



# 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: 3:24 PM

WSR 21-21-094

**Agency:** Washington State Gambling Commission

Original Notice

Supplemental Notice to WSR 21-13-165

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

Preproposal Statement of Inquiry was filed as WSR 20-15-154 ; 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) **NEW:** WAC 230-19-005- Sports wagering definitions; WAC 230-19-010- Sports wagering vendors must ensure sports wagering vendor representatives are licensed; WAC 230-19-015- Accounting records for sports wagering vendors; WAC 230-19-020- Sales records for sports wagering vendors; WAC 230-19-025- Sports wagering integrity; WAC 230-19-030- Integrity monitoring provider requirements; WAC 230-19-035- Sports wagering system requirements; WAC 230-19-040- Geofence and geolocation requirements; WAC 230-19-045- Records retention for sports wagering vendors.

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
December 7, 2021	9:00 am	Washington State Gambling Commission 4565 7 <sup>th</sup> Ave SE Lacey, WA 98503	The meeting time and location will be posted approximately one week prior to the meeting on our website at <a href="http://www.wsgc.wa.gov">www.wsgc.wa.gov</a> . 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](mailto:rules.coordinator@wsgc.wa.gov)  
Fax:  
Other: [www.wsgc.wa.gov](http://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](mailto:julie.anderson@wsgc.wa.gov)  
Other: [www.wsgc.wa.gov](http://www.wsgc.wa.gov)  
By (date) November 29, 2021

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** On March 25, 2020, Governor Jay Inslee signed House Bill 2638 authorizing sports wagering for Class III tribal facilities under terms negotiated in tribal-state compacts, and adding or amending several sections of the Gambling Act giving the Gambling Commission the authority to adopt and/or amend rules needed for the state's regulation of sports wagering. The proposed rules create a regulatory framework for sports wagering consistent with the Gambling Act and tribal-state compact amendments.

Draft language was initially filed under WSR 21-13-165. Changes from the initial language include: revision of definitions and removal of language that is addressed in tribal-state compact, such as information sharing, sports wagering system requirements, and sports wagering accounts.

**Reasons supporting proposal:** The proposed rules are designed to work in combination with each Tribal Gaming Agency's regulatory authority to determine suitability for continued licensure of sports wagering vendors and bridge gaps in areas where tribal-state compact amendments don't outline specific sports wagering vendor requirements, areas where more detail is necessary for enforcement, and areas where non-tribal sports wagering vendor-related activities may require information sharing.

**Statutory authority for adoption:** RCW 9.46.0364; RCW 9.46.0368; RCW 9.46.037; RCW 9.46.038; RCW 9.46.210

**Statute being implemented:** RCW 9.46.0364; RCW 9.46.0368; RCW 9.46.037; RCW 9.46.038; RCW 9.46.070; RCW 9.46.190; RCW 9.46.240

**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 <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 checked="" 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 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 checked="" 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 rules are necessary for the effective regulation of sports wagering consistent with the Gambling Act and tribal-state compact amendments. Recordkeeping requirements are required to determine suitability of continued licensure of sports wagering vendors and are common business practices and therefore unlikely to impose any additional 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 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:**

