

HOUSE BILL ANALYSIS

HB 2453

Brief Description: Revising the penalties for cheating at gambling.

Sponsors: Representatives Carrell and Constantine.

Hearing: January 26, 2000

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

BACKGROUND:

The Gambling Act defines the crime of cheating as the use of a device or scheme to defraud a player or operator; engaging or practicing in acts that operate as fraud or deceit; engaging in acts with the intent to cheat; and conspiring to cheat with others. A violation of the cheating statute is a gross misdemeanor punishable by a sentence of up to one year in jail, a maximum fine of \$5,000, or both.

SUMMARY OF BILL:

Cheating, as used in the Gambling Act, is divided into three separate crime classifications: cheating in the first, second, and third degree.

A person is guilty of cheating in the first degree, if he or she engages in cheating and conspires with five or more people to cheat or is licensed by the Washington State Gambling Commission to conduct gambling activities. Cheating in the first degree is a class B felony, punishable by a maximum sentence of 10 years in prison or a maximum fine of \$20,000, or both.

A person is guilty of cheating in the second degree if he or she engages in cheating and conspires to cheat with less than five people. Cheating in the second degree is a class C felony, punishable by a maximum sentence of five years in prison or a maximum fine of \$10,000, or both.

A person is guilty of cheating in the third degree, if he or she engages in cheating and the cheating does not constitute cheating in the first or second degree. Cheating in the third degree is a gross misdemeanor and is punishable by a maximum sentence of one year in jail, a maximum fine of \$5,000, or both.

FISCAL NOTE: Requested on January 19, 2000.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.