



# 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: March 15, 2021

TIME: 1:50 PM

WSR 21-07-062

Agency: Washington State Gambling Commission

Original Notice

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

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

Preproposal Statement of Inquiry was filed as WSR 20-15-158 ; 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 230-15-030- Authorized nonhouse-banked card games; WAC 230-15-035- Authorizing new games or changing game rules; WAC 230-15-040- Requirements for authorized card games; WAC 230-15-055- Limit on number of players at each table; WAC 230-15-060- Posting rules for play; WAC 230-15-065- Enforcement of card game rules of play; WAC 230-15-140- Wagering limits for house-banked card games; WAC 230-15-141- Additional merchandise of cash prizes for card games; WAC 230-15-455- Keeping funds to pay prizes, progressive jackpot prizes, and odds-based wager prizes; WAC 230-15-490- Limiting pay outs for odds-based wagers, WAC 230-15-491- Limiting payouts to dealers for tip or "toke" wagers for odds-based payouts; WAC 230-15-680- Operating progressive jackpot prizes; WAC 230-15-685- Restrictions on progressive jackpots; WAC 230-15-695- Adjusting progressive jackpot amounts; WAC 230-15-700- Merchandise prizes for progressive jackpots; WAC 230-15-710- Permanently removing a progressive jackpot or a portion of a progressive jackpot from play; WAC 230-15-715- Tax authorities seizing all, or a portion, of a progressive jackpot; WAC 230-15-720- Deposit and reconciliation requirements for progressive jackpot prizes.

REPEAL: WAC 230-15-105- Only authorized cards or chips may be used; WAC 230-15-705- Temporarily removing a progressive jackpot from play.

ADOPT: WAC 230-15-671- Jackpot prizes.

### Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
May 13, 2021	9:00 am	Washington State Gambling Commission 4565 7 <sup>th</sup> 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 <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: May 13, 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: (360) 486-3632  
Other:  
By (date) May 3, 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:

By (date) May 3, 2021

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The Gambling Commission is considering amending current, and adopting new, house-banked card game rules to address and clarify the offering of jackpot prizes with approved house-banked card games, authorizing new card games, authorizing changes to existing card games, requirements for card games, wagering, adding merchandise and cash to card games, minimum cash on hand requirements, paying out prizes for card games, and maintaining funds to pay prizes.

**Reasons supporting proposal:** Current rules generally allow house-banked card rooms to offer and operate jackpot prizes; however, rules need to be adopted and/or current rules amended to define "jackpot" prizes and outline procedures for operation of these jackpots and current card game procedures.

**Statutory authority for adoption:** RCW 9.46.070

**Statute being implemented:** RCW 9.46.070

**Is rule necessary because of a:**

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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:	Brian Considine, LLM	4565 7 <sup>th</sup> Ave SE, Lacey, WA 98503	(360) 486-3469
Implementation:	David Trujillo, Director	4565 7 <sup>th</sup> Ave SE, Lacey, WA 98503	(360) 486-3512
Enforcement:	Tina Griffin, Assistant Director	4565 7 <sup>th</sup> 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:

RCW 34.05.310 (4)(b)  
(Internal government operations)

RCW 34.05.310 (4)(e)  
(Dictated by statute)

RCW 34.05.310 (4)(c)  
(Incorporation by reference)

RCW 34.05.310 (4)(f)  
(Set or adjust fees)

RCW 34.05.310 (4)(d)  
(Correct or clarify language)

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. None of the proposed changes are new requirements nor do they impose new or additional costs to licensees. These changes define terms used in rule and outline and/or clarify operational requirements.

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: March 15, 2021

Name: Ashlie Laydon

Title: Rules Coordinator

Signature:

