

---

SENATE BILL 5671

---

State of Washington

65th Legislature

2017 Regular Session

By Senators Fortunato, Sheldon, Rivers, and Wilson

Read first time 02/02/17. Referred to Committee on Commerce, Labor & Sports.

1 AN ACT Relating to simplifying the process for bona fide  
2 charitable and nonprofit organization to engage in activities and  
3 social pastimes, and raise funds for their authorized purposes;  
4 amending RCW 9.46.0209, 9.46.0277, 9.46.0315, 9.46.0321, 9.46.0323,  
5 and 9.46.070; and adding new sections to chapter 9.46 RCW.

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

7 **Sec. 1.** RCW 9.46.0209 and 2009 c 137 s 1 are each amended to  
8 read as follows:

9 (1)(a) "Bona fide charitable or nonprofit organization," as used  
10 in this chapter, means:

11 (i) Any organization duly existing under the provisions of  
12 chapter 24.12, 24.20, or 24.28 RCW, any agricultural fair authorized  
13 under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit  
14 corporation duly existing under the provisions of chapter 24.03 RCW  
15 for charitable, benevolent, eleemosynary, educational, civic,  
16 patriotic, political, social, fraternal, athletic or agricultural  
17 purposes only, or any nonprofit organization, whether incorporated or  
18 otherwise, when found by the commission to be organized and operating  
19 for one or more of the aforesaid purposes only, all of which in the  
20 opinion of the commission have been organized and are operated

1 primarily for purposes other than the operation of gambling  
2 activities authorized under this chapter; or

3 (ii) Any corporation which has been incorporated under Title 36  
4 U.S.C. and whose principal purposes are to furnish volunteer aid to  
5 members of the armed forces of the United States and also to carry on  
6 a system of national and international relief and to apply the same  
7 in mitigating the sufferings caused by pestilence, famine, fire,  
8 floods, and other national calamities and to devise and carry on  
9 measures for preventing the same.

10 (b) An organization defined under (a) of this subsection must:

11 (i) Have been organized and continuously operating for at least  
12 twelve calendar months immediately preceding making application for  
13 any license to operate a gambling activity, or the operation of any  
14 gambling activity authorized by this chapter for which no license is  
15 required; and

16 ~~(ii) ((Have not less than fifteen bona fide active members each  
17 with the right to an equal vote in the election of the officers, or  
18 board members, if any, who determine the policies of the organization  
19 in order to receive a gambling license; and~~

20 ~~(iii))~~ Demonstrate to the commission that it has made  
21 significant progress toward the accomplishment of the purposes of the  
22 organization during the twelve consecutive month period preceding the  
23 date of application for a license or license renewal. The fact that  
24 contributions to an organization do not qualify for charitable  
25 contribution deduction purposes or that the organization is not  
26 otherwise exempt from payment of federal income taxes pursuant to the  
27 internal revenue code of 1954, as amended, shall constitute prima  
28 facie evidence that the organization is not a bona fide charitable or  
29 nonprofit organization for the purposes of this section.

30 (c) Any person, association or organization which pays its  
31 employees, including members, compensation other than is reasonable  
32 therefor under the local prevailing wage scale shall be deemed paying  
33 compensation based in part or whole upon receipts relating to  
34 gambling activities authorized under this chapter and shall not be a  
35 bona fide charitable or nonprofit organization for the purposes of  
36 this chapter.

37 (2) For the purposes of RCW 9.46.0315 and 9.46.110, a bona fide  
38 nonprofit organization also includes:

39 (a) A credit union organized and operating under state or federal  
40 law. All revenue less prizes and expenses received from raffles

1 conducted by credit unions must be devoted to purposes authorized  
2 under this section for charitable and nonprofit organizations; and

3 (b) A group of executive branch state employees that:

4 (i) Has requested and received revocable approval from the  
5 agency's chief executive official, or such official's designee, to  
6 conduct one or more raffles in compliance with this section;

7 (ii) Conducts a raffle solely to raise funds for either the state  
8 combined fund drive, created under RCW 41.04.033; an entity approved  
9 to receive funds from the state combined fund drive; or a charitable  
10 or benevolent entity, including but not limited to a person or family  
11 in need, as determined by a majority vote of the approved group of  
12 employees. No person or other entity may receive compensation in any  
13 form from the group for services rendered in support of this purpose;

14 (iii) Promptly provides such information about the group's  
15 receipts, expenditures, and other activities as the agency's chief  
16 executive official or designee may periodically require, and  
17 otherwise complies with this section and RCW 9.46.0315; and

18 (iv) Limits the participation in the raffle such that raffle  
19 tickets are sold only to, and winners are determined only from, the  
20 employees of the agency.

21 (3) For the purposes of RCW 9.46.0277, a bona fide nonprofit  
22 organization also includes a county, city, or town, provided that all  
23 revenue less prizes and expenses from raffles conducted by the  
24 county, city, or town must be used for community activities or  
25 tourism promotion activities.

26 **Sec. 2.** RCW 9.46.0277 and 2009 c 133 s 1 are each amended to  
27 read as follows:

28 "Raffle," as used in this chapter, means a game in which tickets  
29 bearing an individual number are sold for not more than one hundred  
30 dollars each and in which a prize or prizes are awarded on the basis  
31 of a drawing from the tickets by the person or persons conducting the  
32 game, when the game is conducted by a bona fide charitable or  
33 nonprofit organization, no person other than a bona fide member of  
34 the organization takes any part in the management or operation of the  
35 game(~~(, and no part of the proceeds thereof inure to the benefit of~~  
36 ~~any person other than the organization conducting the game)). Members~~  
37 of the public may purchase tickets and be awarded a raffle prize.

1       **Sec. 3.** RCW 9.46.0315 and 2012 c 131 s 1 are each amended to  
2 read as follows:

3       Bona fide charitable or bona fide nonprofit organizations  
4 organized primarily for purposes other than the conduct of raffles,  
5 are hereby authorized to conduct raffles without obtaining a license  
6 to do so from the commission when such raffles are held in accordance  
7 with all other requirements of this chapter, other applicable laws,  
8 and rules of the commission; when gross revenues from all such  
9 raffles held by the organization during the calendar year do not  
10 exceed five thousand dollars per authorized event~~((; and when tickets~~  
11 ~~to such raffles are sold only to, and winners are determined only~~  
12 ~~from among, the regular members of the organization conducting the~~  
13 ~~raffle)). Members of the public and members of the organization may~~  
14 purchase raffle tickets and be awarded prizes. The organization may  
15 provide unopened containers of beverages containing alcohol as raffle  
16 prizes if the appropriate permit has been obtained from the state  
17 liquor ((control)) and cannabis board: PROVIDED, That raffles that  
18 exceed five thousand dollars may also be conducted pursuant to the  
19 provisions of this section if the organization obtains a license from  
20 the commission: PROVIDED FURTHER, That the term members for this  
21 purpose shall mean only those persons who have become members prior  
22 to the commencement of the raffle and whose qualification for  
23 membership was not dependent upon, or in any way related to, the  
24 purchase of a ticket, or tickets, for such raffles.

25       **Sec. 4.** RCW 9.46.0321 and 1987 c 4 s 28 are each amended to read  
26 as follows:

27       Bona fide charitable or bona fide nonprofit organizations  
28 organized primarily for purposes other than the conduct of such  
29 activities are hereby authorized to conduct bingo, raffles, and  
30 amusement games, without obtaining a license to do so from the  
31 commission but only when:

32       (1) Such activities are held in accordance with all other  
33 requirements of this chapter, other applicable laws, and rules of the  
34 commission;

35       (2) Said activities are~~((, alone or in any combination,))~~  
36 conducted no more than twice each calendar year and over a period of  
37 no more than twelve consecutive days each time, notwithstanding the  
38 limitations of RCW 9.46.0205: PROVIDED, That a raffle conducted under

1 this subsection may be conducted for a period longer than twelve  
2 days;

3 (3) Only bona fide members of that organization, who are not paid  
4 for such services, participate in the management or operation of the  
5 activities. The organization's bona fide members and members of the  
6 public are authorized to participate in the gambling activities;

7 (4) Gross revenues to the organization (~~(from all the activities~~  
8 ~~together)) do not exceed five thousand dollars per authorized event  
9 during any calendar year;~~

10 (5) All revenue therefrom, after deducting the cost of prizes and  
11 other expenses of the activity, is devoted solely to the purposes for  
12 which the organization qualifies as a bona fide charitable or  
13 nonprofit organization;

14 (6) The organization gives notice at least five days in advance  
15 of the conduct of any of the activities to the local police agency of  
16 the jurisdiction within which the activities are to be conducted of  
17 the organization's intent to conduct the activities, the location of  
18 the activities, and the date or dates they will be conducted; and

19 (7) The organization conducting the activities maintains records  
20 for a period of one year from the date of the event which accurately  
21 show at a minimum the gross revenue from each activity, details of  
22 the expenses of conducting the activities, and details of the uses to  
23 which the gross revenue therefrom is put.

24 NEW SECTION. Sec. 5. A new section is added to chapter 9.46 RCW  
25 to read as follows:

26 Bona fide charitable or bona fide nonprofit organizations  
27 authorized to conduct activities under this chapter may offer raffle  
28 tickets purchased as part of a multiple ticket package to be  
29 purchased at a discount. The organization may offer different levels  
30 of discounts based on the volume of tickets sold in the multiple  
31 packages.

32 NEW SECTION. Sec. 6. A new section is added to chapter 9.46 RCW  
33 to read as follows:

34 Bona fide charitable or bona fide nonprofit organizations  
35 authorized to conduct activities under this chapter who are engaging  
36 in a gambling activity where the participants select their own  
37 numbered, physical item, to hold pending a random selection of

1 winning numbers, are not required to attach an individual numbered  
2 ticket with the item.

3 NEW SECTION. **Sec. 7.** A new section is added to chapter 9.46 RCW  
4 to read as follows:

5 (1) Only bona fide charitable or bona fide nonprofit  
6 organizations operating a raffle may award firearms, air guns, or  
7 other mechanical devices that are capable of discharging dangerous  
8 projectiles including, but not limited to, BB or CO2 guns, rifles,  
9 shotguns, pistols or revolvers, or crossbows as a prize.

10 (2) If the prize awarded is restricted from transfer by state or  
11 federal law, the licensee must award the winner a certificate,  
12 redeemable by a licensed firearms dealer, for the prize offered.

13 (3) The award of a gift certificate from a business  
14 establishment, which may sell firearms, but also sells any other  
15 items that are not firearms, is not considered the awarding of a  
16 firearm to the prize winner.

17 **Sec. 8.** RCW 9.46.0323 and 2016 c 116 s 1 are each amended to  
18 read as follows:

19 (1) A bona fide charitable or nonprofit organization, as defined  
20 in RCW 9.46.0209, whose primary purpose is serving individuals with  
21 intellectual disabilities may conduct enhanced raffles if licensed by  
22 the commission.

23 (2) The commission has the authority to approve two enhanced  
24 raffles per calendar year for western Washington and two enhanced  
25 raffles per calendar year for eastern Washington. Whether the  
26 enhanced raffle occurs in western Washington or eastern Washington  
27 will be determined by the location where the grand prize winning  
28 ticket is to be drawn as stated on the organization's application to  
29 the commission. An enhanced raffle is considered approved when voted  
30 on by the commission.

31 (3) The commission has the authority to approve enhanced raffles  
32 under the following conditions:

33 (a) The value of the grand prize must not exceed five million  
34 dollars.

35 (b) Sales may be made in person, by mail, by fax, or by telephone  
36 only. Raffle ticket order forms may be printed from the bona fide  
37 charitable or nonprofit organization's web site. Obtaining the form  
38 in this manner does not constitute a sale.

1 (c) Tickets purchased as part of a multiple ticket package may be  
2 purchased at a discount. The organization may offer different levels  
3 of discounts based on the volume of tickets sold in the multiple  
4 packages.

5 (d) Multiple smaller prizes are authorized during the course of  
6 an enhanced raffle for a grand prize including, but not limited to,  
7 early bird, refer a friend, and multiple ticket drawings.

8 (e) A purchase contract is not necessary for smaller noncash  
9 prizes, but the bona fide charitable or nonprofit organization must  
10 be able to demonstrate that such a prize is available and sufficient  
11 funds are held in reserve in the event that the winner chooses a  
12 noncash prize.

13 (f) All enhanced raffles and associated smaller raffles must be  
14 independently audited, as defined by the commission during rule  
15 making. The audit results must be reported to the commission.

16 (g) Call centers, when licensed by the commission, are  
17 authorized. The bona fide charitable or nonprofit organization may  
18 contract with a call center vendor to receive enhanced raffle ticket  
19 sales. The vendor may not solicit sales. The vendor may be located  
20 outside the state, but the bona fide charitable or nonprofit  
21 organization must have a contractual relationship with the vendor  
22 stating that the vendor must comply with all applicable Washington  
23 state laws and rules.

24 (h) The bona fide charitable or nonprofit organization must be  
25 the primary recipient of the funds raised.

26 (i) Sales data may be transmitted electronically from the vendor  
27 to the bona fide charitable or nonprofit organization. Credit cards,  
28 issued by a state regulated or federally regulated financial  
29 institution, may be used for payment to participate in enhanced  
30 raffles.

31 (j) Receipts including ticket confirmation numbers may be sent to  
32 ticket purchasers either by mail or by email.

33 (k) In the event the bona fide charitable or nonprofit  
34 organization determines ticket sales are insufficient to qualify for  
35 a complete enhanced raffle to move forward, the enhanced raffle  
36 winner must receive fifty percent of the net proceeds in excess of  
37 expenses as the grand prize. The enhanced raffle winner will receive  
38 a choice between an annuity value equal to fifty percent of the net  
39 proceeds in excess of expenses paid by annuity over twenty years, or  
40 a one-time cash payment of seventy percent of the annuity value.

1 (1) A bona fide charitable or nonprofit organization is  
2 authorized to hire a consultant licensed by the commission to run an  
3 enhanced raffle; in addition, the bona fide charitable or nonprofit  
4 organization must have a dedicated employee who is responsible for  
5 oversight of enhanced raffle operations. The bona fide charitable or  
6 nonprofit organization is ultimately responsible for ensuring that an  
7 enhanced raffle is conducted in accordance with all applicable state  
8 laws and rules.

9 (4) The commission has the authority to set fees for bona fide  
10 charitable or nonprofit organizations, call center vendors, and  
11 consultants conducting enhanced raffles authorized under this  
12 section.

13 (5) The commission has the authority to adopt rules governing the  
14 licensing and operation of enhanced raffles.

15 (6) Except as specifically authorized in this section, enhanced  
16 raffles must be held in accordance with all other requirements of  
17 this chapter, other applicable laws, and rules of the commission.

18 (7) For the purposes of this section:

19 (a) "Enhanced raffle" means a game in which tickets bearing an  
20 individual number are sold for not more than two hundred fifty  
21 dollars each and in which a grand prize and smaller prizes are  
22 awarded on the basis of drawings from the tickets by the person or  
23 persons conducting the game. An enhanced raffle may include  
24 additional related entries and drawings, such as early bird, refer a  
25 friend, and multiple ticket drawings when the bona fide charitable or  
26 nonprofit organization establishes the eligibility standards for such  
27 entries and drawings before any enhanced raffle tickets are sold. No  
28 drawing may occur by using a random number generator or similar  
29 means.

30 (b) "Early bird drawing" means a separate drawing for a separate  
31 prize held prior to the grand prize drawing. All tickets entered into  
32 the early bird drawing, including all early bird winning tickets, are  
33 entered into subsequent early bird drawings, and also entered into  
34 the drawing for the grand prize.

35 (c) "Refer a friend drawing" means a completely separate drawing,  
36 using tickets distinct from those for the enhanced raffle, for a  
37 separate prize held at the conclusion of the enhanced raffle for all  
38 enhanced raffle ticket purchasers, known as the referring friend, who  
39 refer other persons to the enhanced raffle when the other person  
40 ultimately purchases an enhanced raffle ticket. The referring friend



1 will receive one ticket for each friend referred specifically for the  
2 refer a friend drawing. In addition, each friend referred could also  
3 become a referring friend and receive his or her own additional  
4 ticket for the refer a friend drawing.

5 (d) "Multiple ticket drawing" means a completely separate  
6 drawing, using tickets distinct from those for the enhanced raffle,  
7 for a separate prize held at the conclusion of the enhanced raffle  
8 for all enhanced raffle ticket purchasers who purchase a specified  
9 number of enhanced raffle tickets. For example, a multiple ticket  
10 drawing could include persons who purchase three or more enhanced  
11 raffle tickets in the same order, using the same payment information,  
12 with tickets in the same person's name. For each eligible enhanced  
13 raffle ticket purchased, the purchaser also receives a ticket for the  
14 multiple ticket drawing prize.

15 (e) "Western Washington" includes those counties west of the  
16 Cascade mountains, including Clallam, Clark, Cowlitz, Grays Harbor,  
17 Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San  
18 Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, and Whatcom.

19 (f) "Eastern Washington" includes those counties east of the  
20 Cascade mountains that are not listed in (e) of this subsection.

21 (8) By December 2016, the commission must report back to the  
22 appropriate committees of the legislature on enhanced raffles. The  
23 report must include results of the raffles, revenue generated by the  
24 raffles, and identify any state or federal regulatory actions taken  
25 in relation to enhanced raffles in Washington. The report must also  
26 make recommendations, if any, for policy changes to the enhanced  
27 raffle authority.

28 (9) This section expires June 30, 2022.

29 **Sec. 9.** RCW 9.46.070 and 2012 c 116 s 1 are each amended to read  
30 as follows:

31 The commission shall have the following powers and duties:

32 (1) To authorize and issue licenses for a period not to exceed  
33 one year to bona fide charitable or nonprofit organizations approved  
34 by the commission meeting the requirements of this chapter and any  
35 rules and regulations adopted pursuant thereto permitting said  
36 organizations to conduct bingo games, raffles, amusement games, and  
37 social card games, to utilize punchboards and pull-tabs in accordance  
38 with the provisions of this chapter and any rules and regulations  
39 adopted pursuant thereto and to revoke or suspend said licenses for

1 violation of any provisions of this chapter or any rules and  
2 regulations adopted pursuant thereto: PROVIDED, That the commission  
3 shall not deny a license to an otherwise qualified applicant in an  
4 effort to limit the number of licenses to be issued: PROVIDED  
5 FURTHER, That the commission or director shall not issue, deny,  
6 suspend, or revoke any license because of considerations of race,  
7 sex, creed, color, or national origin: AND PROVIDED FURTHER, That the  
8 commission may authorize the director to temporarily issue or suspend  
9 licenses subject to final action by the commission;

10 (2) To authorize and issue licenses for a period not to exceed  
11 one year to any person, association, or organization operating a  
12 business primarily engaged in the selling of items of food or drink  
13 for consumption on the premises, approved by the commission meeting  
14 the requirements of this chapter and any rules and regulations  
15 adopted pursuant thereto permitting said person, association, or  
16 organization to utilize punchboards and pull-tabs and to conduct  
17 social card games as a commercial stimulant in accordance with the  
18 provisions of this chapter and any rules and regulations adopted  
19 pursuant thereto and to revoke or suspend said licenses for violation  
20 of any provisions of this chapter and any rules and regulations  
21 adopted pursuant thereto: PROVIDED, That the commission shall not  
22 deny a license to an otherwise qualified applicant in an effort to  
23 limit the number of licenses to be issued: PROVIDED FURTHER, That the  
24 commission may authorize the director to temporarily issue or suspend  
25 licenses subject to final action by the commission;

26 (3) To authorize and issue licenses for a period not to exceed  
27 one year to any person, association, or organization approved by the  
28 commission meeting the requirements of this chapter and meeting the  
29 requirements of any rules and regulations adopted by the commission  
30 pursuant to this chapter as now or hereafter amended, permitting said  
31 person, association, or organization to conduct or operate amusement  
32 games in such manner and at such locations as the commission may  
33 determine. The commission may authorize the director to temporarily  
34 issue or suspend licenses subject to final action by the commission;

35 (4) To authorize, require, and issue, for a period not to exceed  
36 one year, such licenses as the commission may by rule provide, to any  
37 person, association, or organization to engage in the selling,  
38 distributing, or otherwise supplying or in the manufacturing of  
39 devices for use within this state for those activities authorized by  
40 this chapter. The commission may authorize the director to

1 temporarily issue or suspend licenses subject to final action by the  
2 commission;

3 (5) To establish a schedule of annual license fees for carrying  
4 on specific gambling activities upon the premises, and for such other  
5 activities as may be licensed by the commission, which fees shall  
6 provide to the commission not less than an amount of money adequate  
7 to cover all costs incurred by the commission relative to licensing  
8 under this chapter and the enforcement by the commission of the  
9 provisions of this chapter and rules and regulations adopted pursuant  
10 thereto: PROVIDED, That all licensing fees shall be submitted with an  
11 application therefor and such portion of said fee as the commission  
12 may determine, based upon its cost of processing and investigation,  
13 shall be retained by the commission upon the withdrawal or denial of  
14 any such license application as its reasonable expense for processing  
15 the application and investigation into the granting thereof: PROVIDED  
16 FURTHER, That if in a particular case the basic license fee  
17 established by the commission for a particular class of license is  
18 less than the commission's actual expenses to investigate that  
19 particular application, the commission may at any time charge to that  
20 applicant such additional fees as are necessary to pay the commission  
21 for those costs. The commission may decline to proceed with its  
22 investigation and no license shall be issued until the commission has  
23 been fully paid therefor by the applicant: AND PROVIDED FURTHER, That  
24 the commission may establish fees for the furnishing by it to  
25 licensees of identification stamps to be affixed to such devices and  
26 equipment as required by the commission and for such other special  
27 services or programs required or offered by the commission, the  
28 amount of each of these fees to be not less than is adequate to  
29 offset the cost to the commission of the stamps and of administering  
30 their dispersal to licensees or the cost of administering such other  
31 special services, requirements or programs;

32 (6) To prescribe the manner and method of payment of taxes, fees  
33 and penalties to be paid to or collected by the commission;

34 (7) To require that applications for all licenses contain such  
35 information as may be required by the commission: PROVIDED, That all  
36 persons (a) having a managerial or ownership interest in any gambling  
37 activity, or the building in which any gambling activity occurs, or  
38 the equipment to be used for any gambling activity, or (b)  
39 participating as an employee in the operation of any gambling  
40 activity, shall be listed on the application for the license and the

1 applicant shall certify on the application, under oath, that the  
2 persons named on the application are all of the persons known to have  
3 an interest in any gambling activity, building, or equipment by the  
4 person making such application: PROVIDED FURTHER, That the commission  
5 shall require fingerprinting and national criminal history background  
6 checks on any persons seeking licenses, certifications, or permits  
7 under this chapter or of any person holding an interest in any  
8 gambling activity, building, or equipment to be used therefor, or of  
9 any person participating as an employee in the operation of any  
10 gambling activity. All national criminal history background checks  
11 shall be conducted using fingerprints submitted to the United States  
12 department of justice-federal bureau of investigation. The commission  
13 must establish rules to delineate which persons named on the  
14 application are subject to national criminal history background  
15 checks. In identifying these persons, the commission must take into  
16 consideration the nature, character, size, and scope of the gambling  
17 activities requested by the persons making such applications;

18 (8) To require that any license holder maintain records as  
19 directed by the commission and submit such reports as the commission  
20 may deem necessary;

21 (9) To require that all income from bingo games, raffles, and  
22 amusement games be recorded and reported as established by rule or  
23 regulation of the commission to the extent deemed necessary by  
24 considering the scope and character of the gambling activity in such  
25 a manner that will disclose gross income from any gambling activity,  
26 amounts received from each player, the nature and value of prizes,  
27 and the fact of distributions of such prizes to the winners thereof.  
28 However, the commission may not require a bona fide charitable or  
29 nonprofit organization to keep separate accounts for funds generated  
30 from gambling activities;

31 (10) To regulate and establish maximum limitations on income  
32 derived from bingo. In establishing limitations pursuant to this  
33 subsection the commission shall take into account (a) the nature,  
34 character, and scope of the activities of the licensee; (b) the  
35 source of all other income of the licensee; and (c) the percentage or  
36 extent to which income derived from bingo is used for charitable, as  
37 distinguished from nonprofit, purposes. However, the commission's  
38 powers and duties granted by this subsection are discretionary and  
39 not mandatory;

1 (11) To regulate and establish the type and scope of and manner  
2 of conducting the gambling activities authorized by this chapter,  
3 including but not limited to, the extent of wager, money, or other  
4 thing of value which may be wagered or contributed or won by a player  
5 in any such activities;

6 (12) To regulate the collection of and the accounting for the fee  
7 which may be imposed by an organization, corporation, or person  
8 licensed to conduct a social card game on a person desiring to become  
9 a player in a social card game in accordance with RCW 9.46.0282;

10 (13) To cooperate with and secure the cooperation of county,  
11 city, and other local or state agencies in investigating any matter  
12 within the scope of its duties and responsibilities;

13 (14) In accordance with RCW 9.46.080, to adopt such rules and  
14 regulations as are deemed necessary to carry out the purposes and  
15 provisions of this chapter. All rules and regulations shall be  
16 adopted pursuant to the administrative procedure act, chapter 34.05  
17 RCW;

18 (15) To set forth for the perusal of counties, city-counties,  
19 cities and towns, model ordinances by which any legislative authority  
20 thereof may enter into the taxing of any gambling activity authorized  
21 by this chapter;

22 (16)(a) To establish and regulate a maximum limit on salaries or  
23 wages which may be paid to persons employed in connection with  
24 activities conducted by bona fide charitable or nonprofit  
25 organizations and authorized by this chapter, where payment of such  
26 persons is allowed, and to regulate and establish maximum limits for  
27 other expenses in connection with such authorized activities,  
28 including but not limited to rent or lease payments. However, the  
29 commissioner's powers and duties granted by this subsection are  
30 discretionary and not mandatory.

31 (b) In establishing these maximum limits the commission shall  
32 take into account the amount of income received, or expected to be  
33 received, from the class of activities to which the limits will apply  
34 and the amount of money the games could generate for authorized  
35 charitable or nonprofit purposes absent such expenses. The commission  
36 may also take into account, in its discretion, other factors,  
37 including but not limited to, the local prevailing wage scale and  
38 whether charitable purposes are benefited by the activities;

39 (17) To authorize, require, and issue for a period not to exceed  
40 one year such licenses or permits, for which the commission may by

1 rule provide, to any person to work for any operator of any gambling  
2 activity authorized by this chapter in connection with that activity,  
3 or any manufacturer, supplier, or distributor of devices for those  
4 activities in connection with such business. The commission may  
5 authorize the director to temporarily issue or suspend licenses  
6 subject to final action by the commission. The commission shall not  
7 require that persons working solely as volunteers in an authorized  
8 activity conducted by a bona fide charitable or bona fide nonprofit  
9 organization, who receive no compensation of any kind for any purpose  
10 from that organization, and who have no managerial or supervisory  
11 responsibility in connection with that activity, be licensed to do  
12 such work. The commission may require that licensees employing such  
13 unlicensed volunteers submit to the commission periodically a list of  
14 the names, addresses, and dates of birth of the volunteers. If any  
15 volunteer is not approved by the commission, the commission may  
16 require that the licensee not allow that person to work in connection  
17 with the licensed activity;

18 (18) To publish and make available at the office of the  
19 commission or elsewhere to anyone requesting it a list of the  
20 commission licensees, including the name, address, type of license,  
21 and license number of each licensee;

22 (19) To establish guidelines for determining what constitutes  
23 active membership in bona fide nonprofit or charitable organizations  
24 for the purposes of this chapter;

25 (20) To renew the license of every person who applies for renewal  
26 within six months after being honorably discharged, removed, or  
27 released from active military service in the armed forces of the  
28 United States upon payment of the renewal fee applicable to the  
29 license period, if there is no cause for denial, suspension, or  
30 revocation of the license;

31 (21) To issue licenses under subsections (1) through (4) of this  
32 section that are valid for a period of up to eighteen months, if it  
33 chooses to do so, in order to transition to the use of the business  
34 licensing services program through the department of revenue; and

35 (22) To perform all other matters and things necessary to carry  
36 out the purposes and provisions of this chapter.

--- END ---