
SUBSTITUTE HOUSE BILL 2162

State of Washington 61st Legislature 2009 Regular Session

By House Commerce & Labor (originally sponsored by Representatives Conway, Condotta, Green, Chase, Wood, Goodman, and Schmick)

READ FIRST TIME 02/23/09.

1 AN ACT Relating to permitting local governments to limit house-
2 banked social card games within their jurisdictions; amending RCW
3 9.46.295; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** In keeping with the gambling policy
6 statement in RCW 9.46.010, the legislature intends to insure that each
7 local jurisdiction has the authority to ban house-banked social card
8 games within its jurisdiction, allow house-banked social card games
9 within its jurisdiction, or limit the number of existing house-banked
10 social card games within its jurisdiction.

11 **Sec. 2.** RCW 9.46.295 and 1974 ex.s. c 155 s 6 are each amended to
12 read as follows:

13 (1) Any license to engage in any of the gambling activities
14 authorized by this chapter (~~as now exists or as hereafter amended,~~)
15 and issued under the authority thereof shall be legal authority to
16 engage in the gambling activities for which issued throughout the
17 incorporated and unincorporated area of any county, except that a city

1 or town located therein with respect to that city or town, or a county
2 with respect to all areas within that county except for such cities or
3 towns, may:

4 (a) Absolutely prohibit(~~(, but may not change the scope of~~
5 license~~,~~)) any or all of the gambling activities for which the license
6 was issued;

7 (b) Within its jurisdiction, limit the number of house-banked
8 social card game licenses to those locations licensed on the effective
9 date of this act.

10 (2) If a prohibition or limitation relating to house-banked social
11 card game licenses is repealed, the prohibition or limitation cannot be
12 reinstated for at least five years.

13 (3) This section does not authorize any city, town, or county to
14 adopt or enforce any ordinance, resolution, or other legislative act
15 changing or purporting to change the scope of a license issued under
16 this chapter.

17 (4) A city or town with a prohibition or limitation on house-banked
18 social card game licenses that annexes an area that is within a
19 jurisdiction that permits house-banked social card games may not impose
20 its prohibition or limitation upon these house-banked social card game
21 licenses for at least three years after annexation. The three-year
22 period under this subsection applies only to those house-banked social
23 card game licenses that are licensed locations on the date of
24 annexation.

25 (5)(a) A city, town, or county that has adopted an ordinance,
26 resolution, or other legislative act under subsection (1) of this
27 section must file a copy of the ordinance, resolution, or other
28 legislative act with the commission. The commission must adopt rules
29 that allow the city, town, or county to electronically file the
30 ordinance, resolution, or other legislative act with the commission.

31 (b) A licensee must inform and verify to commission staff that it
32 is permitted to conduct house-banked social card games in its chosen
33 location when it applies or reapplies for a license. A verification
34 under this subsection may consist of a letter certifying that the
35 licensee may operate at the chosen location. The commission may adopt
36 rules about the verification required.

37 (6) The commission, its members, and staff are absolutely immune
38 from any legal action relating to a decision of the commission: To

1 issue, renew, or not issue a license based on the provisions of this
2 section; or that is based on the commission's interpretation of this
3 section or any local ordinance, resolution, or other legislative act
4 enacted or amended under this section. No court, board, agency,
5 entity, or tribunal of any kind has jurisdiction to join the commission
6 as a party to any such legal action.

7 NEW SECTION. **Sec. 3.** If any provision of this act or its
8 application to any person or circumstance is held invalid, the
9 remainder of the act or the application of the provision to other
10 persons or circumstances is not affected.

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