

# HOUSE BILL REPORT

## SB 5422

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**As Passed House**

April 9, 1997

**Title:** An act relating to professional gambling definitions.

**Brief Description:** Updating professional gambling definitions.

**Sponsors:** Senators Schow, Newhouse, Prentice and Horn; by request of Gambling Commission.

**Brief History:**

**Committee Activity:**

Commerce & Labor: 4/2/97, 4/3/97 [DP].

**Floor Activity:**

Passed House: 4/9/97, 98-0.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass. Signed by 9 members: Representatives McMorris, Chairman; Honeyford, Vice Chairman; Conway, Ranking Minority Member; Wood, Assistant Ranking Minority Member; Boldt; Clements; Cole; Hatfield and Lisk.

**Staff:** Pam Madson (786-7166).

**Background:** Professional gambling is gambling activity that is not authorized by law, either as to the form of gambling or the manner in which the gambling activity is conducted. If a person participates or aids any form of illegal gambling activity, exchanges money in agreement to share in gambling proceeds, or engages in bookmaking, he or she engages in professional gambling activity. A person can be convicted of professional gambling in the first, second or third degree.

A person is guilty of the crime of professional gambling in the first degree when he or she engages in professional gambling and meets at least one of three additional elements. Those elements include conspiring with at least five people to engage in illegal activity; personally accepting bets of more than \$5,000 in a month, on activities like sporting events; and profiting from illegal card games or other illegal gambling activity.

Professional gambling in the second degree involves similar activity. A person must engage in professional gambling activity and conspire to do so with less than five people, or accept wagers of more than \$2,000 a month.

**Summary of Bill:** The definition of professional gambling is clarified to specifically include the activity of paying a fee to participate in illegal card games or other gambling activity not authorized by law.

A person is guilty of professional gambling in the first degree if, along with engaging in professional gambling, he or she works for an operation that accepts wagers over \$5,000 a month on future contingent events such as sports games or other similar activities. If the amount accepted in wagers is more than \$2,000 a month, the person may be guilty of professional gambling in the second degree.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** This bill clarifies that all elements of the professional gambling statute do not have to be met for a professional gambling violation to be pursued. Prosecutors were declining prosecution because of a lack of clarity.

**Testimony Against:** None.

**Testified:** Carrie Tellefson, Washington State Gambling Commission.