



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: October 19, 2021

TIME: 3:21 PM

WSR 21-21-093

Agency: Washington State Gambling Commission

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 20-15-154 and 20-01-117 ; 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) WAC 230-03-210- Applying for a gambling service supplier license.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
December 7, 2021	9:00 am	Washington State Gambling Commission 4565 7 th Ave SE, Lacey, WA 98503	The meeting time and location will be posted approximately one week prior to the meeting on our website at www.wsgc.wa.gov . Select "The Commission" and then select "Public Meetings" to confirm the hearing date, location, start time, and agenda items.

Date of intended adoption: December 7, 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

Fax:

Other: www.wsgc.wa.gov

By (date) November 29, 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) November 29, 2021

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The Gambling Commission is considering amending its rules to include performing the testing and certification of sports wagering systems and gambling equipment as required by Title 230 WAC as a service requiring a gambling service supplier license.

Reasons supporting proposal: The Gambling Commission recently adopted rules to address licensing and regulation, and licensing fees consistent with the Gambling Act and recently negotiated tribal-state sports wagering compact amendments. As part of these compact amendments, sports wagering systems need to be tested and certified by an independent testing lab to ensure they meet or exceed GLI-33 standards and provisions outlined in Compact and Appendices. Independent testing labs must be licensed by both the Tribe(s) and the Gambling Commission. Independent testing labs are currently licensed by the Gambling Commission through a gambling service supplier license to provide testing and certification of tribal lottery systems, however, this rule must be amended to also include sports wagering systems as a service requiring licensure.

The Gambling Commission took final action on rules requiring an independent testing lab, licensed by the Gambling Commission, to perform testing and certification of electronic raffle systems to ensure the system meets or exceeds GLI-31 and complies with Washington gambling laws and rules before the electronic raffle system will be authorized to be brought into this state. Therefore, the gambling service supplier rule needs to be amended to include performing the testing and certification of gambling equipment as required by rule as a service requiring licensure.

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) Washington State Gambling Commission Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Adam Teal, LLM	4565 7 th Ave SE, Lacey, WA 98503	(360) 486-3475
Implementation:	Tina Griffin, Interim Director	4565 7 th Ave SE, Lacey, WA 98503	(360) 486-3546
Enforcement: Director	Gary Drumheller, Assistant	4565 7 th 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)
(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 checked="" 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. _____

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: October 15, 2021

Name: Ashlie Laydon

Title: Rules Coordinator

Signature:

