



# PROPOSED RULE MAKING

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

Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: September 01, 2021

TIME: 10:42 AM

WSR 21-18-123

**Agency:** Washington State Gambling Commission

**Original Notice**

**Supplemental Notice to WSR** \_\_\_\_\_

**Continuance of WSR** \_\_\_\_\_

**Preproposal Statement of Inquiry was filed as WSR** 20-07-117 ; 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) **AMEND:** WAC 230-03-155- Submitting a proposed plan of operations for charitable and nonprofit organizations; WAC 230-03-200- Defining "gambling equipment."; WAC 230-03-235- Applying for charitable or nonprofit gambling manager license; WAC 230-05-112- Defining "gross gambling receipts."; WAC 230-05-160- Charitable or nonprofit organization fees; WAC 230-06-045- Conduct gambling activities on licensed business premises only; WAC 230-06-050- Review of electronic or mechanical gambling equipment; WAC 230-07-090- Keeping and depositing all gambling funds separate from other funds; WAC 230-07-125- Recordkeeping requirements for lower volume charitable or nonprofit organizations; WAC 230-07-145- Reporting annual progress; WAC 230-07-150- Financial statements required for Groups III, IV, V, and electronic raffle licensees; WAC 230-11-002- The definition of raffle as used in this chapter.

**NEW:** WAC 230-03-138- Defining "qualified sports team."; WAC 230-03-153- Applying to operate electronic raffles; WAC 230-03-154- Additional information required with electronic raffle application; WAC 230-11-300- Definitions; WAC 230-11-305- Electronic raffle system standards; WAC 230-11-310- Electronic raffle system requirements; WAC 230-11-315- Access to home game authorized locations for electronic raffles; WAC 230-11-320- Electronic raffle operating requirements; WAC 230-11-325- Internal controls for electronic raffles; WAC 230-11-330- Supervision of electronic raffles; WAC 230-11-335- Wearing nametags; WAC 230-11-340- Provide rules to electronic raffle participants; WAC 230-11-345- Electronic raffle prize payout requirements; WAC 230-11-350- Raffle drawing postponement; WAC 230-11-355- Joint raffles prohibited; WAC 230-11-360- Raffle ticket requirements; WAC 230-11-365- Raffle ticket receipt requirements; WAC 230-11-370- Authorized ticket sellers; WAC 230-11-375- Restrictions on ticket sellers; WAC 230-11-380- Selling tickets at a discount; WAC 230-11-385- Recordkeeping requirements for electronic raffles; WAC 230-11-390- Electronic raffle – Monthly records; WAC 230-11-395- Keeping and making records available; WAC 230-16-153- Remote access of electronic raffle systems.

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
October 14, 2021	9:00am	Washington State Gambling Commission 4565 7 <sup>th</sup> Ave SE Lacey, WA 98503	The meeting time and location is tentative. Visit our website at <a href="http://www.wsgc.wa.gov">www.wsgc.wa.gov</a> approximately seven days prior to the meeting, select "The Commission" and then select "Public Meetings" to confirm the hearing date, location, start time, and agenda items.

**Date of intended adoption:** October 14, 2021 (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](mailto:rules.coordinator@wsgc.wa.gov)  
Fax:  
Other: [www.wsgc.wa.gov](http://www.wsgc.wa.gov)  
By (date) October 1, 2021

**Assistance for persons with disabilities:**

Contact Julie Anderson  
Phone: (360) 486-3453  
Fax:

TTY: (360) 486-3637

Email: Julie.anderson@wsgc.wa.gov

Other: www.wsgc.wa.gov

By (date) October 1, 2021

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The proposed rules would allow bona fide charitable or nonprofit organizations affiliated with qualified professional sports teams in Washington state to obtain a license to conduct raffles at home game sporting events in Washington state using electronic systems. The proposed rules define electronic raffles and other necessary terms; outline requirements for licensees operating electronic raffles, electronic raffle systems operations, electronic raffle systems security requirements, and recordkeeping requirements; and establish licensing and fee structures for this new activity.

**Reasons supporting proposal:** The Gambling Commission received and accepted a rulemaking petition submitted by NHL Seattle, Seattle Mariners, Seattle Seahawks, and Seattle Sounders to amend existing rules and adopt new rules to allow for the sale of raffle tickets at professional sports games and matches using electronic systems in compliance with current state statutes.

**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:**

**Name of proponent:** (person or organization) NHL Seattle (Kraken), Seattle Mariners, Seattle Seahawks, Seattle Sounders  Private  Public  Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Adam Teal, LLM	4565 7 <sup>th</sup> Ave SE, Lacey, WA 98503	(360) 486-3475
Implementation:	Tina Griffin, Interim Director	4565 7 <sup>th</sup> Ave SE, Lacey, WA 98503	(360) 486-3546
Enforcement: Director	Gary Drumheller, Assistant	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)(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)<br>(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)<br>(Dictated by statute)   |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)<br>(Incorporation by reference)     | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(f)<br>(Set or adjust fees)   |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)<br>(Correct or clarify language)    | <input type="checkbox"/> RCW 34.05.310 (4)(g)<br>((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 changes were requested by NHL Seattle, Seattle Mariners, Seattle Seahawks, and Seattle Sounders to allow for the sale of raffle tickets at professional sports games and matches using electronic systems in compliance with current state statutes. Under the proposed rule changes, bona fide charitable or nonprofit organizations affiliated with qualified professional sports teams in Washington state may, but are not required to, obtain a license to sell electronic raffle tickets at home game sporting events in order to provide an easier way for fans to contribute to charities and to maximize charitable contributions. Affiliated bona fide charitable or nonprofit organizations who implement this option may incur the following costs: acquiring, maintaining, and securing the electronic raffle system, costs associated with printing tickets and receipts, and recordkeeping. The proposed rules would allow for licensees to deduct actual, documented expenses up to \$2,000 per electronic raffle which would help offset the costs incurred of conducting an electronic raffle if they choose to do so.

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:** August 30, 2021

**Name:** Ashlie Laydon

**Title:** Rules Coordinator

**Signature:**

