



# PROPOSED RULE MAKING

## CR-102 (July 2022) (Implements RCW 34.05.320) Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: November 20, 2023  
TIME: 10:50 AM

WSR 23-23-140

**Agency:** Washington State Gambling Commission

- Original Notice**
- Supplemental Notice to WSR** \_\_\_\_\_
- Continuance of WSR** \_\_\_\_\_

- Preproposal Statement of Inquiry was filed as WSR 23.19.094 ; or**
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or**
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**
- Proposal is exempt under RCW \_\_\_\_\_.**

**Title of rule and other identifying information:** (describe subject) WAC 230-03-155, Submitting a proposed plan of operations for charitable and nonprofit organizations.

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
January 11, 2024	09:30am	Washington State Gambling Commission 4565 7 <sup>th</sup> Avenue, SE Lacey, WA 98503	The meeting time and location are tentative. Visit our website at <a href="http://www.wsgc.wa.gov">www.wsgc.wa.gov</a> approximately seven days prior to the meeting and select "About Us" and then "Upcoming commission meetings" to confirm the hearing date, location, start time, and agenda items.

**Date of intended adoption:** January 11, 2024 (Note: This is **NOT** the **effective** date)

**Submit written comments to:**

Name: Lisa C. McLean  
 Address: PO Box 42400, Olympia, WA 98504-2400  
 Email: [rules.coordinator@wsgc.wa.gov](mailto:rules.coordinator@wsgc.wa.gov)  
 Fax:  
 Other: [www.wsgc.wa.gov](http://www.wsgc.wa.gov)  
 By (date) January 10, 2024, 5:00 pm

**Assistance for persons with disabilities:**

Contact Julie Anderson  
 Phone: 360-486-3453  
 Fax:  
 TTY: 360-486-3637  
 Email: [julie.anderson@wsgc.wa.gov](mailto:julie.anderson@wsgc.wa.gov)  
 Other: [www.wsgc.wa.gov](http://www.wsgc.wa.gov)  
 By (date) January 10, 2024, 5:00 pm

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The Commission has not received an application for large bingo operations in the last 20 years. Other rules already exist imposing additional reporting requirements on charitable and nonprofit organizations with gross gambling receipts of \$3 million dollars or more. The additional rules cover the potential for an application from a large bingo operation.

**Reasons supporting proposal:** The rule is redundant and can be repeal without any impact on the Commission's ability to oversee and regulate the operation of a large bingo program.

**Statutory authority for adoption:** RCW 9.46.070

**Statute being implemented:** RCW 9.46.070

**Is rule necessary because of a:**

- Federal Law?  Yes  No
- Federal Court Decision?  Yes  No
- State Court Decision?  Yes  No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

**Type of proponent:**  Private  Public  Governmental

**Name of proponent:** (person or organization) Washington State Gambling Commission

Name of agency personnel responsible for:			
	Name	Office Location	Phone
Drafting: Policy Manager	Lisa McLean, Legislative &	4565 7 <sup>th</sup> Ave SE, Lacey, WA 98503	360-486-3454
Implementation:	Tina Griffin, Director	4565 7 <sup>th</sup> Ave SE, Lacey, WA 98503	360-486-3546
Enforcement: Director	Gary Drumheller, Deputy	4565 7 <sup>th</sup> Ave SE, Lacey, WA 98503	509-325-7904

**Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?**  Yes  No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

**Is a cost-benefit analysis required under [RCW 34.05.328](#)?**

Yes: A preliminary cost-benefit analysis may be obtained by contacting:  
Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

No: Please explain: A cost-benefit analysis is not required per RCW 34.05.328(5)(b)(ii).

**Regulatory Fairness Act and Small Business Economic Impact Statement**  
 Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

**(1) Identification of exemptions:**  
 This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.  
 Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570](#)(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(3). Check all that apply:

<input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(b) (Internal government operations)	<input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(e) (Dictated by statute)
<input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(c) (Incorporation by reference)	<input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(f) (Set or adjust fees)
<input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(d) (Correct or clarify language)	<input checked="" type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(4) (does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW \_\_\_\_\_.

Explanation of how the above exemption(s) applies to the proposed rule:

**(2) Scope of exemptions:** *Check one.*

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

**(3) Small business economic impact statement:** *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. \_\_\_\_\_
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

**Date:** November 20, 2023

**Name:** Lisa C. McLean

**Title:** Legislative & Policy Manager

**Signature:**



REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 230-03-155      Submitting a proposed plan of  
operations for charitable and nonprofit  
organizations.