



Concise Explanatory Statement

Notice of Permanent Rule Changes Related to

The rules identified below were amended to provide clarification for licensees and to ensure that reporting, licensing, and recordkeeping requirements are met.

This explanatory statement concerns the Washington State Gambling Commission's amendment of:

- WAC 230-03-085- Denying, suspending, or revoking an application, license or permit,
- WAC 230-03-265- Applying for a card room employee license,
- WAC 230-05-112- Defining "gross gambling receipts.",
- WAC 230-05-138- Returned payments,
- WAC 230-05-142- Fees for review of gambling equipment, supplies, services, or games,
- WAC 230-07-090- Keeping and depositing all gambling funds separate from other funds, and
- WAC 230-11-100- Recordkeeping requirements for raffle licensees.

The Administrative Procedure Act ([RCW 34.05.325\(6\)](#)) requires agencies to complete a concise explanatory statement before filing amended rules with the Office of the Code Reviser. This statement must be provided to anyone who provided comments regarding the proposed rule-making.

Once persons who provided comments during this rulemaking have had an opportunity to receive this document, the Washington State Gambling Commission will file the amended rules with the Office of the Code Reviser. These changes will become effective on or after April 23, 2020.

The Washington State Gambling Commission appreciates your involvement in the rule-making process. If you have any questions, please contact Ashlie Laydon, Rules Coordinator, at ashlie.laydon@wsgc.wa.gov or (360) 486-3473.

What are the agency's reasons for amending these rules?

WAC 230-03-085- Denying, suspending, or revoking an application, license or permit- was amended to include the failure to pay a quarterly license fee on time a reason that we may deny, suspend, and/or revoke an application, license, or permit.

WAC 230-03-265- Applying for a card room employee license- was amended to clarify when a card room employee license is required.

WAC 230-05-112- Defining "gross gambling receipts."- was amended to include "bingo paper or bingo cards" to the list of authorized activities of which gross gambling receipts may be due.

WAC 230-05-138- Returned payments- was amended to clarify that administrative action may be taken against a gambling license(s) for returned payments.

WAC 230-05-142- Fees for review of gambling equipment, supplies, services, or games- was amended to include language from repealed rule, WAC 230-05-005- Fees for review of gambling equipment, supplies, services, or games, that one must submit gambling equipment, supplies, services, or games for our review.

WAC 230-07-090- Keeping and depositing all gambling funds separate from other funds- was amended to include requirements for licensees conducting raffles with gross gambling receipts over fifty thousand dollars in their initial license year and those offering prizes that require approval per WAC 230-11-067- Requesting commission approval prior to offering raffle prizes exceeding forty thousand dollars per prize or three hundred thousand dollars in a license year.

WAC 230-11-100- Recordkeeping requirements for raffle licensees- was amended to combine rules pertaining to recordkeeping requirements for raffle licensees and include recordkeeping requirements for licensees with gross gambling receipts over fifty thousand dollars in their initial license year and those offering prizes that require approval per WAC 230-11-067- Requesting commission approval prior to offering raffle prizes exceeding forty thousand dollars per prize or three hundred thousand dollars in a license year.

Summary of all public comments received on this rule proposal and consideration of the comments. If we responded to comments, add our response and how the final rule reflects consideration of the comments or why it fails to do so.

Public Comment:

John Masterson, Lacey Rotary Club, submitted a comment on the small business economic impact statement completed as a result of amendments made to WAC 230-11-100- Recordkeeping requirements for raffle licensees. John Masterson expressed two concerns, the first being that the completion of documents within 30 days following the raffle may be problematic as expense invoices are not always available within that timeframe, and secondly, a question of how long records need to be maintained.

Response: The requirement for completing all records no later than 30 days following the raffle drawing has been in effect since 2007 and is not something that was amended under fee simplification. Records need to be maintained as outlined in WAC 230-11-105- Retain and store raffle records.

If there are variances from the proposed rule and final adopted rule, state the reasons for the differences (RCW 34.05.325(6)(a)(ii)).

None.