
HOUSE BILL 2162

State of Washington

61st Legislature

2009 Regular Session

By Representatives Conway, Condotta, Green, Chase, Wood, Goodman, and Schmick

Read first time 02/11/09. Referred to Committee on Commerce & Labor.

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 house-banked social
10 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 games to those licensed and operating on the effective date
9 of this act.

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11 card games is repealed, the limitation cannot be reinstated for at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

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

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

36 (6) The commission, its members, and staff are absolutely immune
37 from any legal action relating to a decision of the commission: To
38 issue, renew, or not issue a license under this section; or that is

1 based on the commission's interpretation of this section or any local
2 ordinance, resolution, or other legislative act enacted or amended
3 under this section. No court, board, agency, entity, or tribunal of
4 any kind has jurisdiction to join the commission as a party to any such
5 legal action.

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

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