

SENATE BILL REPORT

EHB 2946

As of February 23, 2000

Title: An act relating to local planning and zoning of gambling activities.

Brief Description: Allowing local planning and zoning of gambling activities.

Sponsors: Representatives Conway, Clements, Wood, Regala and Hurst.

Brief History:

Committee Activity: Commerce, Trade, Housing & Financial Institutions: 2/24/2000.

SENATE COMMITTEE ON COMMERCE, TRADE, HOUSING & FINANCIAL INSTITUTIONS

Staff: Catherine Mele (786-7470)

Background: In 1996 the Legislature increased the number of card room tables that a card room licensee could have from five to 15. The Legislature also authorized alternative methods of fee collections in addition to a half-hour seat fee, such as a per hand fee or a rake of the pot (a percentage out of the pot). In 1997 the Legislature authorized house-banked card rooms. House-banking means that the house (owner of the card room) has a financial interest in the outcome of the game. At the end of 1999, 52 house-banked card rooms operated in Washington.

Recently, concerns have been raised about local jurisdictions' authority to zone gambling activities. Current law states that the Gambling Commission is the exclusive authority for licensing and regulating gambling activities. The law preempts local jurisdictions from engaging in licensing and regulatory activities. In addition, the law allows local jurisdictions to impose a total prohibition on gambling in their jurisdictions. Some assert that the state's preemption prevents local jurisdictions from zoning gambling activities while others do not agree that this preemption applies to a local jurisdiction's zoning authority.

Summary of Bill: The land use and zoning powers of cities, towns, and counties may be exercised with respect to the location of gambling activities authorized by Washington gambling laws.

Appropriation: None.

Fiscal Note: Not requested.

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