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HOUSE BILL 2001

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State of Washington

64th Legislature

2015 Regular Session

By Representatives Zeiger and Condotta

Read first time 02/05/15. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to the use of and possession of electronic or  
2 electromechanical amusement machines; and amending RCW 9.46.0201.

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

4 **Sec. 1.** RCW 9.46.0201 and 1987 c 4 s 2 are each amended to read  
5 as follows:

6 (1) "Amusement game," as used in this chapter, means a game  
7 played for entertainment in which:

8 ~~((1))~~ (a) The contestant actively participates;

9 ~~((2))~~ (b) The outcome depends ~~((in))~~ to a material degree upon  
10 the skill of the contestant. A game is regarded as requiring a  
11 material degree of skill when:

12 (i) The player's physical or mental abilities play an important  
13 role in determining the outcome of the game; and

14 (ii) The success rate of an average player is likely to improve  
15 with repeated play or practice;

16 ~~((3))~~ (c) Only merchandise prizes are awarded;

17 ~~((4))~~ (d) The outcome is not in the control of the operator;

18 ~~((5))~~ (e) The wagers are placed, the winners are determined,  
19 and a distribution of prizes or property is made in the presence of  
20 all persons placing wagers at such game; and

1       (~~(6)~~) (f) Said game is conducted or operated by any  
2 agricultural fair, person, association, or organization in such  
3 manner and at such locations as may be authorized by rules and  
4 regulations adopted by the commission pursuant to this chapter as now  
5 or hereafter amended.

6       (2) The games defined under this section may include or involve  
7 randomly generated features or events. "Randomly generated features  
8 or events" means unpredictable variations in the objects or patterns  
9 encountered by the player during the game and that are neither  
10 triggered by, nor otherwise under the control of, the operator. The  
11 occurrence and frequency of such randomly generated features or  
12 events may not be dependent on the number of plays completed by, or  
13 tickets issued to, the player.

14       (3) Cake walks as commonly known and fish ponds as commonly known  
15 shall be treated as amusement games for all purposes under this  
16 chapter.

17       (4) The commission is authorized to set fees for the testing of  
18 games for compliance with the requirements of this section.

19       (5) The commission is authorized to adopt rules creating  
20 regulatory requirements applicable to amusement games.

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