
Government Accountability & Oversight Committee

HB 1824

Brief Description: Reducing the penalty for a person conducting unlawful internet gambling in his or her primary residence for recreational purposes.

Sponsors: Representatives Harris, Appleton, Upthegrove, Hunter, Reykdal, Vick, Stonier and Fitzgibbon.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Changes the penalty for internet gambling, from a class C felony to a civil infraction, for a person who gambles in his or her primary residence for recreational purposes.

Hearing Date: 2/19/13

Staff: Trudes Tango (786-7384).

Background:

Internet Gambling.

Gambling is strictly regulated and several criminal statutes address illegal gambling. For example, a person is engaged in unlawful "professional gambling" when he or she acts other than in an authorized manner and pays a fee to participate in a contest of chance or other gambling activity. The penalty for professional gambling ranges from a class B felony to a gross misdemeanor depending on the defendant's level of involvement in the activity.

A person who knowingly transmits or receives gambling information by various means, including by a telecommunications transmission system or the internet, or who knowingly installs or maintains equipment for the transmission or receipt of gambling information, is guilty of a class C felony.

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.

In 2006, Congress enacted the Unlawful Internet Gambling Enforcement Act, making it a crime to knowingly accept most forms of payment in connection with the participation of another person in unlawful internet gambling.

Civil Infractions.

Civil infractions are noncriminal offenses that subject the violator to monetary penalties. Notices of civil infractions are issued by an enforcement officer when the violation occurs in the officer's presence or by a court based on an officer's statement. A person subject to the notice of civil infraction may contest the determination within 15 days. A person who commits a class three civil infraction is subject to a maximum fine of \$50.

Summary of Bill:

A person who knowingly transmits or receives gambling information over the internet or knowingly installs or maintains equipment for the transmission or receipt of gambling information over the internet, in his or her primary residence for recreational purposes, commits a class three civil infraction.

"Recreational purposes" means solely for the person's own enjoyment and not as part of an enterprise that derives income from operating an internet web site that transmits or receives gambling information.

Appropriation: None.

Fiscal Note: Not requested.

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