

# HOUSE BILL REPORT

## SB 5441

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*As Passed Legislature*

**Title:** An act relating to bookmaking.

**Brief Description:** Amending bookmaking provisions.

**Sponsor(s):** Senators Rasmussen, Nelson, Hayner and Johnson.

**Brief History:**

Reported by House Committee on:  
Commerce & Labor, March 26, 1991, DP;  
Passed House, April 17, 1991, 95-0;  
Passed Legislature, 95-0.

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**HOUSE COMMITTEE ON  
COMMERCE & LABOR**

**Majority Report:** *Do pass.* Signed by 10 members:  
Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman,  
Ranking Minority Member; Franklin; Jones; R. King; O'Brien;  
Prentice; Vance; and Wilson.

**Staff:** Jim Kelley (786-7166).

**Background:** "Bookmaking" is defined as accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

Under the gambling code, the following activities are classified as felonies, punishable by a fine of not more than \$100,000 and/or imprisonment of not more than five years: (1) Conducting any gambling activity for which a license is required without obtaining a license; (2) knowingly causing, aiding, abetting, or conspiring to cause a person to violate any provision of the gambling code; and (3) engaging in professional gambling.

Under the gambling code, the following activities are classified as gross misdemeanors, punishable by a fine of not more than \$5,000 and/or imprisonment of not more than one year: (1) False reporting to the Gambling Commission; (2) knowingly causing, aiding, abetting, or conspiring to cause a person to violate any rule adopted pursuant to the gambling code; (3) perpetrating a fraud; and (4) unauthorized transmitting of gambling information by

telephone, telegraph, radio, semaphore or similar means, or installing or maintaining equipment for that purpose.

**Summary of Bill:** "Bookmaking" is defined as accepting bets, upon the outcome of future contingent events, as a business or in which the bettor is charged a fee or "vigorish" for the opportunity to place a bet.

Felonies under the gambling code are made class B felonies, punishable by a fine of not more than \$20,000 and/or imprisonment of not more than 10 years.

Professional gambling is divided into three degrees: professional gambling in the first degree is a class B felony; professional gambling in the second degree is a class C felony; and professional gambling in the third degree is a gross misdemeanor.

The maximum penalty for gross misdemeanors is the punishment provided by the criminal code. Currently, the maximum punishment for a gross misdemeanor under the criminal code is a fine of not more than \$5,000 and/or imprisonment of not more than one year.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill will make the gambling code easier to understand and enforce. It is the result of much work.

**Testimony Against:** None.

**Witnesses:** Randee Kerns, Gambling Commission (in favor); and Randy Hamilton, Chehalis Police Department (in favor).