16-060 Assembly and packaging of pull-tab series.

PROGRESSIVE JACKPOT PULL-TAB SERIES

230-16-065 Approvals needed before offering progressive jackpot pull-tab series.

230-16-070 Prizes in progressive jackpot pull-tab series.

230-16-075 Assembly and packaging of progressive pull-tab series.

EVENT PULL-TAB SERIES

230-16-080 Event pull-tab series.

BONUS PULL-TAB SERIES

230-16-085 Bonus pull-tab series with carry-over jackpots.

CARRY-OVER JACKPOTS

230-16-090 Secondary win codes for carry-over jackpots.

230-16-095 Prizes in carry-over jackpot pull-tab series.

SEAL CARD PULL-TAB SERIES

230-16-100 Seal card pull-tab series.

230-16-102 Cumulative prize pool pull-tab games.

230-16-104 Cumulative prize pool pull-tab series flare.

BINGO CARDS

230-16-105 Disposable bingo cards.

230-16-110 Duplicate bingo cards.

230-16-120 Bingo card manufacturing control system.

230-16-125 Disposable bingo card packing slip and package label.
230-16-130 Disposable bingo card sales.
230-16-135 "Player selection" bingo cards.
230-16-140 "Hidden face" bingo cards.
230-16-145 Electronically generated bingo card computer systems.
230-16-150 Control system for electronically generated bingo cards.

GAMBLING EQUIPMENT

230-16-151 Gambling equipment connecting to external tools for standard maintenance.

ELECTRONIC CARD FACSIMILES

230-16-155 Electronic card facsimiles.

I.D. STAMPS

230-16-160 I.D. stamps for gambling equipment.
230-16-165 Purchasing I.D. stamps.
230-16-170 I.D. stamps must be visible.
230-16-175 Placing I.D. stamps and records entry labels.
230-16-180 Record retention for I.D. stamp records.

RECORDKEEPING

230-16-185 Accounting records for manufacturers and distributors.
230-16-187 Accounting records for manufacturer's special sales permit holders.
230-16-190 Sales invoices for manufacturers and distributors.
230-16-195 Additional requirements for sales invoices.

230-16-200 Sales journals for manufacturers and distributors.

230-16-205 Record retention for manufacturers and distributors.

230-16-210 Alternative formats for recordkeeping.

230-16-215 Accounting records and record retention for gambling service suppliers.

230-16-220 Activity reports by manufacturers and distributors.

WAC 230-16-130 Disposable bingo card sales. (1) Manufacturers of disposable bingo cards must sell each set or collation as a single unit.

(2) We allow distributors to open containers for ~~Class E and below~~ licensed operators and operators of authorized unlicensed activities:

(a) At an operator's request to change the "on," "up," and "cut." When a modification is made, the distributor must reseal the carton and note all changes on the packing label; or

(b) To provide cards to individuals for recreational activities; or

(c) To provide cards for "promotional contests of chance."

(3) Subsets must have at least one container, except distributors may open the container and sell cards in smaller quantities described in subsection (2) of this section.

[Statutory Authority: RCW 9.46.070. WSR 07-19-069 (Order 615), § 230-16-130, filed 9/17/07, effective 1/1/08.]

WAC 230-16-220 Activity reports by manufacturers and distributors.

Manufacturers and distributors must submit activity reports to us twice a year for sales and services related to gambling activities. The activity reports must be in the format we require and must:

(1) Prior to July 1, 2018, ~~cover~~ cover the periods:

(a) January 1 through June 30; and

(b) July 1 through December 31; and

(2) Beginning July 1, 2018, reports required by this section must be submitted quarterly, as set forth in WAC 230-05-102; and

(3) Be received at our administrative office or postmarked no later than thirty days following the end of the reporting period; and

(34) Be signed by the licensee's highest ranking executive officer or a designee. If someone other than the manufacturer or distributor or its employee prepares the report, then it must provide the preparer's name and business telephone number; and

(45) Be submitted for any period of time their license was valid, even if they had no activity or did not renew.

[Statutory Authority: RCW 9.46.070. WSR 07-19-069 (Order 615), § 230-16-220, filed 9/17/07, effective 1/1/08.]

BRIEF ADJUDICATIVE PROCEEDINGS (BAPs)

WAC 230-17-150 ~~Use of b~~ Brief adjudicative proceedings (BAPs). (1)

~~Presiding officers must use brief adjudicative proceedings (BAPs) for~~

The commission adopts the procedure for brief adjudicative proceedings

provided in RCW 34.05.482 through 34.05.494. The commission finds

brief adjudicative proceedings will be conducted where the matter in-

volves one of the following:

(a) Stays of summary suspension; and

(b) Denying or revoking extended operating hours for:

(i) Card games; and

(ii) Bingo; and

(c) Charitable or nonprofit licensee appealing a denial of a request for waiver of significant progress requirements; and

(d) Failure to pay required gambling taxes, where that is the only alleged violation in the administrative charges; and

(e) Failure to pay quarterly license fees or submit quarterly license reports; and

(f) When the penalty we are requesting is a suspension of seven days or less; and

(f) When the parties stipulate to using a ~~BAP~~ brief adjudicative proceeding.

~~(2) If we conduct a BAP, we may conduct them telephonically and, therefore, the notice of hearing will not set a place of the hearing.~~

~~(3) Any party to the BAP may request to appear in person and, in those cases, a place will be set and all parties notified.~~

[Statutory Authority: RCW 9.46.070. WSR 07-21-156 (Order 615), § 230-17-150, filed 10/24/07, effective 1/1/08.]

NEW SECTION

WAC 230-17-151

Brief adjudicative proceedings – procedure.

(1) The following procedures apply to the commission's brief adjudicative proceedings for matters identified in WAC 230-17-150, unless the matter is converted to a formal adjudicative proceeding as provided in subsection (2) of this rule.

(a) We will set the date and time of the hearing.

(b) Written notice shall be served upon the licensee at least seven days before the date of the hearing. Service is to be made pursuant to WAC 230-17-035.

(c) A brief adjudicative proceeding may be conducted telephonically with the concurrence of the presiding officer and all persons involved in the proceeding.

(d) WAC 230-17-045 controls who can appear in a brief adjudicative proceeding.

(e) The presiding officer must be the director, deputy director or administrative law judge.

(f) Parties or their representatives may present written documentation oral testimony at a brief adjudicative proceeding. However, no non-party witnesses may appear to testify.

(g) The presiding officer may, in her or his discretion, allow oral argument from parties or their representatives during a brief adjudicative proceeding.

(h) The presiding officer will enter an initial order within ten business days of the end of a brief adjudicative proceeding. The initial order shall briefly state the basis and legal authority for the decision.

(i) An initial order will become the final order if no review of the initial order is received by us within twenty-one days of service of the initial order.

(2) Any party, including the agency, may file a written objection to resolution of a matter by a brief adjudicative proceeding and may request that it be converted to a formal adjudicative proceeding.

(a) The objection must be received by the presiding officer at least three days before the scheduled brief adjudicative proceeding.

(b) Upon receiving a timely written objection, the presiding officer shall determine whether the matter should be converted.

(c) A presiding officer may convert any brief adjudicative proceeding to a formal adjudicative proceeding whenever it appears that a brief adjudicative proceeding is insufficient to determine the issues pending before the commission.

(d) In determining whether to convert a proceeding, the presiding officer may consider the following factors:

(i) Whether witness testimony will aid the presiding or reviewing officer in resolving contested issues of fact;

(ii) Whether the legal or factual issues are sufficiently complex to warrant a formal adjudicative proceeding, including whether there are multiple issues of fact or law;

(iii) Whether a brief adjudicative proceeding will establish an adequate record for further agency or judicial review;

(iv) Whether the legal issues involved in the proceeding present questions of legal significance or are being raised for the first time before the commission;

(v) Whether conversion of the proceeding will cause unnecessary delay in resolving the issues;
and

(vi) Any other factors that the presiding or reviewing officer deems relevant in reaching a determination.

NEW SECTION

WAC 230-17-152

Brief adjudicative proceedings – appeal rights.

(1) Any party to a brief adjudicative proceeding may request review of the initial order by filing a written petition for review to us.

(2) We must receive your petition for review within twenty-one days after service of the initial order.

(3) Your petition for review must contain any evidence or written material relevant to the matter that the party wishes the reviewing officer to consider.

(4) Parties must serve copies of the petition to all other parties or their representatives at the time the petition for review is filed.

(5) The chair of the commission or the commissioners shall be the reviewing officer(s).

(6) The reviewing officer(s) consider your appeal and either uphold, modify or overturn the brief adjudicative proceeding order. The decision of the reviewing officer(s), also called an order, is the final agency decision. The order will be provided to you at the last address you furnished to the commission.

(7) The order on review must be in writing, must include a brief statement of the reasons for the decision, and must be entered within ten business days after the petition for review is considered. The order shall include a description of any further available administrative review or, if none is available, a notice that judicial review may be available.

WAC 230-17-155 Discovery limitations ~~in brief adjudicative proceedings~~. (1) In all brief adjudicative proceedings, discovery must be limited to requests for written reports and supporting documents relevant to the charges.

(2) Interrogatories and depositions are not allowed.

[Statutory Authority: RCW 9.46.070. WSR 07-21-156 (Order 615), § 230-17-155, filed 10/24/07, effective 1/1/08.]

Proposed Rule Changes -
Failure to pay license fee/submit licensing report and BAP and
Process for failure to pay/report

WAC 230-03-085 Denying, suspending, or revoking an application, license or permit. We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075; or

(2) Has been convicted of, or forfeited bond on a charge of, or pleaded guilty to a misdemeanor or felony crime involving physical harm to individuals. "Physical harm to individuals" includes any form of criminal assault, any crime involving a threat of physical harm against another person, or any crime involving an intention to inflict physical harm on another person; or

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level; or

(4) Has failed to pay gambling taxes to local taxing authorities and the local taxing authority has petitioned us to take action; or

(5) Has failed to pay quarterly license fees or submit quarterly license reports; or

(6) Is serving a period of probation or community supervision imposed as a sentence for any juvenile, misdemeanor, or felony criminal offense, whether or not the offense is covered under RCW 9.46.075(4); or

(67) Is the subject of an outstanding gross misdemeanor or felony arrest warrant; or

(78) Fails to provide us with any information required under commission rules within the time required, or, if the rule establishes no time limit, within thirty days after receiving a written request from us; or

(89) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by:

(a) Prior activities; or

(b) Criminal record; or

(c) Reputation; or

(d) Habits; or

(e) Associations; or

(~~9~~10) Knowingly provides or provided goods or services to an entity that illegally operates gambling activities.

[Statutory Authority: RCW 9.46.070. WSR 07-21-116 (Order 617), § 230-03-085, filed 10/22/07, effective 1/1/08; WSR 06-07-157 (Order 457), § 230-03-085, filed 3/22/06, effective 1/1/08.]