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HOUSE BILL 1114

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State of Washington

64th Legislature

2015 Regular Session

By Representative Appleton

Prefiled 01/09/15.

1 AN ACT Relating to authorizing and regulating internet poker;  
2 amending RCW 9.46.0265, 9.46.228, 9.46.072, 9.46.010, and 9.46.070;  
3 adding new sections to chapter 9.46 RCW; creating a new section; and  
4 prescribing penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that the  
7 internet is an integral tool in the everyday lives of Washingtonians.  
8 Commerce, communication, and entertainment are just some of the areas  
9 in which this technological aid thrives.

10 (2) Poker has long been an authorized activity in Washington  
11 state, and with the internet as a technological aid, poker can be  
12 conducted in a virtual environment and played from the privacy of  
13 one's own computer or mobile device. Despite a lack of regulation due  
14 to prohibition, playing poker over the internet remains popular with  
15 Washington state players.

16 (3) To better protect the people of Washington from potential  
17 danger from, and to maintain oversight of the systems used to carry  
18 out internet poker, the legislature finds it to be in the interest of  
19 the people to establish a regulatory framework by which entities, as  
20 authorized by the Washington state gambling commission or a tribal

1 regulator, may offer poker games to players within Washington state  
2 over the internet.

3 (4) Where feasible, the governor may enter into multistate  
4 agreements allowing for shared player liquidity across common  
5 platforms.

6 NEW SECTION. **Sec. 2.** (1) The legislature hereby authorizes the  
7 conducting and playing of internet poker games for money, on any  
8 internet capable consumer device, and where those games are conducted  
9 pursuant to the provisions of this chapter, and any rules and  
10 regulations adopted by the commission.

11 (2) To implement a system of internet poker and assure that  
12 rigorous standards are met, the commission must establish a two-  
13 tiered licensing regime, creating licensees to operate an internet  
14 card room and to operate an internet poker network.

15 (3) The commission must:

16 (a) Develop rules governing individuals seeking to open an  
17 internet poker account or participate as a player in internet poker  
18 games offered by authorized internet card rooms, to determine  
19 suitability to play. Where conflicts of interest may arise,  
20 individuals may be denied participation pursuant to those rules. All  
21 persons creating an internet poker account must be eighteen years of  
22 age or older. Players may create an account from any location, but  
23 must be physically located within the borders of the state of  
24 Washington at the time of play;

25 (b) Develop protocols related to the resolution of disputes  
26 arising between players, networks, or operators. All parties must  
27 agree to settle disputes arising from internet poker under the  
28 jurisdiction of the superior court of Thurston county;

29 (c) Establish a code of conduct governing commission employees  
30 that ensures, to the maximum extent possible, that persons subject to  
31 this chapter avoid situations, relationships, or associations that  
32 may represent or lead to an actual or perceived conflict of interest;

33 (d) Provide for the establishment and collection of all license  
34 and certification fees and taxes imposed by this chapter. All fees  
35 and taxes must be deposited into the gambling revolving fund under  
36 RCW 9.46.100;

37 (e) Develop and enforce requirements for responsible gaming and  
38 player protection, including but not limited to privacy and

1 confidentiality standards and duties, and develop a program for  
2 recognizing and addressing behavior associated with problem gambling;

3 (f) Develop requirements for conducting transactions between  
4 players and internet poker rooms;

5 (g) Take enforcement action against those operating illegal  
6 internet gambling businesses within the state of Washington, and  
7 those who continue to offer illegal internet gambling to people in  
8 the state of Washington;

9 (h) Develop and administer civil penalties for those who violate  
10 this chapter or the rules adopted by the commission.

11 (4) The commission may develop rules to assure that qualified  
12 internet card room operators have access to internet poker networks  
13 and to prevent anticompetitive exclusions.

14 NEW SECTION. **Sec. 3.** (1) The commission may issue a license to  
15 operate an internet poker network, to firms, partnerships, or  
16 corporations registered to do business in Washington state, and that  
17 have:

18 (a) Submitted to testing, auditing, and recordkeeping provisions  
19 established by the commission, and satisfy the requirements thereof,  
20 as well as comply with all state and federal requirements;

21 (b) Demonstrated one or more mechanisms to reasonably verify that  
22 all persons accessing the game system are registered and age-verified  
23 users, and who can access games only from within the state of  
24 Washington, or within another state where they are licensed and with  
25 which Washington state has agreed to share player liquidity;

26 (c) Demonstrated systems designed to detect and prevent the  
27 unauthorized use of internet poker accounts, and to detect and  
28 prevent fraud, money laundering, and collusion;

29 (d) Demonstrated systems designed to detect behaviors associated  
30 with problem gambling, and provide a program to address problem  
31 gambling, according to the provisions of this chapter;

32 (e) Complied with all provisions of this chapter, and any and all  
33 rules adopted by the commission pursuant to this act.

34 (2) Any person, firm, partnership, or corporation licensed to  
35 operate an internet poker network is authorized to:

36 (a) Provide business-to-business services to those authorized  
37 tribes and licensees to facilitate the play of internet poker games  
38 within the borders of Washington state, including managing player

1 accounts, facilitating payment to and from those accounts, and  
2 providing software platforms;

3 (b) Serve multiple customers within a network, and allow those  
4 customers to share player liquidity where desired, and provide  
5 customer specific games and tables.

6 (3) The commission must have access to equipment and systems to  
7 carry out oversight duties. Internet poker network operators may use  
8 a single national data center, so long as reporting servers from  
9 which regulators may access and receive information necessary to  
10 carry out that oversight are located within the state of Washington.

11 (4) The commission must institute significant fees to operate an  
12 internet poker network, with the intent to capture nine percent of  
13 the total gross revenue generated from internet poker. Five percent  
14 of the fees must be directed toward combating problem gambling.

15 (5) The commission must establish a time frame for implementation  
16 that provides regulators time to establish and adopt their rules,  
17 provide for testing of applicants' systems, and to allow all  
18 operators meeting the standards set forth the opportunity to launch  
19 their services on the same date.

20 NEW SECTION. **Sec. 4.** (1) The commission may issue a license to  
21 operate an internet poker room, to firms, partnerships, or  
22 corporations, registered to do business in Washington state, and  
23 that:

24 (a) Currently offer poker games on their premises, and who are  
25 duly licensed to do so, that license having been in good standing for  
26 two years prior to application;

27 (b) Have submitted to testing, auditing, and recordkeeping  
28 provisions established by the commission, and satisfy the  
29 requirements thereof, as well as comply with all state and federal  
30 requirements;

31 (c) Have contracted for services from a licensed internet poker  
32 network operator;

33 (d) Is bonded to cover total of all funds held in player  
34 accounts, or in the amount of one million dollars, whichever is  
35 higher. Player funds must be available for withdrawal upon demand in  
36 person, or within three business days by other transmission;

37 (e) Complies with all provisions of this chapter, and any and all  
38 rules adopted by the commission pursuant to this act.

1 (2) Any person, firm, partnership, or corporation licensed to  
2 operate an internet poker room is authorized to:

3 (a) Register and maintain player accounts, and process deposits  
4 to and withdrawals from those accounts;

5 (b) Conduct internet poker games over a licensed internet poker  
6 network in compliance with the provisions of this chapter and all  
7 rules adopted by the commission.

8 (3) An internet poker license is valid for a period of one year  
9 after the date of issuance and may be renewable based on a  
10 determination by the commission that the licensee continues to meet  
11 all the requirements of this chapter and rules adopted by the  
12 commission.

13 (4) An internet poker license is nontransferrable.

14 (5) No person or entity with an ownership interest in any entity  
15 licensed to operate an internet poker network may hold any interest  
16 in a tribe or licensed card room offering internet poker.

17 (6) Any person, association, corporation, partnership, or entity  
18 authorized under this chapter to offer internet poker games is wholly  
19 responsible for all funds held in player accounts for the purpose of  
20 said players' participation in internet poker games.

21 NEW SECTION. **Sec. 5.** The commission must establish regulations  
22 covering ancillary services to internet poker rooms and internet  
23 poker networks, where those services are directly related to gambling  
24 activity, and may approve those deemed suitable to offer such  
25 services pursuant to those rules.

26 NEW SECTION. **Sec. 6.** "Internet poker," as used in this chapter,  
27 means the game of poker played over the internet, in which players  
28 compete only against other players, on a common platform, and where  
29 only the players have a stake in the outcomes of games.

30 NEW SECTION. **Sec. 7.** "Internet poker network," as used in this  
31 chapter, means a system by which an operator may serve multiple,  
32 interconnected internet poker rooms, commonly referred to as skins,  
33 using common software and systems to conduct and manage games for a  
34 variety of authorized operators within a shared player pool.

35 NEW SECTION. **Sec. 8.** "Internet poker room," as used in this  
36 chapter, means a group of players participating in internet poker

1 games via a unique brand operated by an authorized entity, within an  
2 internet poker network.

3 **Sec. 9.** RCW 9.46.0265 and 1997 c 118 s 2 are each amended to  
4 read as follows:

5 (1) "Player," as used in this chapter, means a:

6 (a) Natural person who engages, on equal terms with the other  
7 participants, and solely as a contestant or bettor, in any form of  
8 gambling in which no person may receive or become entitled to receive  
9 any profit therefrom other than personal gambling winnings, and  
10 without otherwise rendering any material assistance to the  
11 establishment, conduct or operation of a particular gambling  
12 activity. A natural person who gambles at a social game of chance on  
13 equal terms with the other participants shall not be considered as  
14 rendering material assistance to the establishment, conduct or  
15 operation of the social game merely by performing, without fee or  
16 remuneration, acts directed toward the arrangement or facilitation of  
17 the game, such as inviting persons to play, permitting the use of  
18 premises for the game, or supplying cards or other equipment to be  
19 used in the games;

20 (b) Participant in an internet poker game playing against one or  
21 more other players from a personal computer or mobile device using an  
22 authorized software from within the state of Washington.

23 (2) A person who engages in "bookmaking" as defined in this  
24 chapter is not a "player." A person who pays a fee or "vigorish"  
25 enabling him or her to place a wager with a bookmaker, or pays a fee  
26 other than as authorized by this chapter to participate in a card  
27 game, contest of chance, lottery, or gambling activity, is not a  
28 player.

29 **Sec. 10.** RCW 9.46.228 and 2009 c 357 s 2 are each amended to  
30 read as follows:

31 (1) It is unlawful for any person under the age of eighteen to  
32 play in authorized gambling activities including, but not limited to,  
33 punchboards, pull-tabs, internet poker, or card games, or to  
34 participate in fund-raising events. Persons under the age of eighteen  
35 may play bingo, raffles, and amusement game activities only as  
36 provided in commission rules.

37 (2) A person under the age of eighteen who violates subsection  
38 (1) of this section by engaging in, or attempting to engage in,

1 prohibited gambling activities commits a class 2 civil infraction  
2 under chapter 7.80 RCW and is subject to a fine set out in chapter  
3 7.80 RCW, up to four hours of community restitution, and any court  
4 imposed costs.

5 (3) The juvenile court divisions in superior courts within the  
6 state have jurisdiction for enforcement of this section.

7 (4)(a) An employer may conduct an in-house controlled purchase  
8 program authorized for the purposes of employee training and employer  
9 self-compliance checks.

10 (b) The civil infraction provisions of this section do not apply  
11 to a person under the age of eighteen who is participating in an in-  
12 house controlled purchase program authorized by the commission under  
13 rules adopted by the commission. Violations occurring under an in-  
14 house controlled purchase program authorized by the commission may  
15 not be used for criminal or administrative prosecution.

16 (c) An employer who conducts an in-house controlled purchase  
17 program authorized under this section shall provide his or her  
18 employees a written description of the employer's in-house controlled  
19 purchase program. The written description must include notice of  
20 actions an employer may take as a consequence of an employee's  
21 failure to comply with company policies regarding unauthorized  
22 persons engaging in gambling activities during a controlled purchase  
23 program authorized under this section.

24 (5) A person under the age of eighteen who violates subsection  
25 (1) of this section shall not collect any winnings or recover any  
26 losses arising as a result of unlawfully participating in any  
27 gambling activity. Additionally, any money or anything of value which  
28 has been obtained by, or is owed to, any person under the age of  
29 eighteen as a result of such participation shall be forfeited to the  
30 department of social and health services division of alcohol and  
31 substance abuse or its successor and used for a program related to  
32 youth problem gambling awareness, prevention, and/or education. Any  
33 person claiming any money or things of value subject to forfeiture  
34 under this subsection will receive notice and an opportunity for a  
35 hearing under RCW 9.46.231.

36 **Sec. 11.** RCW 9.46.072 and 2002 c 369 s 3 are each amended to  
37 read as follows:

38 (1) An entity licensed under RCW 9.46.070(~~((+1))~~) which conducts  
39 or allows its premises to be used for conducting bingo on more than

1 three occasions per week, and any web site promoting regulated  
2 Washington state internet poker, shall include the following  
3 statement in any advertising or promotion of gambling activity  
4 conducted by the licensee:

5 "CAUTION: Participation in gambling activity may result in  
6 pathological gambling behavior causing emotional and  
7 financial harm. For help, call 1-800-547-6133."

8 (2) Authorized internet poker providers shall display, and  
9 require manual acknowledgment of by the user, the following message  
10 before log in may be completed:

11 "This internet poker software is certified by the state of  
12 Washington, and is operated within the requirements of state and  
13 federal laws. Participation in gambling activity may result in  
14 pathological gambling behavior causing emotional and/or financial  
15 harm. For help, call 1-800-547-6133."

16 (3) For purposes of this section, "advertising" includes print  
17 media, point-of-sale advertising, electronic media, billboards, and  
18 radio advertising.

19 **Sec. 12.** RCW 9.46.010 and 1996 c 101 s 2 are each amended to  
20 read as follows:

21 The public policy of the state of Washington on gambling is to  
22 keep the criminal element out of gambling and to promote the social  
23 welfare of the people by limiting the nature and scope of gambling  
24 activities and by strict regulation and control.

25 It is hereby declared to be the policy of the legislature,  
26 recognizing the ~~((close relationship between professional gambling~~  
27 ~~and organized crime, to restrain all persons from seeking profit from~~  
28 ~~professional gambling activities in this state; to restrain all~~  
29 ~~persons from patronizing such professional gambling activities; to~~  
30 ~~safeguard the public against the evils induced by common gamblers and~~  
31 ~~common gambling houses engaged in professional gambling; and at the~~  
32 ~~same time, both to preserve the freedom of the press and)) need to~~  
33 protect the public by ensuring that gambling activities in this state  
34 are well regulated, to avoid restricting participation by individuals  
35 in activities and social pastimes, ~~((which activities and social~~  
36 ~~pastimes are more for amusement rather than for profit, do not~~  
37 ~~maliciously affect the public, and do not breach the peace)) to~~  
38 restrain underage individuals from accessing gambling activities, to



1 safeguard the public against potential criminal activity associated  
2 with unlawful gambling, to recognize the need to have available help  
3 to individuals who may suffer gambling addictions, and to assure  
4 those operating gambling facilities do so under the careful  
5 supervision of the commission.

6 The legislature further declares that the raising of funds for  
7 the promotion of bona fide charitable or nonprofit organizations is  
8 in the public interest as is participation in such activities and  
9 social pastimes as are hereinafter in this chapter authorized.

10 The legislature further declares that the conducting of bingo,  
11 raffles, and amusement games and the operation of punchboards, pull-  
12 tabs, card games and other social pastimes, when conducted pursuant  
13 to the provisions of this chapter and any rules and regulations  
14 adopted pursuant thereto, are hereby authorized, as are only such  
15 lotteries for which no valuable consideration has been paid or agreed  
16 to be paid as hereinafter in this chapter provided.

17 The legislature further declares that fishing derbies shall not  
18 constitute any form of gambling and shall not be considered as a  
19 lottery, a raffle, or an amusement game and shall not be subject to  
20 the provisions of this chapter or any rules and regulations adopted  
21 hereunder.

22 The legislature further declares that raffles authorized by the  
23 fish and wildlife commission involving hunting big game animals or  
24 wild turkeys shall not be subject to the provisions of this chapter  
25 or any rules and regulations adopted hereunder, with the exception of  
26 this section and RCW 9.46.400.

27 The legislature finds that to protect those who may choose to  
28 wager on internet poker games, the legislature declares it to be the  
29 interest of the state and its citizens to create parameters to secure  
30 a responsible, fair, and legal system of internet poker that complies  
31 with current federal law. The legislature further declares that  
32 conducting and participating in internet poker games, when conducted  
33 pursuant to the provisions of this chapter and any rules and  
34 regulations adopted pursuant thereto, are hereby authorized.

35 All factors incident to the activities authorized in this chapter  
36 shall be closely controlled, and the provisions of this chapter shall  
37 be liberally construed to achieve such end.

38 **Sec. 13.** RCW 9.46.070 and 2012 c 116 s 1 are each amended to  
39 read as follows:

1 The commission shall have the following powers and duties:

2 (1) To authorize and issue licenses for a period not to exceed  
3 one year to bona fide charitable or nonprofit organizations approved  
4 by the commission meeting the requirements of this chapter and any  
5 rules and regulations adopted pursuant thereto permitting said  
6 organizations to conduct bingo games, raffles, amusement games, and  
7 social card games, to utilize punchboards and pull-tabs in accordance  
8 with the provisions of this chapter and any rules and regulations  
9 adopted pursuant thereto and to revoke or suspend said licenses for  
10 violation of any provisions of this chapter or any rules and  
11 regulations adopted pursuant thereto: PROVIDED, That the commission  
12 shall not deny a license to an otherwise qualified applicant in an  
13 effort to limit the number of licenses to be issued: PROVIDED  
14 FURTHER, That the commission or director shall not issue, deny,  
15 suspend, or revoke any license because of considerations of race,  
16 sex, creed, color, or national origin: AND PROVIDED FURTHER, That the  
17 commission may authorize the director to temporarily issue or suspend  
18 licenses subject to final action by the commission;

19 (2) To authorize and issue licenses for a period not to exceed  
20 one year to any person, association, or organization operating a  
21 business primarily engaged in the selling of items of food or drink  
22 for consumption on the premises, approved by the commission meeting  
23 the requirements of this chapter and any rules and regulations  
24 adopted pursuant thereto permitting said person, association, or  
25 organization to utilize punchboards and pull-tabs and to conduct  
26 social card games as a commercial stimulant in accordance with the  
27 provisions of this chapter and any rules and regulations adopted  
28 pursuant thereto and to revoke or suspend said licenses for violation  
29 of any provisions of this chapter and any rules and regulations  
30 adopted pursuant thereto: PROVIDED, That the commission shall not  
31 deny a license to an otherwise qualified applicant in an effort to  
32 limit the number of licenses to be issued: PROVIDED FURTHER, That the  
33 commission may authorize the director to temporarily issue or suspend  
34 licenses subject to final action by the commission;

35 (3) To authorize and issue licenses for a period not to exceed  
36 one year to any person, association, or organization approved by the  
37 commission meeting the requirements of this chapter and meeting the  
38 requirements of any rules and regulations adopted by the commission  
39 pursuant to this chapter as now or hereafter amended, permitting said  
40 person, association, or organization to conduct or operate amusement

1 games in such manner and at such locations as the commission may  
2 determine. The commission may authorize the director to temporarily  
3 issue or suspend licenses subject to final action by the commission;

4 (4) To authorize, require, and issue, for a period not to exceed  
5 one year, such licenses as the commission may by rule provide, to any  
6 person, association, or organization to engage in the selling,  
7 distributing, or otherwise supplying or in the manufacturing of  
8 devices for use within this state for those activities authorized by  
9 this chapter. The commission may authorize the director to  
10 temporarily issue or suspend licenses subject to final action by the  
11 commission;

12 (5) To establish a schedule of annual license fees for carrying  
13 on specific gambling activities upon the premises, and for such other  
14 activities as may be licensed by the commission, which fees shall  
15 provide to the commission not less than an amount of money adequate  
16 to cover all costs incurred by the commission relative to licensing  
17 under this chapter and the enforcement by the commission of the  
18 provisions of this chapter and rules and regulations adopted pursuant  
19 thereto: PROVIDED, That all licensing fees shall be submitted with an  
20 application therefor and such portion of said fee as the commission  
21 may determine, based upon its cost of processing and investigation,  
22 shall be retained by the commission upon the withdrawal or denial of  
23 any such license application as its reasonable expense for processing  
24 the application and investigation into the granting thereof: PROVIDED  
25 FURTHER, That if in a particular case the basic license fee  
26 established by the commission for a particular class of license is  
27 less than the commission's actual expenses to investigate that  
28 particular application, the commission may at any time charge to that  
29 applicant such additional fees as are necessary to pay the commission  
30 for those costs. The commission may decline to proceed with its  
31 investigation and no license shall be issued until the commission has  
32 been fully paid therefor by the applicant: AND PROVIDED FURTHER, That  
33 the commission may establish fees for the furnishing by it to  
34 licensees of identification stamps to be affixed to such devices and  
35 equipment as required by the commission and for such other special  
36 services or programs required or offered by the commission, the  
37 amount of each of these fees to be not less than is adequate to  
38 offset the cost to the commission of the stamps and of administering  
39 their dispersal to licensees or the cost of administering such other  
40 special services, requirements or programs;

1 (6) To prescribe the manner and method of payment of taxes, fees  
2 and penalties to be paid to or collected by the commission;

3 (7) To require that applications for all licenses contain such  
4 information as may be required by the commission: PROVIDED, That all  
5 persons (a) having a managerial or ownership interest in any gambling  
6 activity, or the building in which any gambling activity occurs, or  
7 the equipment to be used for any gambling activity, or (b)  
8 participating as an employee in the operation of any gambling  
9 activity, shall be listed on the application for the license and the  
10 applicant shall certify on the application, under oath, that the  
11 persons named on the application are all of the persons known to have  
12 an interest in any gambling activity, building, or equipment by the  
13 person making such application: PROVIDED FURTHER, That the commission  
14 shall require fingerprinting and national criminal history background  
15 checks on any persons seeking licenses, certifications, or permits  
16 under this chapter or of any person holding an interest in any  
17 gambling activity, building, or equipment to be used therefor, or of  
18 any person participating as an employee in the operation of any  
19 gambling activity. All national criminal history background checks  
20 shall be conducted using fingerprints submitted to the United States  
21 department of justice-federal bureau of investigation. The commission  
22 must establish rules to delineate which persons named on the  
23 application are subject to national criminal history background  
24 checks. In identifying these persons, the commission must take into  
25 consideration the nature, character, size, and scope of the gambling  
26 activities requested by the persons making such applications;

27 (8) To require that any license holder maintain records as  
28 directed by the commission and submit such reports as the commission  
29 may deem necessary;

30 (9) To require that all income from bingo games, raffles, and  
31 amusement games be recorded and reported as established by rule or  
32 regulation of the commission to the extent deemed necessary by  
33 considering the scope and character of the gambling activity in such  
34 a manner that will disclose gross income from any gambling activity,  
35 amounts received from each player, the nature and value of prizes,  
36 and the fact of distributions of such prizes to the winners thereof;

37 (10) To regulate and establish maximum limitations on income  
38 derived from bingo. In establishing limitations pursuant to this  
39 subsection the commission shall take into account (a) the nature,  
40 character, and scope of the activities of the licensee; (b) the

1 source of all other income of the licensee; and (c) the percentage or  
2 extent to which income derived from bingo is used for charitable, as  
3 distinguished from nonprofit, purposes. However, the commission's  
4 powers and duties granted by this subsection are discretionary and  
5 not mandatory;

6 (11) To regulate and establish the type and scope of and manner  
7 of conducting the gambling activities authorized by this chapter,  
8 including but not limited to, the extent of wager, money, or other  
9 thing of value which may be wagered or contributed or won by a player  
10 in any such activities;

11 (12) To regulate the collection of and the accounting for the fee  
12 which may be imposed by an organization, corporation, or person  
13 licensed to conduct a social card game on a person desiring to become  
14 a player in a social card game in accordance with RCW 9.46.0282;

15 (13) To cooperate with and secure the cooperation of county,  
16 city, and other local or state agencies in investigating any matter  
17 within the scope of its duties and responsibilities;

18 (14) In accordance with RCW 9.46.080, to adopt such rules and  
19 regulations as are deemed necessary to carry out the purposes and  
20 provisions of this chapter. All rules and regulations shall be  
21 adopted pursuant to the administrative procedure act, chapter 34.05  
22 RCW;

23 (15) To set forth for the perusal of counties, city-counties,  
24 cities and towns, model ordinances by which any legislative authority  
25 thereof may enter into the taxing of any gambling activity authorized  
26 by this chapter;

27 (16)(a) To establish and regulate a maximum limit on salaries or  
28 wages which may be paid to persons employed in connection with  
29 activities conducted by bona fide charitable or nonprofit  
30 organizations and authorized by this chapter, where payment of such  
31 persons is allowed, and to regulate and establish maximum limits for  
32 other expenses in connection with such authorized activities,  
33 including but not limited to rent or lease payments. However, the  
34 commissioner's powers and duties granted by this subsection are  
35 discretionary and not mandatory.

36 (b) In establishing these maximum limits the commission shall  
37 take into account the amount of income received, or expected to be  
38 received, from the class of activities to which the limits will apply  
39 and the amount of money the games could generate for authorized  
40 charitable or nonprofit purposes absent such expenses. The commission

1 may also take into account, in its discretion, other factors,  
2 including but not limited to, the local prevailing wage scale and  
3 whether charitable purposes are benefited by the activities;

4 (17) To authorize, require, and issue for a period not to exceed  
5 one year such licenses or permits, for which the commission may by  
6 rule provide, to any person to work for any operator of any gambling  
7 activity authorized by this chapter in connection with that activity,  
8 or any manufacturer, supplier, or distributor of devices for those  
9 activities in connection with such business. The commission may  
10 authorize the director to temporarily issue or suspend licenses  
11 subject to final action by the commission. The commission shall not  
12 require that persons working solely as volunteers in an authorized  
13 activity conducted by a bona fide charitable or bona fide nonprofit  
14 organization, who receive no compensation of any kind for any purpose  
15 from that organization, and who have no managerial or supervisory  
16 responsibility in connection with that activity, be licensed to do  
17 such work. The commission may require that licensees employing such  
18 unlicensed volunteers submit to the commission periodically a list of  
19 the names, addresses, and dates of birth of the volunteers. If any  
20 volunteer is not approved by the commission, the commission may  
21 require that the licensee not allow that person to work in connection  
22 with the licensed activity;

23 (18) To establish regulations to implement a system of internet  
24 poker, as authorized in this chapter, and in accordance with state  
25 and federal law, and to authorize and issue licenses for a period not  
26 to exceed one year to any person, association, or organization  
27 approved by the commission meeting the requirements of this chapter  
28 and meeting the requirements of any rules and regulations adopted by  
29 the commission pursuant to this chapter as now or hereafter amended,  
30 permitting the person, association, or organization to conduct or  
31 operate internet poker games, or provide services to facilitate such  
32 games, in such manner and at such locations as the commission may  
33 determine. The commission may authorize the director to temporarily  
34 issue or suspend licenses subject to final action by the commission;

35 (19) To publish and make available at the office of the  
36 commission or elsewhere to anyone requesting it a list of the  
37 commission licensees, including the name, address, type of license,  
38 and license number of each licensee;

1       (~~(19)~~) (20) To establish guidelines for determining what  
2 constitutes active membership in bona fide nonprofit or charitable  
3 organizations for the purposes of this chapter;

4       (~~(20)~~) (21) To renew the license of every person who applies  
5 for renewal within six months after being honorably discharged,  
6 removed, or released from active military service in the armed forces  
7 of the United States upon payment of the renewal fee applicable to  
8 the license period, if there is no cause for denial, suspension, or  
9 revocation of the license;

10       (~~(21)~~) (22) To issue licenses under subsections (1) through (4)  
11 of this section that are valid for a period of up to eighteen months,  
12 if it chooses to do so, in order to transition to the use of the  
13 business licensing services program through the department of  
14 revenue; and

15       (~~(22)~~) (23) To perform all other matters and things necessary  
16 to carry out the purposes and provisions of this chapter.

17       NEW SECTION.   **Sec. 14.**   If any provision of this act or its  
18 application to any person or circumstance is held invalid, the  
19 remainder of the act or the application of the provision to other  
20 persons or circumstances is not affected.

21       NEW SECTION.   **Sec. 15.**   Sections 2 through 8 of this act are each  
22 added to chapter 9.46 RCW.

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