



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: December 22, 2021

TIME: 8:16 AM

WSR 22-01-213

Agency: Washington State Gambling Commission

Original Notice

Supplemental Notice to WSR 21-13-165 & 21-21-094

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) WAC 230-19-001- Purpose; 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- Integrity monitoring provider requirements; WAC 230-19-030- Sports wagering system requirements; WAC 230-19-035- Geofence and geolocation requirements; WAC 230-19-040- Records retention for sports wagering vendors.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
February 10, 2022	9:00am	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: February 10, 2022 (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) February 2, 2022

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) February 2, 2022

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 and again under WSR 21-21-094. Changes to this draft include the addition of WAC 230-19-001- Purpose, amending the definition of "unusual wagering activity," removal of "sports wagering

integrity” rule, clarification of integrity monitoring provider requirements, amending sports wagering system requirements, and amending of geofence and geolocation requirements.

Reasons supporting proposal: The proposed changes are to clarify the Gambling Commission’s intent that chapter 230-19 WAC is consistent with tribal-state sports wagering compact amendments.

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 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 checked="" 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. 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: December 17, 2021

Name: Ashlie Laydon

Title: Rules Coordinator

Signature:

