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**SUBSTITUTE SENATE BILL 6146**

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**State of Washington**

**56th Legislature**

**2000 Regular Session**

**By** Senate Committee on Commerce, Trade, Housing & Financial Institutions (originally sponsored by Senators Prentice, Winsley, Gardner and Oke; by request of Gambling Commission)

Read first time 01/31/2000.

1 AN ACT Relating to cheating at gambling; amending RCW 9.46.196;  
2 adding new sections to chapter 9.46 RCW; and prescribing penalties.

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

4 **Sec. 1.** RCW 9.46.196 and 1991 c 261 s 8 are each amended to read  
5 as follows:

6 (~~No person participating in a gambling activity shall in the~~  
7 ~~course of such participation, directly or indirectly~~) "Cheating" as  
8 used in this chapter means to:

9 (1) Employ or attempt to employ any device, scheme, or artifice to  
10 defraud any other participant or any operator;

11 (2) Engage in any act, practice, or course of operation as would  
12 operate as a fraud or deceit upon any other participant or any  
13 operator;

14 (3) Engage in any act, practice, or course of operation while  
15 participating in a gambling activity with the intent of cheating any  
16 other participant or the operator to gain an advantage in the game over  
17 the other participant or operator; or

18 (4) Cause, aid, abet, or conspire with another person to cause any  
19 other person to violate subsections (1) through (3) of this section.

1       (~~Any person violating this section shall be guilty of a gross~~  
2 ~~misdemeanor subject to the penalty set forth in RCW 9A.20.021.~~)

3       NEW SECTION.   **Sec. 2.** A new section is added to chapter 9.46 RCW  
4 to read as follows:

5       (1) A person is guilty of cheating in the first degree if he or she  
6 engages in, or knowingly causes, aids, abets, or conspires with another  
7 to engage in cheating and:

8       (a) While engaging in cheating, acts in concert with or conspires  
9 with five or more people; or

10       (b) Is licensed by the state of Washington to conduct, manage, or  
11 act as an employee in any authorized gambling activity and engages in  
12 cheating upon any premises.

13       (2) Cheating in the first degree is a class B felony subject to the  
14 penalty set forth in RCW 9A.20.021.

15       NEW SECTION.   **Sec. 3.** A new section is added to chapter 9.46 RCW  
16 to read as follows:

17       (1) A person is guilty of cheating in the second degree if he or  
18 she engages in, or knowingly causes, aids, abets, or conspires with  
19 another to engage in cheating and, while engaging in cheating, acts in  
20 concert with or conspires with another person or persons but fewer than  
21 five people.

22       (2) Cheating in the second degree is a class C felony subject to  
23 the penalty set forth in RCW 9A.20.021.

24       NEW SECTION.   **Sec. 4.** A new section is added to chapter 9.46 RCW  
25 to read as follows:

26       (1) A person is guilty of cheating in the third degree if he or she  
27 engages in cheating and his or her conduct does not constitute cheating  
28 in the first or second degree.

29       (2) Cheating in the third degree is a gross misdemeanor subject to  
30 the penalty set forth in RCW 9A.20.021.

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