



## Concise Explanatory Statement

### Notice of Permanent Rule Changes Related to the Definition of “Qualified Sports Team”

This explanatory statement concerns the Washington State Gambling Commission’s amendments to:

- WAC 230-03-138 Defining “qualified sports team”

The Administrative Procedure Act ([RCW 34.05.325\(6\)](#)) requires agencies to complete a concise explanatory statement before filing amended rules with the Office of the Code Reviser. This statement must be sent to anyone who provided comments about the proposed rulemaking.

Once persons who gave comment during this rule-making process have had an opportunity to receive this document, the Washington State Gambling Commission will file the amended rules with the Office of the Code Reviser. These changes will become effective on October 23, 2023.

The Washington State Gambling Commission appreciates your involvement in the rule-making process. If you have any questions, please contact the WSGC Rules Coordinator at [rules.coordinator@wsgc.wa.gov](mailto:rules.coordinator@wsgc.wa.gov) or at (360) 486-3454.

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### What are the agency’s reasons for adopting these rules?

The Washington State Gambling Commission received a petition from a licensee proposing to amend the rule related to the definition of “qualified sports team.” The petitioner asked that the professional MLB-affiliated Minor League teams and Western Hockey League also be included in the definition so that these eight teams would be allowed to operate 50/50 electronic raffles. The Commission did not have any regulatory concerns about making this change.

### The Rule Development Process

The Commission received the petition on April 25, 2023 and presented it at the May 11-12, 2023 Commission meeting. Commissioners agreed to initiate rule making, and staff filed the CR-101 with the code reviser on May 19, 2023. An amended rule was presented at the July 20-21, 2023 Commission meeting, and Commissioners agreed to file the amended rule for further discussion. Staff filed the CR-102 with the amended rule on August 1, 2023. The rule-making hearing on the proposed rule was held at the regular Commission meeting on September 14, 2023 where the Commission opened the floor to public comment. As is its practice, the Commission also welcomed public comments via email and through a webform on the Commission’s website.

### If there are variances from the proposed rule and final adopted rule, state the reasons for the differences (RCW 34.05.325(6)(a)(ii)).

There are no variances from the proposed rules filed with the CR-102 and the final adopted rules.

## **Summary of all public comments received on this rule proposal and Commission response to the comments**

The petitioner was present at all Commission meetings when the topic was discussed. At the May and July 2023 Commission meetings, the petitioners and Commission staff responded to questions from Commissioners about which teams the revised definition of “qualified sports team” would be applicable. There were no other public comments in writing or orally provided in defense of or against the petition.