

HOUSE BILL REPORT

HB 1345

As Passed House:

January 23, 2008

Title: An act relating to clarifying and prescribing penalties for gambling under the age of eighteen.

Brief Description: Prohibiting minors from participating in gambling activities.

Sponsors: By Representatives Wood, Condotta, Kristiansen, Lantz, Dickerson, Morrell, McCune and Conway; by request of Gambling Commission.

Brief History:

Committee Activity:

Commerce & Labor: 1/25/07, 1/26/07 [DP].

Floor Activity:

Passed House: 2/5/07, 94-1.

Floor Activity:

Passed House: 1/23/08, 96-1.

Brief Summary of Bill

- Makes it explicitly unlawful for minors to play in authorized gambling activities including, but not limited to, punch boards, pull-tabs, card games, and fund-raising events.
- Allows minors to play bingo and amusement games as provided by Gambling Commission rules.
- Authorizes gambling employers to conduct in-house controlled purchase programs for the purposes of employee training and self-compliance checks.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 7 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Green, Moeller and Williams.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Joan Elgee (786-7106).

Background:

Under the Gambling Act (Act), the Washington State Gambling Commission (Gambling Commission) regulates wagering on activities such as social card games, bingo, raffles, amusement games, punch boards, pull-tabs, and fund-raising events.

Several sections of the Act address minors and gambling. A proviso in a law allowing dice rolls and coin bets to determine who will pay for food, drink, or music prohibits minors from engaging in wagering activities permitted by the Act. Punch board and pull-tab chances may not be sold to minors. School-age minors are restricted from some amusement game locations and games during school hours and after certain hours.

The Gambling Commission has also adopted a rule generally prohibiting minors from gambling. Exceptions allow minors to:

- play licensed bingo games if accompanied by an adult family member;
- play bingo at agricultural fairs or school carnivals;
- play amusement games; and
- sell raffle tickets for an organization whose primary purpose is the development of youth.

A licensee who allows minors to illegally gamble is subject to sanction. No penalty exists, however, for minors who illegally participate in gambling.

A civil infraction is a penalty for a minor offense. Monetary penalties range from \$25 to \$500. A minor who purchases or possesses cigarettes, for example, commits a class 3 civil infraction and is subject to a fine up to \$50 or up to four hours of community restitution, or both. Persons under the age of 21 who possess liquor are guilty of a gross misdemeanor and persons under the age of 18 who purchase a lottery ticket are guilty of a misdemeanor.

The Liquor Control Board may authorize employers to conduct in-house controlled purchase programs for purposes of employee training and employer self-compliance checks.

Summary of Bill:

A new section of the Act addresses minors and gambling. It is illegal for minors to play in authorized gambling activities including, but not limited to, punch boards, pull-tabs, card games, and fund-raising events. Minors may participate in bingo and amusement games but only as provided by Gambling Commission rule.

A minor who attempts to, or engages in, prohibited gambling commits a class 2 civil infraction and is subject to a fine of up to \$125, up to four hours of community restitution, and court costs.

A gambling activity employer may conduct an in-house controlled purchase program for the purposes of employee training and employer self-compliance checks. Employees must

receive a written description of the program, which must state the actions an employer may take as a consequence of an employee's failure to comply with company policies regarding unauthorized persons engaging in gambling activities during a controlled purchase program. An employee who commits a violation under a controlled purchase program may not be subject to criminal or administrative prosecution. A minor who participates in a controlled purchase program is not subject to a civil infraction.

Rules Authority: The Gambling Commission may adopt rules relating to participation by minors in bingo and amusement games.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) We want to remind those under the age of 18 that we take this seriously. The Gambling Commission debated on where to set the penalty; this seemed like the right amount and it is *up to* \$125. In a sting of about 100 card rooms, we found that about 40 percent allowed the minor to gamble. We want some enforcement for everyone involved. The Washington Association of Sheriffs and Police Chiefs voted in support of the bill and the Washington Association of Prosecuting Attorneys also support it.

(Opposed) None.

Persons Testifying: Representative Wood, prime sponsor and ex officio member of the Washington State Gambling Commission; and Amy Hunter, Washington State Gambling Commission.

Persons Signed In To Testify But Not Testifying: None.