Rule Petition to Amend
WAC 230-11-075 Limit number of guests for members-only raffles.
WAC 230-11-085 Modified and discounted pricing plans for tickets for members-only raffles.
WAC 230-11-086 Discounted pricing plans for tickets to members-only raffles.
WAC 230-11-087 Other pricing plans for members-only raffles.
WAC 230-11-105 Retain and store raffle records.

SEPTEMBER 2023 – Commission Review
JULY 2023 – Rule-Making Petition Received

Tab 6: SEPTEMBER 2023 Commission Meeting	Statutory Authority 9.46.070

Who Proposed the Rule Change?
Alex Baier, on behalf of Rocky Mountain Elk Foundation, Olympia, WA Tiffany Brace, on behalf of Nonprofit Association of Washington, Seattle, WA Keely Hopkins, on behalf of Congressional Sportsmen's Foundation, Vancouver, WA Matt Little, on behalf of Ducks Unlimited, Vancouver, WA Nello Picinich, on behalf of Coastal Conservation Association, Vancouver, WA

Background

Several nonprofits operating in Washington state have proposed multiple amendments to rules related to nonprofits and raffles. We have split the petition into three separate rules packages: 1) the suggested amendments on which the Commission may want to initiate rulemaking; 2) the suggested amendments on which the Commission may want to deny petitioners' request; and 3) the suggested amendment that staff believes is a policy question on which the Commissioners should decide. This rules package is the **first part of the package** and is explained as:

1) To keep up with inflation, petitioners request that, in WAC 230-11-085, the $10 maximum on the price of a single ticket and $25 maximum on the price of a discounted package of tickets be raised to $25 and $100, respectively, and that appropriate changes be made to WAC 230-11-086 and WAC 230-11-087.
2) To ease the burden of record-keeping, petitioners would like a reduction to one year for the requirements to hold onto records for three years from the end of the licensee's fiscal year in WAC 230-11-105.
3) Allowing more guests to participate in a member-only raffle – Currently, WAC 230-11-075 states that guests must not exceed 25 percent of total attendance, which petitioners would like raised to 50 percent.

Attachments:

- Petition – Updated September 12, 2023
- Original Petition – July 20, 2023

Policy Considerations
Staff believes that the petitioners' ideas for changes are worthy of consideration.

1) WAC 230-11-085 sets the maximum prices for a single ticket and a discounted package of tickets at $10 and $25, respectively. Increasing these price limits to $25 and $100, respectively, does not raise any regulatory concerns with commission staff. The maximum ticket price in 1995 was $5.00. It was raised to $25 in 2009. Any change to WAC 230-11-085 may necessitate changes to WAC 230-11-086 and WAC 230-11-087, which also limit maximum prices to $10 and $25 for individual and packaged tickets.

2) The three-year record retention requirements in WAC 230-11-105 are connected to WAC 230-11-100, which requires licensees conducting raffles with gross gambling receipts of more than $50,000 in a year to keep all winning tickets, all ticket stubs for raffles where participants were not required to be present, and all unsold tickets for individual raffles with gross gambling receipts of more than $5,000. Commission staff understands the storage burden this requirement might place on some organizations conducting many raffles, but also believes that these items are necessary to check in the event of a complaint. Nonetheless, it might be possible to maintain a three-year retention requirement for some items but allow for destruction or disposal of the bulkier items after only a year.

3) WAC 230-11-075 defines the limit on the number of guests for a members-only raffle, currently set at 25 percent. Increasing the number of guests attending the event to 50 percent does not pose any regulatory concerns for staff.

Staff Recommendation

Staff recommends initiating rule-making proceedings for further discussion.