



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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FILED

DATE: September 16, 2020

TIME: 11:06 AM

WSR 20-19-084

Agency: Washington State Gambling Commission

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 19-19-081 ; 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 230-06-035- Credit, loans, or gifts prohibited; WAC 230-14-047- Standards for electronic video pull-tab dispensers.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
October 15, 2020 November 17, 2020	9:00am 9:00am	Washington State Gambling Commission 4564 7 th Ave SE Lacey, WA 98503	Public hearings will take place at scheduled Commission meetings. The meeting dates, times, and locations are tentative. Visit our website at www.wsgc.wa.gov approximately seven days prior to the meeting, select "The Commission", and then select "Public Meetings", to confirm hearing date, location, start time, and agenda items.

Date of intended adoption: November 17, 2020 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Ashlie Laydon
Address: PO Box 42400, Olympia, WA 98504-2400
Email: rules.coordinator@wsgc.wa.gov
Fax: (360) 486-3632
Other:
By (date) November 5, 2020

Assistance for persons with disabilities:

Contact Julie Anderson
Phone: (360) 486-3453
Fax:
TTY: (360) 486-3637
Email: julie.anderson@wsgc.wa.gov
Other:
By (date) November 5, 2020

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The Gambling Commission is considering amending its payment method rules to accept credit cards as a payment method option for card games, pull-tabs, and bingo.

Reasons supporting proposal: Under the current rules, the following payment methods are accepted for the participation of gambling activities: cash, check, gift certificate, gift card, and electronic point-of-sale transfer. The agency received a petition asking that commercial pull-tab operators be allowed to accept credit cards. The petition was accepted but with the purpose to take a broader review at allowing credit cards to be used for all gambling activities where it is not currently allowed. The proposed changes will allow operators the option to accept credit cards as a method of payment for card games, pull-tabs, and bingo (raffles already allow the use of credit cards). Amusement games are excluded at this time because they were not contemplated at the time the petition was accepted and staff has not had the opportunity to explore how credit cards could be used for amusement games while continuing to ensure they operate as intended by the legislature and how the use of credit cards for amusement games may impact minors who play these games.

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: Businesses have the option to accept credit cards as a method of payment.

Name of proponent: (person or organization) Steven Berven Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Brian Considine, Attorney	4565 7 th Ave SE, Lacey, WA 98503	(360) 486-3469
Implementation:	David Trujillo, Director	4565 7 th Ave SE, Lacey, WA 98503	(360) 486-3512
Enforcement:	Tina Griffin, Assistant Director	4565 7 th Ave SE, Lacey, WA 98503	(360) 486-3546

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)(a)(i).

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). 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"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (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 _____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If 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 analysis showing how costs were calculated. The proposed rule change was requested by a licensee to help his business and the proposed rules look to put into effect the licensee's request. Additionally, the proposed rule amendments allow, but do not require, businesses to accept credit cards as a method of payment for card games, pull-tabs, and bingo. Therefore, a licensee does not need to incur any costs under these proposed rules unless it determines accepting credit cards is in its best business interests. Then, the implementation of this option may impose some minor costs upfront to businesses if they choose to accept credit cards, such as making changes to their point-of-sale system and/or credit card transaction fees. However, if a business chooses to implement this change, the Commission expects the change would result in positive net revenue or the business would not decide to accept credit cards, which is still an option. Therefore, it is unlikely to have a net cost to businesses that choose to implement this change.

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert 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: September 11, 2020	Signature: 
Name: Ashlie Laydon	
Title: Rules Coordinator	