
SENATE BILL 6373

State of Washington

56th Legislature

2000 Regular Session

By Senators Gardner, T. Sheldon, Prentice, Rasmussen, Winsley, Hale, Deccio and Shin

Read first time 01/14/2000. Referred to Committee on Commerce, Trade, Housing & Financial Institutions.

1 AN ACT Relating to promotional contests of chance; adding a new
2 section to chapter 9.46 RCW; and repealing RCW 9.46.0355.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.46 RCW
5 to read as follows:

6 (1) The legislature authorizes a business to conduct a promotional
7 contest of chance as defined in this section, in this state, or
8 partially in this state, whereby the elements of prize and chance are
9 present but in which the element of consideration is not present.

10 (2) Promotional contests of chance under this section are not
11 gambling as defined in RCW 9.46.0237.

12 (3) Promotional contests of chance shall be conducted as
13 advertising and promotional undertakings solely for the purpose of
14 advertising the services, goods, wares, and merchandise of a business.

15 (4) No person eligible to receive a prize in a promotional contest
16 of chance may be required to:

17 (a) Pay any consideration to the promoter or operator of the
18 business in order to participate in the contest; or

1 (b) Purchase any service, goods, wares, merchandise, or anything of
2 value from the business, however, the promoter or sponsor may give
3 additional entries or chances upon purchase of service, goods, wares,
4 or merchandise if the promoter or sponsor provides an alternate method
5 of entry requiring no consideration.

6 (5)(a) As used in this section, "consideration" means anything of
7 pecuniary value required to be paid to the promoter or sponsor in order
8 to participate in a promotional contest. Such things as visiting a
9 business location, placing or answering a telephone call, completing an
10 entry form or customer survey, or furnishing a stamped, self-addressed
11 envelope do not constitute consideration.

12 (b) Coupons or entry blanks obtained by purchase of a bona fide
13 newspaper or magazine or in a program sold in conjunction with a
14 regularly scheduled sporting event are not consideration.

15 (6) Unless authorized by the commission, equipment or devices made
16 for use in a gambling activity are prohibited from use in a promotional
17 contest.

18 NEW SECTION. **Sec. 2.** RCW 9.46.0355 (Promotional contests of
19 chance authorized) and 1987 c 4 s 35 are each repealed.

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