

Chapter 67.70 RCW
STATE LOTTERY

Sections

- 67.70.010 Definitions.
- 67.70.030 State lottery commission created—Membership—Terms—
Vacancies—Chair—Quorum.
- 67.70.040 Powers and duties of commission—When legislative approval
required.
- 67.70.042 Scratch games—Baseball stadium construction.
- 67.70.043 New games—Stadium and exhibition center bonds, operation,
and development—Youth athletic facilities.
- 67.70.044 Shared game lottery.
- 67.70.050 Office of director created—Appointment—Salary—Duties.
- 67.70.055 Activities prohibited to officers, employees, and members.
- 67.70.060 Powers of director.
- 67.70.070 Licenses for lottery sales agents—Factors—"Person"
defined.
- 67.70.080 License as authority to act.
- 67.70.090 Denial, suspension, and revocation of licenses.
- 67.70.100 Assignment of rights prohibited—Exceptions—Notices—
Assignment of payment of remainder of an annuity—
Intervention—Limitation on payment by director—Rules—
Recovery of costs of commission—Federal ruling required
—Discharge of liability.
- 67.70.110 Maximum price of ticket or share limited—Sale by other
than licensed agent prohibited.
- 67.70.120 Sale to minor prohibited—Exception—Penalties.
- 67.70.125 Use of public assistance electronic benefit cards
prohibited—Licensee to report violations.
- 67.70.130 Prohibited acts—Penalty.
- 67.70.140 Penalty for unlicensed activity.
- 67.70.150 Penalty for false or misleading statement or entry or
failure to produce documents.
- 67.70.160 Penalty for violation of chapter—Exceptions.
- 67.70.170 Penalty for violation of rules—Exceptions.
- 67.70.180 Persons prohibited from purchasing tickets or shares or
receiving prizes—Penalty.
- 67.70.190 Unclaimed prizes.
- 67.70.200 Deposit of moneys received by agents from sales—Power of
director—Reports.
- 67.70.210 Other law inapplicable to sale of tickets or shares.
- 67.70.220 Payment of prizes to minor.
- 67.70.230 State lottery account created.
- 67.70.240 Use of moneys in state lottery account limited.
- 67.70.241 Promotion of lottery by person or entity responsible for
operating stadium and exhibition center—Commission
approval—Cessation of obligation.
- 67.70.250 Methods for payment of prizes by installments.
- 67.70.255 Debts owed to state agency or political subdivision—Debt
information to lottery commission—Prize set off against
debts.
- 67.70.260 Lottery administrative account created.
- 67.70.270 Members of commission—Compensation—Travel expenses.

67.70.280 Application of administrative procedure act.
67.70.290 Postaudits by state auditor.
67.70.300 Investigations by attorney general authorized.
67.70.310 Management review by director of financial management.
67.70.320 Verification by certified public accountant.
67.70.330 Enforcement powers of director—Office of the director
designated law enforcement agency.
67.70.340 Transfer of shared game lottery proceeds.
67.70.360 Marketing lottery as contributor to opportunity pathways—
Strategy and implementation.
67.70.902 Construction—1982 2nd ex.s. c 7.
67.70.905 Effective date—1985 c 375.
67.70.906 Construction—Chapter applicable to state registered
domestic partnerships—2009 c 521.

Problem gambling, information for: RCW 9.46.071.

Problem gambling and gambling disorder treatment: RCW 41.05.750.

RCW 67.70.010 Definitions. For the purposes of this chapter:

(1) "Commission" means the state lottery commission established by this chapter;

(2) "Director" means the director of the state lottery established by this chapter;

(3) "Lottery" or "state lottery" means the lottery established and operated pursuant to this chapter;

(4) "Online game" means a lottery game in which a player pays a fee to a lottery retailer and selects a combination of digits, numbers, or symbols, type and amount of play, and receives a computer-generated ticket with those selections, and the lottery separately draws or selects the winning combination or combinations;

(5) "Shared game lottery" means any lottery activity in which the commission participates under written agreement between the commission, on behalf of the state, and any other state or states. [2002 c 349 s 1; 1994 c 218 s 3; 1987 c 511 s 1; 1982 2nd ex.s. c 7 s 1.]

Effective date—1994 c 218: See note following RCW 9.46.010.

RCW 67.70.030 State lottery commission created—Membership—Terms—Vacancies—Chair—Quorum.

There is created the state lottery commission to consist of five members appointed by the governor with the consent of the senate. Of the initial members, one shall serve a term of two years, one shall serve a term of three years, one shall serve a term of four years, one shall serve a term of five years, and one shall serve a term of six years. Their successors, all of whom shall be citizen members appointed by the governor with the consent of the senate, upon being appointed and qualified, shall serve six-year terms. No member of the commission who has served a full six-year term is eligible for reappointment. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which the vacancy occurs.

The governor shall designate one member of the commission to serve as chair at the governor's pleasure.

A majority of the members shall constitute a quorum for the transaction of business. [2012 c 117 s 306; 1982 2nd ex.s. c 7 s 3.]

RCW 67.70.040 Powers and duties of commission—When legislative approval required. The commission shall have the power, and it shall be its duty:

(1) To adopt rules governing the establishment and operation of a state lottery as it deems necessary and desirable in order that such a lottery be initiated at the earliest feasible and practicable time, and in order that such lottery produce the maximum amount of net revenues for the state consonant with the dignity of the state and the general welfare of the people. Such rules shall include, but shall not be limited to, the following:

(a) The type of lottery to be conducted which may include the selling of tickets or shares, but such tickets or shares may not be sold over the internet. The use of electronic or mechanical devices or video terminals which allow for individual play against such devices or terminals shall be prohibited. An affirmative vote of sixty percent of both houses of the legislature is required before offering any game allowing or requiring a player to become eligible for a prize or to otherwise play any portion of the game by interacting with any device or terminal involving digital, video, or other electronic representations of any game of chance, including scratch tickets, pull-tabs, bingo, poker or other cards, dice, roulette, keno, or slot machines. Approval of the legislature shall be required before entering any agreement with other state lotteries to conduct shared games;

(b) The price, or prices, of tickets or shares in the lottery;

(c) The numbers and sizes of the prizes on the winning tickets or shares;

(d) The manner of selecting the winning tickets or shares, except as limited by (a) of this subsection;

(e) The manner and time of payment of prizes to the holder of winning tickets or shares which, at the director's option, may be paid in lump sum amounts or installments over a period of years;

(f) The frequency of the drawings or selections of winning tickets or shares. Approval of the legislature is required before conducting any online game in which the drawing or selection of winning tickets occurs more frequently than once every twenty-four hours;

(g) Without limit as to number, the type or types of locations at which tickets or shares may be sold;

(h) The method to be used in selling tickets or shares, except as limited by (a) of this subsection;

(i) The licensing of agents to sell or distribute tickets or shares, except that a person under the age of eighteen shall not be licensed as an agent;

(j) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the public;

(k) The apportionment of the total revenues accruing from the sale of lottery tickets or shares and from all other sources among:

(i) The payment of prizes to the holders of winning tickets or shares, which shall not be less than forty-five percent of the gross annual

revenue from such lottery, (ii) transfers to the lottery administrative account created by RCW 67.70.260, and (iii) transfer to the state's general fund. Transfers to the state general fund shall be made in compliance with RCW 43.01.050;

(1) Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares.

(2) To ensure that in each place authorized to sell lottery tickets or shares, on the back of the ticket or share, and in any advertising or promotion there shall be conspicuously displayed an estimate of the probability of purchasing a winning ticket.

(3) To amend, repeal, or supplement any such rules from time to time as it deems necessary or desirable.

(4) To advise and make recommendations to the director for the operation and administration of the lottery.

(5) (a) By June 30, 2021, to adopt rules to establish a program allowing a person to voluntarily exclude themselves from lottery activities including, but not limited to:

(i) Enrolling in a player loyalty or reward program operated or maintained by the lottery;

(ii) Entering or winning any second chance lottery promotion; and

(iii) Claiming or receiving from the lottery any monetary, promotional, or merchandise prize valued at more than six hundred dollars. Monetary prizes valued at more than six hundred dollars must be transferred to the problem gambling account created in RCW 41.05.751 after payment of any debts pursuant to RCW 67.70.255. Promotional and merchandise prizes valued at more than six hundred dollars must be retained by the lottery.

(b) An individual who participates in the self-exclusion program does not have a cause of action against the state of Washington, the commission, or any licensed retailer, its employees, or officers for any acts or omissions in processing or enforcing the requirements of the self-exclusion program.

(c) Any personal information collected, stored, or accessed under the self-exclusion program may not be disseminated for any purpose other than the administration of the self-exclusion program. [2019 c 213 s 3; 2006 c 290 s 3; 1994 c 218 s 4; 1991 c 359 s 1; 1988 c 289 s 801; 1987 c 511 s 2; 1985 c 375 s 1; 1982 2nd ex.s. c 7 s 4.]

State policy—2006 c 290: See note following RCW 9.46.240.

Effective date—1994 c 218: See note following RCW 9.46.010.

Severability—1988 c 289: See note following RCW 50.16.070.

RCW 67.70.042 Scratch games—Baseball stadium construction. The lottery commission shall conduct at least two but not more than four scratch games with sports themes per year. These games are intended to generate additional moneys sufficient to cover the distributions under *RCW 67.70.240(4). [1997 c 220 s 207 (Referendum Bill No. 48, approved June 17, 1997); 1995 3rd sp.s. c 1 s 104.]

***Reviser's note:** RCW 67.70.240 was amended by 2013 c 136 s 1, deleting subsection (4).

Referendum—Other legislation limited—Legislators' personal intent not indicated—Reimbursements for election—Voters' pamphlet, election requirements—1997 c 220: See RCW 36.102.800 through 36.102.803.

Part headings not law—Effective date—1995 3rd sp.s. c 1: See notes following RCW 82.14.0485.

State contribution for baseball stadium limited: RCW 82.14.0486.

RCW 67.70.043 New games—Stadium and exhibition center bonds, operation, and development—Youth athletic facilities. The lottery commission shall conduct new games that are in addition to any games conducted under RCW 67.70.042 and are intended to generate additional moneys sufficient to cover the distributions under *RCW 67.70.240(5). No game may be conducted under this section before January 1, 1998. No game may be conducted under this section after December 31, 1999, unless the conditions for issuance of the bonds under RCW 43.99N.020(2) are met, and no game is required to be conducted after the distributions cease under *RCW 67.70.240(5).

For the purposes of this section, the lottery may accept and market prize promotions provided in conjunction with private-sector marketing efforts. [1997 c 220 s 205 (Referendum Bill No. 48, approved June 17, 1997).]

***Reviser's note:** RCW 67.70.240 was amended by 2013 c 136 s 1, changing subsection (5) to subsection (1)(d).

Referendum—Other legislation limited—Legislators' personal intent not indicated—Reimbursements for election—Voters' pamphlet, election requirements—1997 c 220: See RCW 36.102.800 through 36.102.803.

RCW 67.70.044 Shared game lottery. (1) Pursuant to RCW 67.70.040(1)(a), the commission may enter into the multistate agreement establishing a shared game lottery known as "The Big Game," that was entered into by party state lotteries in August 1996 and subsequently amended and a shared game lottery known as "Powerball."

(2) The shared game lottery account is created as a separate account outside the state treasury. The account is managed, maintained, and controlled by the commission and consists of all revenues received from the sale of shared game lottery tickets or shares, and all other moneys credited or transferred to it from any other fund or source under law. The account is allotted according to chapter 43.88 RCW. During the 2009-2011 fiscal biennium, the legislature may transfer from the shared game lottery account to the education legacy trust account such amounts as reflect the excess fund balance of the account. [2010 1st sp.s. c 37 s 940; 2009 c 576 s 1; 2002 c 349 s 2.]

Effective date—2010 1st sp.s. c 37: See note following RCW 13.06.050.

RCW 67.70.050 Office of director created—Appointment—Salary—

Duties. There is created the office of director of the state lottery. The director shall be appointed by the governor with the consent of the senate. The director shall serve at the pleasure of the governor and shall receive such salary as is determined by the governor, but in no case may the director's salary be more than ninety percent of the salary of the governor. The director shall:

(1) Supervise and administer the operation of the lottery in accordance with the provisions of this chapter and with the rules of the commission.

(2) Appoint such deputy and assistant directors as may be required to carry out the functions and duties of his or her office: PROVIDED, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such deputy and assistant directors.

(3) Appoint such professional, technical, and clerical assistants and employees as may be necessary to perform the duties imposed by this chapter: PROVIDED, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such employees as are engaged in undercover audit or investigative work or security operations but shall apply to other employees appointed by the director, except as provided for in subsection (2) of this section.

(4) In accordance with the provisions of this chapter and the rules of the commission, license as agents to sell or distribute lottery tickets such persons as in his or her opinion will best serve the public convenience and promote the sale of tickets or shares. The director may require a bond from any licensed agent, in such amount as provided in the rules of the commission. Every licensed agent shall prominently display his or her license, or a copy thereof, as provided in the rules of the commission. License fees may be established by the commission, and, if established, shall be deposited in the state lottery account created by RCW 67.70.230.

(5) Confer regularly as necessary or desirable with the commission on the operation and administration of the lottery; make available for inspection by the commission, upon request, all books, records, files, and other information and documents of the lottery; and advise the commission and recommend such matters as the director deems necessary and advisable to improve the operation and administration of the lottery.

(6) Subject to the applicable laws relating to public contracts, enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery. No contract awarded or entered into by the director may be assigned by the holder thereof except by specific approval of the commission: PROVIDED, That nothing in this chapter authorizes the director to enter into public contracts for the regular and permanent administration of the lottery after the initial development and implementation.

(7) Certify quarterly to the state treasurer and the commission a full and complete statement of lottery revenues, prize disbursements, and other expenses for the preceding quarter.

(8) Carry on a continuous study and investigation of the lottery throughout the state: (a) For the purpose of ascertaining any defects in this chapter or in the rules issued thereunder by reason whereof any abuses in the administration and operation of the lottery or any evasion of this chapter or the rules may arise or be practiced, (b) for the purpose of formulating recommendations for changes in this

chapter and the rules promulgated thereunder to prevent such abuses and evasions, (c) to guard against the use of this chapter and the rules issued thereunder as a cloak for the carrying on of professional gambling and crime, and (d) to ensure that this chapter and rules shall be in such form and be so administered as to serve the true purposes of this chapter.

(9) Make a continuous study and investigation of: (a) The operation and the administration of similar laws which may be in effect in other states or countries, (b) the operation of an additional game or games for the benefit of a particular program or purpose, (c) any literature on the subject which from time to time may be published or available, (d) any federal laws which may affect the operation of the lottery, and (e) the reaction of the citizens of this state to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this chapter.

(10) Have all enforcement powers granted in chapter 9.46 RCW.

(11) Perform all other matters and things necessary to carry out the purposes and provisions of this chapter. [2012 c 117 s 307; 1998 c 245 s 106. Prior: 1987 c 511 s 3; 1987 c 505 s 57; 1986 c 158 s 21; 1985 c 375 s 2; 1982 2nd ex.s. c 7 s 5.]

RCW 67.70.055 Activities prohibited to officers, employees, and members. The director, deputy directors, any assistant directors, and employees of the state lottery and members of the lottery commission shall not:

(1) Serve as an officer or manager of any corporation or organization which conducts a lottery or gambling activity;

(2) Receive or share in, directly or indirectly, the gross profits of any lottery or other gambling activity regulated by the gambling commission;

(3) Be beneficially interested in any contract for the manufacture or sale of gambling devices, the conduct of a lottery or other gambling activity, or the provision of independent consultant services in connection with a lottery or other gambling activity. [1987 c 511 s 4; 1986 c 4 s 2.]

RCW 67.70.060 Powers of director. (1) The director or the director's authorized representative may:

(a) Make necessary public or private investigations within or outside of this state to determine whether any person has violated or is about to violate this chapter or any rule or order hereunder, or to aid in the enforcement of this chapter or in the prescribing of rules and forms hereunder; and

(b) Inspect the books, documents, and records of any person lending money to or in any manner financing any license holder or applicant for a license or receiving any income or profits from the use of such license for the purpose of determining compliance or noncompliance with the provisions of this chapter or the rules and regulations adopted pursuant thereto.

(2) For the purpose of any investigation or proceeding under this chapter, the director or an administrative law judge appointed under chapter 34.12 RCW may conduct hearings, administer oaths or affirmations, or upon the director's or administrative law judge's motion or upon request of any party may subpoena witnesses, compel

attendance, take depositions, take evidence, or require the production of any matter which is relevant to the investigation or proceeding, including but not limited to the existence, description, nature, custody, condition, or location of any books, documents, or other tangible things, or the identity or location of persons having knowledge or relevant facts, or any other matter reasonably calculated to lead to the discovery of material evidence.

(3) Upon failure to obey a subpoena or to answer questions propounded by the administrative law judge and upon reasonable notice to all persons affected thereby, the director may apply to the superior court for an order compelling compliance.

(4) The administrative law judges appointed under chapter 34.12 RCW may conduct hearings respecting the suspension, revocation, or denial of licenses, may administer oaths, admit or deny admission of evidence, compel the attendance of witnesses, issue subpoenas, issue orders, and exercise all other powers and perform all other functions set out in chapter 34.05 RCW.

(5) Except as otherwise provided in this chapter, all proceedings under this chapter shall be in accordance with the Administrative Procedure Act, chapter 34.05 RCW. [1989 c 175 s 123; 1982 2nd ex.s. c 7 s 6.]

Effective date—1989 c 175: See note following RCW 34.05.010.

RCW 67.70.070 Licenses for lottery sales agents—Factors

—"**Person**" defined. No license as an agent to sell lottery tickets or shares may be issued to any person to engage in business exclusively as a lottery sales agent. Before issuing a license, the director shall consider such factors as: (1) The financial responsibility and security of the person and his or her business or activity, (2) the accessibility of his or her place of business or activity to the public, (3) the sufficiency of existing licenses to serve the public convenience, and (4) the volume of expected sales.

For purposes of this section, the term "person" means an individual, association, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. "Person" does not mean any department, commission, agency, or instrumentality of the state, or any county or municipality or any agency or instrumentality thereof, except for retail outlets of the *state liquor control board. [2012 c 117 s 308; 1982 2nd ex.s. c 7 s 7.]

***Reviser's note:** The "state liquor control board" was renamed the "state liquor and cannabis board" by 2015 c 70 s 3.

RCW 67.70.080 License as authority to act. Any person licensed as provided in this chapter is hereby authorized and empowered to act as a lottery sales agent. [1982 2nd ex.s. c 7 s 8.]

RCW 67.70.090 Denial, suspension, and revocation of licenses. The director may deny an application for, or suspend or revoke, after notice and hearing, any license issued pursuant to this chapter. Such

license may, however, be temporarily suspended by the director without prior notice, pending any prosecution, investigation, or hearing. A license may be suspended or revoked or an application may be denied by the director for one or more of the following reasons:

- (1) Failure to account for lottery tickets received or the proceeds of the sale of lottery tickets or to file a bond if required by the director or to comply with the instructions of the director concerning the licensed activity;
- (2) For any of the reasons or grounds stated in RCW 9.46.075 or violation of this chapter or the rules of the commission;
- (3) Failure to file any return or report or to keep records or to pay any tax required by this chapter;
- (4) Fraud, deceit, misrepresentation, or conduct prejudicial to public confidence in the state lottery;
- (5) That the number of lottery tickets sold by the lottery sales agent is insufficient to meet administrative costs, or that public convenience is adequately served by other licensees;
- (6) A material change, since issuance of the license with respect to any matters required to be considered by the director under RCW 67.70.070.

For the purpose of reviewing any application for a license and for considering the denial, suspension, or revocation of any license the director may consider any prior criminal conduct of the applicant or licensee and the provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to such cases. [1982 2nd ex.s. c 7 s 9.]

**RCW 67.70.100 Assignment of rights prohibited—Exceptions—
Notices—Assignment of payment of remainder of an annuity—Intervention
—Limitation on payment by director—Rules—Recovery of costs of
commission—Federal ruling required—Discharge of liability. (1)**

Except under subsection (2) of this section, no right of any person to a prize drawn is assignable, except that payment of any prize drawn may be paid to the estate of a deceased prize winner, and except that any person pursuant to an appropriate judicial order may be paid the prize to which the winner is entitled.

(2) (a) The payment of all or part of the remainder of an annuity may be assigned to another person, pursuant to a voluntary assignment of the right to receive future annual prize payments, if the assignment is made pursuant to an appropriate judicial order of the Thurston county superior court or the superior court of the county in which the prize winner resides, if the winner is a resident of Washington state. If the prize winner is not a resident of Washington state, the winner must seek an appropriate order from the Thurston county superior court.

(b) If there is a voluntary assignment under (a) of this subsection, a copy of the petition for an order under (a) of this subsection and all notices of any hearing in the matter shall be served on the attorney general no later than ten days before any hearing or entry of any order.

(c) The court receiving the petition may issue an order approving the assignment and directing the director to pay to the assignee the remainder or portion of an annuity so assigned upon finding that all of the following conditions have been met:

(i) The assignment has been memorialized in writing and executed by the assignor and is subject to Washington law;

(ii) The assignor provides a sworn declaration to the court attesting to the facts that the assignor has had the opportunity to be represented by independent legal counsel in connection with the assignment, has received independent financial and tax advice concerning the effects of the assignment, and is of sound mind and not acting under duress, and the court makes findings determining so;

(iii) The assignee has provided a one-page written disclosure statement that sets forth in boldface type, fourteen point or larger, the payments being assigned by amount and payment dates, the purchase price, or loan amount being paid; the interest rate or rate of discount to present value, assuming monthly compounding and funding on the contract date; and the amount, if any, of any origination or closing fees that will be charged to the lottery winner. The disclosure statement must also advise the winner that the winner should consult with and rely upon the advice of his or her own independent legal or financial advisors regarding the potential federal and state tax consequences of the transaction; and

(iv) The proposed assignment does not and will not include or cover payments or portions of payments subject to offsets pursuant to RCW 67.70.255 unless appropriate provision is made in the order to satisfy the obligations giving rise to the offset.

(d) The commission may intervene as of right in any proceeding under this section but shall not be deemed an indispensable or necessary party.

(3) The director will not pay the assignee an amount in excess of the annual payment entitled to the assignor.

(4) The commission may adopt rules pertaining to the assignment of prizes under this section, including recovery of actual costs incurred by the commission. The recovery of actual costs shall be deducted from the initial annuity payment made to the assignee.

(5) No voluntary assignment under this section is effective unless and until the national office of the federal internal revenue service provides a ruling that declares that the voluntary assignment of prizes will not affect the federal income tax treatment of prize winners who do not assign their prizes. If at any time the federal internal revenue service or a court of competent jurisdiction provides a determination letter, revenue ruling, other public ruling of the internal revenue service or published decision to any state lottery or state lottery prize winner declaring that the voluntary assignment of prizes will effect the federal income tax treatment of prize winners who do not assign their prizes, the director shall immediately file a copy of that letter, ruling, or published decision with the secretary of state. No further voluntary assignments may be allowed after the date the ruling, letter, or published decision is filed.

(6) The occurrence of any event described in subsection (5) of this section does not render invalid or ineffective assignments validly made and approved pursuant to an appropriate judicial order before the occurrence of any such event.

(7) The requirement for a disclosure statement in subsection (2)(c)(iii) of this section does not apply to any assignment agreement executed before April 21, 1997.

(8) The commission and the director shall be discharged of all further liability upon payment of a prize pursuant to this section. [1997 c 111 s 1; 1996 c 228 s 2; 1982 2nd ex.s. c 7 s 10.]

Effective date—1997 c 111: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 21, 1997]." [1997 c 111 s 2.]

Intent—1996 c 228: "The Washington state lottery act under chapter 7, Laws of 1982 2nd ex. sess., provides, among other things, that the right of any person to a prize shall not be assignable, except to the estate of a deceased prize winner, or to a person designated pursuant to an appropriate judicial order. Current law and practices provide that those who win lotto jackpots are paid in annual installments over a period of twenty years. The legislature recognizes that some prize winners, particularly elderly persons, those seeking to acquire a small business, and others with unique needs, may not want to wait to be paid over the course of up to twenty years. It is the intent of the legislature to provide a restrictive means to accommodate those prize winners who wish to enjoy more of their winnings currently, without impacting the current fiscal structure of the Washington state lottery commission." [1996 c 228 s 1.]

RCW 67.70.110 Maximum price of ticket or share limited—Sale by other than licensed agent prohibited. A person shall not sell a ticket or share at a price greater than that fixed by rule of the commission. No person other than a licensed lottery sales agent shall sell lottery tickets, except that nothing in this section prevents any person from giving lottery tickets or shares to another as a gift. [1982 2nd ex.s. c 7 s 11.]

RCW 67.70.120 Sale to minor prohibited—Exception—Penalties.

(1) A ticket or share shall not be sold to any person under the age of eighteen, but this shall not be deemed to prohibit the purchase of a ticket or share for the purpose of making a gift by a person eighteen years of age or older to a person less than that age.

(2) Any licensee who knowingly sells or offers to sell a lottery ticket or share to any person under the age of eighteen is guilty of a misdemeanor.

(3) In the event that a person under the age of eighteen years directly purchases a ticket in violation of this section, that person is guilty of a misdemeanor. No prize will be paid to such person and the prize money otherwise payable on the ticket will be treated as unclaimed pursuant to RCW 67.70.190. [2003 c 53 s 303; 1987 c 511 s 6; 1982 2nd ex.s. c 7 s 12.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

RCW 67.70.125 Use of public assistance electronic benefit cards prohibited—Licensee to report violations. (1) Any licensee authorized under this chapter is prohibited from allowing the use of public assistance electronic benefit cards to purchase lottery tickets or shares authorized under this chapter.

(2) Any licensee authorized under this chapter shall report to the department of social and health services any known violations of RCW 74.08.580. [2002 c 252 s 5.]

RCW 67.70.130 Prohibited acts—Penalty. (1) A person shall not alter or forge a lottery ticket. A person shall not claim a lottery prize or share of a lottery prize by means of fraud, deceit, or misrepresentation. A person shall not conspire, aid, abet, or agree to aid another person or persons to claim a lottery prize or share of a lottery prize by means of fraud, deceit, or misrepresentation.

(2) A violation of this section is a class B felony punishable according to chapter 9A.20 RCW. [2003 c 53 s 304; 1982 2nd ex.s. c 7 s 13.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

RCW 67.70.140 Penalty for unlicensed activity. (1) Any person who conducts any activity for which a license is required by this chapter, or by rule of the commission, without the required license, is guilty of a class B felony punishable according to chapter 9A.20 RCW.

(2) If any corporation conducts any activity for which a license is required by this chapter, or by rule of the commission, without the required license, it may be punished by forfeiture of its corporate charter, in addition to the other penalties set forth in this section. [2003 c 53 s 305; 1982 2nd ex.s. c 7 s 14.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

RCW 67.70.150 Penalty for false or misleading statement or entry or failure to produce documents. Whoever, in any application for a license or in any book or record required to be maintained or in any report required to be submitted, makes any false or misleading statement, or makes any false or misleading entry or wilfully fails to maintain or make any entry required to be maintained or made, or who wilfully refuses to produce for inspection any book, record, or document required to be maintained or made by federal or state law is guilty of a gross misdemeanor. [1982 2nd ex.s. c 7 s 15.]

RCW 67.70.160 Penalty for violation of chapter—Exceptions. Any person who violates any provision of this chapter for which no penalty is otherwise provided, or knowingly causes, aids, abets, or conspires with another to cause any person to violate any provision of this chapter is guilty of a class C felony, except where other penalties are specifically provided for in this chapter. [1982 2nd ex.s. c 7 s 16.]

RCW 67.70.170 Penalty for violation of rules—Exceptions. Any person who violates any rule adopted pursuant to this chapter for

which no penalty is otherwise provided, or knowingly causes, aids, abets, or conspires with another to cause any person to violate any rule adopted pursuant to this chapter is guilty of a gross misdemeanor, except where other penalties are specifically provided for in this chapter. [1982 2nd ex.s. c 7 s 17.]

RCW 67.70.180 Persons prohibited from purchasing tickets or shares or receiving prizes—Penalty. A ticket or share shall not be purchased by, and a prize shall not be paid to any member of the commission, the director, or an employee of the lottery or to any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member of the commission, the director or an employee of the lottery.

A violation of this section is a misdemeanor. [1987 c 511 s 7; 1982 2nd ex.s. c 7 s 18.]

RCW 67.70.190 Unclaimed prizes. Unclaimed prizes shall be retained in the state lottery account for the person entitled thereto for one hundred eighty days after the drawing in which the prize is won, or after the official end of the game for instant prizes. If no claim is made for the prize within this time, all rights to the prize shall be extinguished, and the prize shall be retained in the state lottery fund for further use as prizes, except that one-third of all unclaimed prize money shall be deposited in the economic development strategic reserve account created in RCW 43.330.250. On June 30th of each fiscal year, any balance of unclaimed prizes in excess of ten million dollars must be transferred to the Washington opportunity pathways account created in RCW 28B.76.526.

During the 2013-2015 fiscal biennium, the legislature may transfer to the education legacy trust account such amounts as reflect the excess fund balance in the state lottery account from unclaimed prizes. [2015 3rd sp.s. c 31 s 1; 2013 2nd sp.s. c 4 s 987; 2009 c 564 s 949; 2005 c 427 s 2; 1994 c 218 s 5; 1988 c 289 s 802; 1987 c 511 s 8; 1982 2nd ex.s. c 7 s 19.]

Effective dates—2013 2nd sp.s. c 4: See note following RCW 2.68.020.

Effective date—2009 c 564: See note following RCW 2.68.020.

Effective date—1994 c 218: See note following RCW 9.46.010.

Severability—1988 c 289: See note following RCW 50.16.070.

RCW 67.70.200 Deposit of moneys received by agents from sales—Power of director—Reports. The director, in his or her discretion, may require any or all lottery sales agents to deposit to the credit of the state lottery account in banks designated by the state treasurer, all moneys received by such agents from the sale of lottery tickets or shares, less the amount, if any, retained as compensation for the sale of the tickets or shares, and to file with the director or his or her designated agents, reports of their receipts and transactions in the sale of lottery tickets in such form and

containing such information as he or she may require. The director may make such arrangements for any person, including a bank, to perform such functions, activities, or services in connection with the operation of the lottery as he or she may deem advisable pursuant to this chapter and the rules of the commission, and such functions, activities, or services shall constitute lawful functions, activities, and services of such person. [2012 c 117 s 309; 1987 c 511 s 9; 1982 2nd ex.s. c 7 s 20.]

RCW 67.70.210 Other law inapplicable to sale of tickets or shares. No other law, including chapter 9.46 RCW, providing any penalty or disability for the sale of lottery tickets or any acts done in connection with a lottery applies to the sale of tickets or shares performed pursuant to this chapter. [1982 2nd ex.s. c 7 s 21.]

RCW 67.70.220 Payment of prizes to minor. If the person entitled to a prize is under the age of eighteen years, and such prize is less than five thousand dollars, the director may direct payment of the prize by delivery to an adult member of the minor's family or a guardian of the minor of a check or draft payable to the order of such minor. If the person entitled to a prize is under the age of eighteen years, and such prize is five thousand dollars or more, the director may direct payment to such minor by depositing the amount of the prize in any bank to the credit of an adult member of the minor's family or a guardian of the minor as custodian for such minor. The person so named as custodian shall have the same duties and powers as a person designated as a custodian in a manner prescribed by the Washington uniform transfers to minors act, chapter 11.114 RCW, and for the purposes of this section the terms "adult member of a minor's family," "guardian of a minor," and "bank" shall have the same meaning as in chapter 11.114 RCW. The commission and the director shall be discharged of all further liability upon payment of a prize to a minor pursuant to this section. [1991 c 193 s 30; 1985 c 7 s 128; 1982 2nd ex.s. c 7 s 22.]

Effective date—1991 c 193: See RCW 11.114.903.

RCW 67.70.230 State lottery account created. There is hereby created and established a separate account, to be known as the state lottery account. Such account shall be managed, maintained, and controlled by the commission and shall consist of all revenues received from the sale of lottery tickets or shares, and all other moneys credited or transferred thereto from any other fund or source pursuant to law. The account shall be a separate account outside the state treasury. No appropriation is required to permit expenditures and payment of obligations from the account. During the 2009-2011 fiscal biennium, the legislature may transfer from the state lottery account to the education legacy trust account such amounts as reflect the excess fund balance of the account. [2010 1st sp.s. c 37 s 941; 1985 c 375 s 4; 1982 2nd ex.s. c 7 s 23.]

Effective date—2010 1st sp.s. c 37: See note following RCW 13.06.050.

RCW 67.70.240 Use of moneys in state lottery account limited.

(1) The moneys in the state lottery account may be used only:

(a) For the payment of prizes to the holders of winning lottery tickets or shares;

(b) For purposes of making deposits into the reserve account created by RCW 67.70.250 and into the lottery administrative account created by RCW 67.70.260;

(c) For purposes of making deposits into the Washington opportunity pathways account created in RCW 28B.76.526. Moneys in the state lottery account deposited in the Washington opportunity pathways account are included in "general state revenues" under RCW 39.42.070;

(d) For distribution to the stadium and exhibition center account, created in RCW 43.99N.060. Subject to the conditions of RCW 43.99N.070, six million dollars must be distributed under this subsection during the calendar year 1998. During subsequent years, such distribution must equal the prior year's distributions increased by four percent. No distribution may be made under this subsection after December 31, 1999, unless the conditions for issuance of the bonds under RCW 43.99N.020(2) are met. Distributions under this subsection must cease when the bonds are retired, but not later than December 31, 2020;

(e) For the purchase and promotion of lottery games and game-related services;

(f) For the payment of agent compensation; and

(g) For distribution to the gambling revolving fund, created in RCW 9.46.100, in amounts specified in the omnibus appropriations act. To meet the cash flow needs of both agencies, the director of the state lottery and the director of the Washington state gambling commission may determine the timing of the distribution, which may include incremental distributions over the course of the fiscal year.

(2) The office of financial management shall require the allotment of all expenses paid from the account and shall report to the ways and means committees of the senate and house of representatives any changes in the allotments. [2015 3rd sp.s. c 31 s 2; 2013 c 136 s 1; 2011 c 352 s 3; 2010 1st sp.s. c 27 s 3. Prior: 2009 c 500 s 11; 2009 c 479 s 44; 2001 c 3 s 4 (Initiative Measure No. 728, approved November 7, 2000); 1997 c 220 s 206 (Referendum Bill No. 48, approved June 17, 1997); 1995 3rd sp.s. c 1 s 105; 1987 c 513 s 7; 1985 c 375 s 5; 1982 2nd ex.s. c 7 s 24.]

Intent—2011 c 352: "In recognition of the extraordinary sacrifices made by the men and women serving in the United States armed forces, including Washington state's national guard and reserves, the legislature intends to authorize an ongoing source of funding to preserve the veterans innovations program. This important program provides assistance to military members and their families who face extreme financial hardships due to extended deployments." [2011 c 352 s 1.]

Findings—Intent—2010 1st sp.s. c 27: See note following RCW 28B.76.526.

Effective date—2009 c 500: See note following RCW 39.42.070.

Effective date—2009 c 479: See note following RCW 2.56.030.

Short title—2001 c 3 (Initiative Measure No. 728): "This act may be known and cited as the K-12 2000 student achievement act." [2001 c 3 s 1 (Initiative Measure No. 728, approved November 7, 2000).]

Purpose—Intent—2001 c 3 (Initiative Measure No. 728): "The citizens of Washington state expect and deserve great public schools for our generation of school children and for those who will follow. A quality public education system is crucial for our state's future economic success and prosperity, and for our children and their children to lead successful lives.

The purpose of this act is to improve public education and to achieve higher academic standards for all students through smaller class sizes and other improvements. A portion of the state's surplus general fund revenues is dedicated to this purpose.

In 1993, Washington state made a major commitment to improved public education by passing the Washington education reform act. This act established new, higher standards of academic achievement for all students. It also established new levels of accountability for students, teachers, schools, and school districts. However, the K-12 finance system has not been changed to respond to the new standards and individual student needs.

To make higher student achievement a reality, schools need the additional resources and flexibility to provide all students with more individualized quality instruction, more time, and the extra support that they may require. We need to ensure that curriculum, instruction methods, and assessments of student performance are aligned with the new standards and student needs. The current level of state funding does not provide adequate resources to support higher academic achievement for all students. In fact, inflation-adjusted per-student state funding has declined since the legislature adopted the 1993 education reform act.

The erosion of state funding for K-12 education is directly at odds with the state's "paramount duty to make ample provision for the education of all children...." Now is the time to invest some of our surplus state revenues in K-12 education and redirect state lottery funds to education, as was originally intended, so that we can fulfill the state's paramount duty.

Conditions and needs vary across Washington's two hundred ninety-six school districts. School boards accountable to their local communities should therefore have the flexibility to decide which of the following strategies will be most effective in increasing student performance and in helping students meet the state's new, higher academic standards:

- (1) Major reductions in K-4 class size;
- (2) Selected class size reductions in grades 5-12, such as small high school writing classes;
- (3) Extended learning opportunities for students who need or want additional time in school;
- (4) Investments in educators and their professional development;
- (5) Early assistance for children who need prekindergarten support in order to be successful in school; and
- (6) Providing improvements or additions to facilities to support class size reductions and extended learning opportunities.

REDUCING CLASS SIZE

Smaller classes in the early grades can significantly increase the amount of learning that takes place in the classroom. Washington state now ranks forty-eighth in the nation in its student-teacher ratio. This is unacceptable.

Significant class size reductions will provide our children with more individualized instruction and the attention they need and deserve and will reduce behavioral problems in classrooms. The state's long-term goal should be to reduce class size in grades K-4 to no more than eighteen students per teacher in a class.

The people recognize that class size reduction should be phased-in over several years. It should be accompanied by the necessary funds for school construction and modernization and for high quality, well-trained teachers.

EXTENDED LEARNING OPPORTUNITIES

Student achievement will also be increased if we expand learning opportunities beyond our traditional-length school day and year. In many school districts, educators and parents want a longer school day, a longer school year, and/or all-day kindergarten to help students improve their academic performance or explore new learning opportunities. In addition, special programs such as before-and-after-school tutoring will help struggling students catch and keep up with their classmates. Extended learning opportunities will be increasingly important as attainment of a certificate of mastery becomes a high school graduation requirement.

TEACHER QUALITY

Key to every student's academic success is a quality teacher in every classroom. Washington state's new standards for student achievement make teacher quality more important than ever. We are asking our teachers to teach more demanding curriculum in new ways, and we are holding our educators and schools to new, higher levels of accountability for student performance. Resources are needed to give teachers the content knowledge and skills to teach to higher standards and to give school leaders the skills to improve instruction and manage organizational change.

The ability of school districts throughout the state to attract and retain the highest quality teaching corps by offering competitive salaries and effective working conditions is an essential element of basic education. The state legislature is responsible for establishing teacher salaries. It is imperative that the legislature fund salary levels that ensure school districts' ability to recruit and retain the highest quality teachers.

EARLY ASSISTANCE

The importance of a child's intellectual development in the first five years has been established by widespread scientific research. This is especially true for children with disabilities and special needs. Providing assistance appropriate to children's developmental needs will enhance the academic achievement of these children in grades K-12. Early assistance will also lessen the need for more expensive remedial efforts in later years.

NO SUPPLANTING OF EXISTING EDUCATION FUNDS

It is the intent of the people that existing state funding for education, including all sources of such funding, shall not be

reduced, supplanted, or otherwise adversely impacted by appropriations or expenditures from the *student achievement fund created in RCW 43.135.045 or the education construction fund.

INVESTING SURPLUS IN SCHOOLS UNTIL GOAL MET

It is the intent of the people to invest a portion of state surplus revenues in their schools. This investment should continue until the state's contribution to funding public education achieves a reasonable goal. The goal should reflect the state's paramount duty to make ample provision for the education of all children and our citizens' desire that all students receive a quality education. The people set a goal of per-student state funding for the maintenance and operation of K-12 education being equal to at least ninety percent of the national average per-student expenditure from all sources. When this goal is met, further deposits to the *student achievement fund shall be required only to the extent necessary to maintain the ninety-percent level." [2001 c 3 s 2 (Initiative Measure No. 728, approved November 7, 2000).]

***Reviser's note:** The "student achievement fund" created in RCW 43.135.045 was deleted pursuant to 2009 c 479 s 37.

Construction—2001 c 3 (Initiative Measure No. 728): "The provisions of this act are to be liberally construed to effectuate the policies and purposes of this act." [2001 c 3 s 11 (Initiative Measure No. 728, approved November 7, 2000).]

Effective dates—2001 c 3 (Initiative Measure No. 728): "This act takes effect January 1, 2001, except for section 4 of this act which takes effect July 1, 2001." [2001 c 3 s 13 (Initiative Measure No. 728, approved November 7, 2000).]

Referendum—Other legislation limited—Legislators' personal intent not indicated—Reimbursements for election—Voters' pamphlet, election requirements—1997 c 220: See RCW 36.102.800 through 36.102.803.

Part headings not law—Effective date—1995 3rd sp.s. c 1: See notes following RCW 82.14.0485.

Effective date—Severability—1987 c 513: See notes following RCW 18.85.285.

State contribution for baseball stadium limited: RCW 82.14.0486.

RCW 67.70.241 Promotion of lottery by person or entity responsible for operating stadium and exhibition center—Commission approval—Cessation of obligation. The person or entity responsible for operating a stadium and exhibition center as defined in RCW 36.102.010 shall promote the lottery with any combination of in-kind advertising, sponsorship, or prize promotions, valued at one million dollars annually beginning January 1998 and increased by four percent each year thereafter for the purpose of increasing lottery sales of games authorized under RCW 67.70.043. The content and value of the advertising sponsorship or prize promotions are subject to reasonable

approval in advance by the lottery commission. The obligation of this section shall cease when the distributions under *RCW 67.70.240(5) end, but not later than December 31, 2020. [1997 c 220 s 208 (Referendum Bill No. 48, approved June 17, 1997).]

***Reviser's note:** RCW 67.70.240 was amended by 2013 c 136 s 1, changing subsection (5) to subsection (1)(d).

Referendum—Other legislation limited—Legislators' personal intent not indicated—Reimbursements for election—Voters' pamphlet, election requirements—1997 c 220: See RCW 36.102.800 through 36.102.803.

RCW 67.70.250 Methods for payment of prizes by installments. If the director decides to pay any portion of or all of the prizes in the form of installments over a period of years, the director shall provide for the payment of all such installments for any specific lottery game by one, but not both, of the following methods:

(1) The director may enter into contracts with any financially responsible person or firm providing for the payment of such installments; or

(2) The director may establish and maintain a reserve account into which shall be placed sufficient moneys for the director to pay such installments as they become due. Such reserve account shall be maintained as a separate and independent fund outside the state treasury. [1987 c 511 s 11; 1982 2nd ex.s. c 7 s 25.]

RCW 67.70.255 Debts owed to state agency or political subdivision—Debt information to lottery commission—Prize set off against debts. (1) Any state agency or political subdivision that maintains records of debts owed to the state or political subdivision, or that the state is authorized to enforce or collect, may submit data processing tapes containing debt information to the lottery in a format specified by the lottery. State agencies or political subdivisions submitting debt information tapes shall provide updates on a regular basis at intervals not to exceed one month and shall be solely responsible for the accuracy of the information contained therein.

(2) The lottery shall include the debt information submitted by state agencies or political subdivisions in its validation and prize payment process. The lottery shall delay payment of a prize exceeding six hundred dollars for a period not to exceed two working days, to any person owing a debt to a state agency or political subdivision pursuant to the information submitted in subsection (1) of this section. The lottery shall contact the state agency or political subdivision that provided the information to verify the debt. The prize shall be paid to the claimant if the debt is not verified by the submitting state agency or political subdivision within two working days. If the debt is verified, the prize shall be disbursed pursuant to subsection (3) of this section.

(3) Prior to disbursement, any lottery prize exceeding six hundred dollars shall be set off against any debts owed by the prize winner to a state agency or political subdivision, or that the state is authorized to enforce or collect. [1986 c 83 s 2.]

Policy—1986 c 83: "The award of prizes by the state lottery is one of many functions of the state government. As such, the lottery prizes should be subject to debts owed to the state or that the state is authorized to enforce or collect. This policy expedites collections of obligations through interagency cooperation." [1986 c 83 s 1.]

Effective date—1986 c 83: "This act shall take effect September 1, 1986." [1986 c 83 s 3.]

RCW 67.70.260 Lottery administrative account created. There is hereby created the lottery administrative account in the state treasury. The account shall be managed, controlled, and maintained by the director. The legislature may appropriate from the account for the payment of costs incurred in the operation and administration of the lottery. The lottery administrative account may also be used to fund an independent forecast of the lottery revenues conducted by the economic and revenue forecast council. [2015 3rd sp.s. c 31 s 3; 2014 c 221 s 921; 2011 1st sp.s. c 50 s 962; 2002 c 371 s 919; 1985 c 375 s 6; 1982 2nd ex.s. c 7 s 26.]

Effective date—2014 c 221: See note following RCW 28A.710.260.

Effective dates—2011 1st sp.s. c 50: See note following RCW 15.76.115.

Severability—Effective date—2002 c 371: See notes following RCW 9.46.100.

RCW 67.70.270 Members of commission—Compensation—Travel expenses. Each member of the commission shall be compensated in accordance with RCW 43.03.250 and shall be reimbursed for actual necessary traveling and other expenses in going to, attending, and returning from meetings of the commission and actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested by a majority vote of the commission or by the director. [1984 c 287 s 101; 1982 2nd ex.s. c 7 s 27.]

Legislative findings—Severability—Effective date—1984 c 287: See notes following RCW 43.03.220.

RCW 67.70.280 Application of administrative procedure act. The provisions of the administrative procedure act, chapter 34.05 RCW, shall apply to administrative actions taken by the commission or the director pursuant to this chapter. [1982 2nd ex.s. c 7 s 28.]

RCW 67.70.290 Postaudits by state auditor. The state auditor shall conduct an annual postaudit of all accounts and transactions of the lottery and such other special postaudits as he or she may be directed to conduct pursuant to chapter 43.09 RCW. [2012 c 117 s 310; 1982 2nd ex.s. c 7 s 29.]

RCW 67.70.300 Investigations by attorney general authorized.

The attorney general may investigate violations of this chapter, and of the criminal laws within this state, by the commission, the director, or the director's employees, licensees, or agents, in the manner prescribed for criminal investigations in RCW 43.10.090. [1987 c 511 s 13; 1982 2nd ex.s. c 7 s 30.]

RCW 67.70.310 Management review by director of financial management. The director of financial management may conduct a management review of the commission's lottery operations to assure that:

- (1) The manner and time of payment of prizes to the holder of winning tickets or shares is consistent with this chapter and the rules adopted under this chapter;
- (2) The apportionment of total revenues accruing from the sale of lottery tickets or shares and from all other sources is consistent with this chapter;
- (3) The manner and type of lottery being conducted, and the expenses incidental thereto, are the most efficient and cost-effective; and
- (4) The commission is not unnecessarily incurring operating and administrative costs.

In conducting a management review, the director of financial management may inspect the books, documents, and records of the commission. Upon completion of a management review, all irregularities shall be reported to the attorney general, the joint legislative audit and review committee, and the state auditor. The director of financial management shall make such recommendations as may be necessary for the most efficient and cost-effective operation of the lottery. [1996 c 288 s 50; 1982 2nd ex.s. c 7 s 31.]

RCW 67.70.320 Verification by certified public accountant. The director of financial management shall select a certified public accountant to verify that:

- (1) The manner of selecting the winning tickets or shares is consistent with this chapter; and
- (2) The manner and time of payment of prizes to the holder of winning tickets or shares is consistent with this chapter. The cost of these services shall be paid from moneys placed within the lottery administrative account created in RCW 67.70.260. [1987 c 511 s 14; 1982 2nd ex.s. c 7 s 32.]

RCW 67.70.330 Enforcement powers of director—Office of the director designated law enforcement agency. The director shall have the power to enforce this chapter and the penal laws of this state relating to the conduct of or participation in lottery activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. The director, the deputy director, assistant directors, and each of the director's investigators, enforcement officers, and inspectors shall have the power to enforce this chapter and the penal laws of this state relating to the conduct of or participation in lottery activities and the manufacturing,

importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. They shall have the power and authority to apply for and execute all warrants and serve process of law issued by the courts in enforcing the penal provisions of this chapter and the penal laws of this state relating to the conduct of or participation in lottery activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. They shall have the power to arrest without a warrant, any person or persons found in the act of violating any of the penal provisions of this chapter and the penal laws of this state relating to the conduct of or participation in lottery activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. To the extent set forth in this section, the office of the director shall be a law enforcement agency of this state with the power to investigate for violations of and to enforce the provisions of this chapter and to obtain information from and provide information to all other law enforcement agencies. [1987 c 511 s 15; 1982 2nd ex.s. c 7 s 33.]

RCW 67.70.340 Transfer of shared game lottery proceeds. (1) The legislature recognizes that creating a shared game lottery could result in less revenue being raised by the existing state lottery ticket sales. The legislature further recognizes that the fund most impacted by this potential event is the Washington opportunity pathways account. Therefore, it is the intent of the legislature to use some of the proceeds from the shared game lottery to make up the difference that the potential state lottery revenue loss would have on the Washington opportunity pathways account. The legislature further intends to use some of the proceeds from the shared game lottery to fund programs and services related to problem gambling and gambling disorder.

(2) The Washington opportunity pathways account is expected to receive \$102,000,000 annually from state lottery games other than the shared game lottery. For fiscal year 2011 and thereafter, if the amount of lottery revenues earmarked for the Washington opportunity pathways account is less than \$102,000,000, the commission, after making the transfer required under subsection (3) of this section, must transfer sufficient moneys from revenues derived from the shared game lottery into the Washington opportunity pathways account to bring the total revenue up to \$102,000,000.

(3) (a) The commission shall transfer, from revenue derived from the shared game lottery, to the problem gambling account created in RCW 41.05.751, an amount equal to the percentage specified in (b) of this subsection of net receipts. For purposes of this subsection, "net receipts" means the difference between (i) revenue received from the sale of lottery tickets or shares and revenue received from the sale of shared game lottery tickets or shares; and (ii) the sum of payments made to winners.

(b) In fiscal year 2024, the percentage to be transferred to the problem gambling account is 0.20 percent. In fiscal year 2025 and subsequent fiscal years, the percentage to be transferred to the problem gambling account is 0.26 percent.

(4) The commission shall transfer the remaining net revenues, if any, derived from the shared game lottery "Powerball" authorized in

RCW 67.70.044(1) after the transfers pursuant to this section into the state general fund for support for the program of basic education under RCW 28A.150.200.

(5) The remaining net revenues, if any, in the shared game lottery account after the transfers pursuant to this section shall be deposited into the Washington opportunity pathways account. [2023 c 284 s 3; 2012 1st sp.s. c 10 s 6; 2010 1st sp.s. c 27 s 4. Prior: 2009 c 576 s 2; 2009 c 479 s 45; 2005 c 369 s 4; 2002 c 349 s 3.]

Findings—Intent—Effective date—2023 c 284: See notes following RCW 41.05.750.

Purpose—Construction—2012 1st sp.s. c 10: See note following RCW 84.52.0531.

Findings—Intent—2010 1st sp.s. c 27: See note following RCW 28B.76.526.

Effective date—2009 c 479: See note following RCW 2.56.030.

Findings—Intent—Severability—Effective date—2005 c 369: See notes following RCW 41.05.750.

RCW 67.70.360 Marketing lottery as contributor to opportunity pathways—Strategy and implementation. In consultation with independent experts and in collaboration with the *higher education coordinating board, the state lottery commission shall upon July 13, 2010, develop and begin implementation of a strategy and plan for actively marketing the state lottery as an essential contributor to Washington's opportunity pathways. The commission shall report to the economic development, higher education, and commerce committees of the legislature on the key messages, components, performance objectives, and anticipated revenue impacts of the strategy by September 1, 2010, and by December 1, 2010. [2010 1st sp.s. c 27 s 6.]

***Reviser's note:** The higher education coordinating board was abolished by 2011 1st sp.s. c 11 s 301, effective July 1, 2012.

Findings—Intent—2010 1st sp.s. c 27: See note following RCW 28B.76.526.

RCW 67.70.902 Construction—1982 2nd ex.s. c 7. This act shall be liberally construed to carry out the purposes and policies of the act. [1982 2nd ex.s. c 7 s 35.]

RCW 67.70.905 Effective date—1985 c 375. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions and shall take effect March 1, 1985. [1985 c 375 s 10.]

Reviser's note: 1985 c 375 was signed by the governor May 20, 1985.

RCW 67.70.906 Construction—Chapter applicable to state registered domestic partnerships—2009 c 521. For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement chapter 521, Laws of 2009, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships. [2009 c 521 s 147.]