

How to Petition the Commission for a Rule Change

RCW 35.05-330 - Petitions for rule making, amendments, or repeal.

Any person may petition the commission requesting the adoption, amendment, or repeal of any rule. The petition should contain sufficient information so that the agency and public can understand the proposal.

Every petition for adoption, repeal, or amendment of a rule must include the following information:

- (1) The name of the agency responsible for administering the rule.
- (2) The rationale for adoption of a new rule or amendment or repeal of an existing rule.
- (3) In addition to any other concerns, you, the petitioner, are encouraged to address whether:
 - (a) The rule is authorized;
 - (b) The rule is needed;
 - (c) The rule conflicts with or duplicates other federal, state, or local laws;
 - (d) Alternatives to the rule exist that will serve the same purpose at less cost;
 - (e) The rule applies differently to public and private entities;
 - (f) The rule serves the purposes for which it was adopted;
 - (g) The rule impose unreasonable costs;
 - (h) The rule is clearly and simply stated; and
 - (i) The rule differs, without adequate justification, from a federal law which applies to the same activity or subject matter.
- (4) **When you are:**
 - (a) **Proposing a new rule**, the petition should include the text of the proposed rule or a description of its provisions;
 - (b) **Requesting amendment of an existing rule**, the petition should include the name, title, number of the rule, and the text or description of the amendment; or
 - (c) **Requesting repeal of an existing rule**, the petition should include the name, title, number of the rule, and a description of the effects of repealing the rule.

(5) How do I submit a petition?

- (a) Petitions for adoption, amendment, or repeal of a rule must be faxed to (360) 486-3625, or mailed to the following address:

Washington State Gambling Commission
ATTN: Rules Coordinator
Post Office Box 42400
Olympia, Washington 98504-2400

(6) What happens after a petition is submitted?

- (a) Within a reasonable time, the administering agency will send you, the petitioner, acknowledgement of receipt of the petition, including the name and telephone number of a contact person.
- (b) No later than sixty days after receipt of a petition, the agency must either:
 - (i) Initiate rule-making proceedings in accordance with chapter 34.05 RCW; or
 - (ii) Deny the petition in writing, stating its reasons for the denial and specifically addressing the concerns stated in the petition. Where appropriate, the agency must indicate alternative means by which the agency will address the concerns raised in the petition.

(7) How can I appeal gambling commission denial of my petition?

- (a) Within thirty days of the denial, you, the petitioner, may appeal the denial to the governor.
- (b) The governor will process the appeal according to RCW 34.05.330(2).