



Staff Proposed Rule Making
 New Rule WAC 230-06-068 – Problem Gambling Signage

MAY 2024 – Final Action
March 2024 – Discussion and Possible Filing
April 2023 – Initiate Rule Making

Tab 05: MAY 2024 Commission Meeting Agenda. Statutory Authority 9.46.070

Who Proposed the Rule Change?

Washington State Gambling Commission

Background

At the April 2023 Commission meeting, Commissioners initiated rule making on problem gambling signage other. After reviewing the rules of 18 states and two Canadian provinces, staff prepared the attached rule language that, if adopted, would become part of the Commission’s rule chapter that applies to all licensees.

This rulemaking aims to address problem gambling by:

- Requiring licensees to display problem gambling signage at all public entrances and exits to the gambling area of the business; in or near the gambling area(s); and in any areas where cash or electronic transfers of funds are available to patrons within the designated gambling area.
- Requiring all advertising materials to contain a responsible gambling message.
- Requiring all advertising, marketing, or promotional materials to include a clear “opt-out” method that would allow patrons to unsubscribe from future advertising, marketing, or promotional communications.

In January and February 2024, staff sought feedback on the proposed rule language from:

- Roxane Waldron, Program Manager of the state’s Problem Gambling program within the Health Care Authority,
- Maureen Greeley, Director of the Evergreen Council on Problem Gambling, and
- All licensees, except sport wagering vendors and individuals.

To ensure our tribal partners are informed of agency rule making, we will be providing new rule notices and information on feedback sessions for all rules being considered by the Commission.

Attachment:

- WAC 230-06-068
- February 29, 2024, email from Gideon Cauffman, Vice-Chair of the Jamestown S’Klallam Tribal Gaming Commission

Policy Considerations

As the Commission considers staff-proposed language for a new rule on problem gambling signage, Commissioners may want to keep in mind the provisions already contained in statute:

- RCW 9.46.071(b): The Washington state gambling commission, the Washington horse racing commission, and the state lottery commission shall jointly develop problem gambling and

gambling disorder informational signs, which include a toll-free hotline number for individuals with a gambling problem or gambling disorder. The signs shall be placed in the establishments of gambling licensees, horse racing licensees, and lottery retailers.

- RCW 9.46.072: An entity licensed under RCW 9.46.070(1) which conducts or allows its premises to be used for conducting bingo on more than three occasions per week shall include the following statement in any advertising or promotion of gambling activity conducted by the licensee: “CAUTION: Participation in gambling activity may result in pathological gambling behavior causing emotional and financial harm. For help, call 1-800-547-6133.” For purposes of this section, “advertising” includes print media, point-of-sale advertising, electronic media, billboards, and radio advertising.

Staff Recommendation

Staff recommends that the Commission take final action on WAC 230-06-068 after holding a public hearing with an effective date of 31 days after filing with the Office of the Code Reviser.

NEW SECTION

WAC 230-06-068 Problem gambling signage and posting requirements. (1) The commission will provide licensees with problem gambling, gambling disorder, and responsible gambling informational signs, which include a responsible gambling message and a toll-free helpline number for problem gambling and gambling disorders. The signs must be conspicuously posted: At all public entrances and exits to the gambling area of the business; in or near the gambling area(s); and in any areas where cash or electronic transfers of funds are available to patrons within the designated gambling area.

(2) All advertising materials must contain a responsible gambling message.

(a) Advertising is any notice or communication to the public of any information concerning the gambling-related business of the licensee through broadcasting, publication, or any other means of dissemination.

(b) For bingo licensees conducting bingo on more than three occasions per week, advertisements must follow RCW 9.46.072.

(c) The responsible gambling message must include, at a minimum, the statement "play responsibly" or similar language and the toll-free telephone helpline number for problem gambling and gambling disorders. Provided, an alternative to the responsible gambling message would be to contain the words "If you or someone you know has been harmed by gambling and wants help, call 1-800-GAMBLER."

(3) All direct advertising, marketing, or promotional materials must include a clear and conspicuous method allowing patrons to unsubscribe from future advertising, marketing, or promotional communications.

(4) This rule does not apply to major, mid-level, or ancillary sports wagering vendors.

From: [Gideon Cauffman](#)
To: [Rules Coordinator \(GMB\)](#)
Subject: Public signage for problem gambling
Date: Thursday, February 29, 2024 11:14:09 AM

External Email

Greetings,

I support the rule change for problem gambling signage. It would be helpful for the entire community of Washington.

Kind Regards,

Gideon Cauffman
Vice-Chair
Jamestown S'Klallam Tribal Gaming Commission

Sent from my iPhone