



PROPOSED RULE MAKING

CR-102 (July 2022) (Implements RCW 34.05.320) Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 21, 2024
TIME: 3:17 PM

WSR 24-08-012

Agency: Washington State Gambling Commission

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 23-09-066 ; 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) Problem Gambling Signage - WAC 230-06-068

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
May 9, 2024	09:30am	Washington State Gambling Commission 4565 7 th Avenue, SE Lacey, WA 98503	The meeting time and location are tentative. Visit our website at www.wsgc.wa.gov approximately seven days prior to the meeting and select "About Us" and then, "Upcoming commission meetings" to confirm the hearing date, location, start time and agenda items

Date of intended adoption: May 9, 2024 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Adam Amorine

Address: PO Box 42400, Olympia, WA 98504-2400

Email: rules.coordinator@wsgc.wa.gov

Fax:

Other: www.wsgc.wa.gov

By (date) May 8, 2024

Assistance for persons with disabilities:

Contact Julie Anderson

Phone: 360-486-3453

Fax:

TTY: 360-486-3637

Email: julie.anderson@wsgc.wa.gov

Other: www.wsgc.wa.gov

By (date) May 8, 2024

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposed rule would enact more explicit requirements related to licensees' duty to display problem gambling signage at all public entrances and exits to the gambling area of the business, in or near the gambling area(s), and in any areas where cash or electronic transfers of funds are available to patrons within the designated gambling area. The proposed rule would also require all advertising material to contain a responsible gambling message. Finally, the proposed rule would require a clear "opt-out" method on advertising materials that would allow patrons to unsubscribe from receiving future advertising, marketing, or promotional communications.

Reasons supporting proposal: The proposed rules are aimed at ensuring those individuals who might have a problem gambling disorder are aware of the avenues available to them for treating their disorder.

Statutory authority for adoption: RCW 9.46.070

Statute being implemented: RCW 9.46.070

Is rule necessary because of a:

Federal Law? Yes No

Federal Court Decision? Yes No

State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Type of proponent: Private Public Governmental
Name of proponent: (person or organization) Washington State Gambling Commission

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting: Coordinator	Adam Amorine, Rules	4565 7 th Ave SE, Lacey, WA 98503	360-486-3473
Implementation:	Tina Griffin, Director	4565 7 th Ave SE, Lacey, WA 98503	360-486-3546
Enforcement: Director	Gary Drumheller, Deputy	4565 7 th Ave SE, Lacey, WA 98503	509-325-7904

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)(b)(v)

Regulatory Fairness Act and Small Business Economic Impact Statement
Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:
This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). 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:
- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> 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 19.85.025\(4\)](#) (does not affect small businesses).
- This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of 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 minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs.
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact 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 21, 2024

Name: Adam Amorine

Title: Staff Attorney and Rules Coordinator

Signature:

