

FINAL BILL REPORT

SSB 6613

C 290 L 06
Synopsis as Enacted

Brief Description: Prohibiting internet gambling.

Sponsors: Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Prentice, Keiser, Kline, Rasmussen and Shin).

Senate Committee on Labor, Commerce, Research & Development
House Committee on Commerce & Labor

Background: Since the Gambling Act was enacted in 1973, it has been a gross misdemeanor to knowingly send or receive by telephone, telegraph, radio, semaphore, or similar means any wagers or any other information intended to be used for professional gambling. The Gambling Act does not apply to parimutuel wagering authorized by the Horse Racing Commission or the selling or purchasing of tickets or shares in the state lottery.

Following the 1990 ruling in *Mashantucket Pequot Tribe v. Connecticut*, courts interpreting the Indian Gaming Regulatory Act have consistently held that when requested by a tribe, a state must engage in compact negotiations regarding the conduct of a gambling activity unless, as a matter of criminal law and public policy, the activity is prohibited.

Summary: The internet and telecommunications systems are added to the list of means over which a person is prohibited from knowingly transmitting or receiving wagers or other gambling information. The penalty for knowingly engaging in such illegal transmission or receipt is increased from a gross misdemeanor to a Class C felony. The Lottery Commission is prohibited from offering any game where the internet can be used to buy tickets or chances.

An affirmative vote of 60 percent of both houses of the Legislature is required before the Lottery Commission may offer any lottery game that allows or requires a player to use a device that electronically replicates any game of chance, including electronic scratch tickets.

Votes on Final Passage:

Senate	44	0
House	93	5

Effective: June 7, 2006