Amended Section

WAC 230-13-005 Amusement games authorized.

(1) We authorize the approved groups of amusement games set forth in this chapter. Operators must only operate amusement games that meet the standards of at least one of the authorized groups.

(2) Commercial businesses or nonprofit or charitable organizations may apply for licenses for amusement games.

(3) Charitable or nonprofit organizations also may conduct amusement games without a license when authorized to do so under RCW 9.46.0321 and 9.46.0331.

(4) Operators must operate amusement games as either:

(a) An attended amusement game.

(i) An "attended amusement game" means an amusement game that requires the presence or assistance of a person (attendant) in the regular operation of the game; and

(ii) These games must award a merchandise prize to players if players achieve the objective with one cost of play; or

(b) A coin or token activated amusement game.

(i) A "coin or token activated amusement game" means an amusement game that uses a mechanical, electronic, or electro-mechanical machine to allow the player to activate the game by inserting coins, ~~or~~ tokens, or tokens on an electronic token card; and

(ii) These games may dispense merchandise prizes, or coupons, tickets, ~~or~~ tokens, or tokens onto an electronic token card redeemable for merchandise prizes.; and

(iii) A coin or token activated amusement game can either be activated by the insertion of a token or dispense a token except tokens stored on an electronic token card. A coin or token activated amusement game may not be operated as token-in/token-out except for tokens stored on an electronic token card; and

(iv) For group 12 amusement games:

- Tokens on an electronic token card can be reinserted for additional plays or
- The points accumulated on the group 12 amusement game may be played prior to dispensing merchandise prizes or coupons, tickets, tokens or tokens onto an electronic token card.

(5) Amusement games must not award additional plays as prizes.

(6) Amusement games must only award merchandise prizes. Merchandise prizes means non-cash prizes including toys, novelties, retail items such as electronic goods, clothing, accessories, as well as food, beverages and other items sold by the operator as a normal part of their business in compliance with all other state laws and regulations. For group 12 amusement games, merchandise prizes also includes items that can be purchased from the internet by the operator at the time of redemption for direct delivery to a player's residence.

(6) Electronic token card means a card issued by the operator that stores purchased credits available to play the amusement game separate from the coupons, tickets, or tokens awarded or dispensed as prizes from the play of the amusement game. Coupons, tickets, or tokens awarded as prizes cannot be used to play amusement games and must only be redeemed for merchandise prizes, except as allowed for group 12 amusement games.

[Statutory Authority: RCW 9.46.070 and 9.46.0331. WSR 15-15-063 (Order 713), § 230-13-005, filed 7/10/15, effective 8/10/15. Statutory Authority: RCW 9.46.070. WSR 07-15-064 (Order 612), § 230-13-005, filed 7/16/07, effective 1/1/08.]

For Discussion 02 22 2016

Amended Section

WAC 230-13-067 Group 12—Electronic puzzle and pattern solving game standards.

In Group 12 games, players must correctly solve a puzzle to win a prize, which is viewable by the player before each puzzle is presented.

(1) The game must allow the player to view the prize that is available before each play of the game without the insertion of money or any other thing of value; and

(2) Prizes are awarded based upon the player's skill in correctly discerning a pattern and completing that pattern; and

(3) When a game presents a potential winning pattern, the puzzle must be capable of completion within the predetermined time period; and

(4) Group 12 amusement games are for adults over the age of twenty-one only and may only be operated by licensees where persons under the age of twenty-one are prohibited from entering.; and

(5) Group 12 amusement games are not a gambling activity; and

(6) Group 12 amusement games are for amusement only and must not be capable of playing gambling activities; and

(7) Group 12 amusement games shall prominently display the free preview function so that players are fully aware that they do not have to insert the cost of play to see if they have the opportunity to win a prize by solving a puzzle or pattern; and

(8) Group 12 amusement games may include puzzle themes or pattern themes designed for amusement by presenting difficulties to be solved by ingenuity or detection; and

(9) Group 12 amusement games shall not incorporate themes, symbols or types of symbols commonly associated with:

a. Slot machines; or
b. Tribal Lottery Systems; or
c. Card games; or
d. Keno; or
e. Punch board or pull-tab gambling activities.

[Statutory Authority: RCW 9.46.070 and 9.46.0331. WSR 15-15-063 (Order 713), § 230-13-067, filed 7/10/15, effective 8/10/15.]

For Discussion 02 22 2016

Amended Section

WAC 230-13-130 Display and exchange of amusement game prizes.

(1) Amusement game operators must prominently display a sample of each type of prize available.

(2) Operators must only award prizes that are posted. However, after a player has won two or more prizes, operators may offer that player the opportunity to exchange those prizes for one or more other prizes, but only if that prize was on display during the play of the game.

(3) Operators must not allow winners to forfeit previously won prize(s) in exchange for another play.

(4) Operators may give winners tickets which winners may combine with other tickets won and redeem for a merchandise prize.

(5) Operators of group 12 amusement games do not have to display a sample of each type of prize available if they are allowing coupons, tickets, tokens or tokens on an electronic token card to be redeemed for merchandise, as defined in WAC 230-13-005, purchased from the internet by the operator at the time of redemption with delivery to a player's residence. Operators must clearly post that prizes can be awarded in this way.

[Statutory Authority: RCW 9.46.070. WSR 07-15-064 (Order 612), § 230-13-130, filed 7/16/07, effective 1/1/08.]

For Discussion 02 22 2016

Amended Section

WAC 230-13-075 Assigning and reporting group numbers of authorized amusement games.

(1) Amusement game licensees must determine the authorized group number of each game and prepare a list of all games they plan to operate during each license year. They must submit this list to us with their activity report. The list must contain, at least, the name and group number of each game.

(2) Amusement game licensees must notify us within 30 days of putting into play and removing from play a group 12 amusement game. Reporting must be in the format we require.

[Statutory Authority: RCW 9.46.070. WSR 07-15-064 (Order 612), § 230-13-075, filed 7/16/07, effective 1/1/08.]

For Discussion 02 22 2016

Amended Section

WAC 230-13-170 Recordkeeping for commercial amusement games.

(1) Amusement game licensees must prepare a detailed record for each location where they operate games. They must retain the records for at least three years. The records must include details necessary to determine:

(a) Gross ~~gambling~~ receipts received from players from each group of amusement game; and

(b) Value of prizes awarded to winners.

(2) Records must include, at least:

(a) The gross ~~gambling~~ receipts collected from amusement games at each location, with receipting records; and

(b) An entry for each withdrawal of receipts from the games. Coin or token activated amusement games only require an entry of the ending meter reading, the number of plays, and gross ~~gambling~~ receipts at the end of each month; and

(c) A summary of the operation of the activity. This includes, at least, coin-in meter readings and gross ~~gambling~~ receipts. Operators must provide these coin-in meter readings and gross ~~gambling~~ receipts to charitable or nonprofit organizations each time they service a game or disburse money.

(3) Licensees must report at least monthly the number and actual cost of merchandise prizes awarded for each location.

(4) For amusement games that issue tickets for the redemption of prizes, licensees must at least log the beginning and ending nonresettable ticket out meters or ticket numbers during each collection of funds from each game.

(5) Licensees must provide the full details for all amusement game operating expenses.

[Statutory Authority: RCW 9.46.070. WSR 07-15-064 (Order 612), § 230-13-170, filed 7/16/07, effective 1/1/08.]

For Discussion 02 22 2016

Amended Section

WAC 230-07-125 Recordkeeping requirements for lower volume charitable or nonprofit organizations.

(1) Organizations operating without a license under RCW 9.46.0315 or 9.46.0321 and lower volume charitable or nonprofit licensees must keep a set of permanent monthly records of the gambling activities. Lower volume licensees include:

(a) Fund-raising events;

(b) Bingo (Classes A, B, and C);

(c) Raffles (Classes A, B, C, and D);

(d) Amusement games (Classes A, B, C, and D); and

(e) Card games (Classes A, B, and C).

(2) The monthly records must include, at least:

(a) The gross receipts from each activity;

(b) The gross receipts from group 12 amusement games;

(~~b~~c) The total amount of cash prizes actually paid out;

(~~c~~d) The total of the cost to the licensee of all merchandise prizes actually paid out for each activity;

(~~d~~e) A summary of all expenses related to each of the activities; and

(~~e~~f) The net income received from the activity, the purpose(s) for which the net income was raised, and the amount paid to each recipient.

(3) Licensees must keep these records for three years from the end of the license year for which the record was created.

(4) Organizations operating under RCW 9.46.0315 or 9.46.0321 must maintain their records for one year.

[Statutory Authority: RCW 9.46.070. WSR 07-10-032 (Order 609), § 230-07-125, filed 4/24/07, effective 1/1/08.]

For Discussion 02 22 2016