
SENATE BILL 5726

State of Washington

54th Legislature

1995 Regular Session

By Senators Prentice and Bauer

Read first time 02/02/95. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to gambling taxes; and amending RCW 9.46.110.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 9.46.110 and 1994 c 301 s 2 are each amended to read
4 as follows:

5 The legislative authority of any county, city-county, city, or
6 town, by local law and ordinance, and in accordance with the provisions
7 of this chapter and rules and regulations promulgated hereunder, may
8 provide for the taxing of any gambling activity authorized by this
9 chapter within its jurisdiction, the tax receipts to go to the county,
10 city-county, city, or town so taxing the same: PROVIDED, That any such
11 tax imposed by a county alone shall not apply to any gambling activity
12 within a city or town located therein but the tax rate established by
13 a county, if any, shall constitute the tax rate throughout the
14 unincorporated areas of such county: PROVIDED FURTHER, That (1) punch
15 boards and pull-tabs, chances on which shall only be sold to adults,
16 which shall have a fifty cent limit on a single chance thereon, shall
17 be taxed on a basis which shall reflect only the gross receipts from
18 such punch boards and pull-tabs; and (2) no punch board or pull-tab may
19 award as a prize upon a winning number or symbol being drawn the

1 opportunity of taking a chance upon any other punch board or pull-tab;
2 and (3) all prizes for punch boards and pull-tabs must be on display
3 within the immediate area of the premises wherein any such punch board
4 or pull-tab is located and upon a winning number or symbol being drawn,
5 such prize must be immediately removed therefrom, or such omission
6 shall be deemed a fraud for the purposes of this chapter; and (4) when
7 any person shall win over twenty dollars in money or merchandise from
8 any punch board or pull-tab, every licensee hereunder shall keep a
9 public record thereof for at least ninety days thereafter containing
10 such information as the commission shall deem necessary: AND PROVIDED
11 FURTHER, That taxation of bingo and raffles shall never be in an amount
12 greater than ten percent of the gross revenue received therefrom less
13 the amount paid for or as prizes. Taxation of amusement games shall
14 only be in an amount sufficient to pay the actual costs of enforcement
15 of the provisions of this chapter by the county, city or town law
16 enforcement agency and in no event shall such taxation exceed two
17 percent of the gross revenue therefrom less the amount paid for as
18 prizes: PROVIDED FURTHER, That no tax shall be imposed under the
19 authority of this chapter on bingo or amusement games when such
20 activities or any combination thereof are conducted by any bona fide
21 charitable or nonprofit organization as defined in this chapter, which
22 organization has no paid operating or management personnel and has
23 gross income from bingo or amusement games, or a combination thereof,
24 not exceeding five thousand dollars per year, less the amount paid for
25 as prizes. No tax shall be imposed on the first ten thousand dollars
26 of net proceeds from raffles conducted by any bona fide charitable or
27 nonprofit organization as defined in this chapter. Taxation of punch
28 boards and pull-tabs shall not exceed five percent of gross receipts,
29 nor shall taxation of social card games exceed twenty percent of the
30 gross revenue from such games; however, taxation of punch boards and
31 pull-tabs shall not exceed two and one-half percent of gross receipts,
32 nor shall taxation of social card games exceed ten percent of the gross
33 revenue from such games if located within a fifty mile radius of an
34 Indian casino.

35 Taxes imposed under this chapter become a lien upon personal and
36 real property used in the gambling activity in the same manner as
37 provided for under RCW 84.60.010. The lien shall attach on the date
38 the tax becomes due and shall relate back and have priority against
39 real and personal property to the same extent as ad valorem taxes.

1 NEW SECTION. **Sec. 2.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

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