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**HOUSE BILL 1975**

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**State of Washington****66th Legislature****2019 Regular Session**

**By** Representatives Pettigrew, Walsh, Kirby, Riccelli, Fitzgibbon, and Stonier

1       AN ACT Relating to authorizing sports wagering subject to the  
2 terms of tribal-state gaming compacts; amending RCW 9.46.240; adding  
3 new sections to chapter 9.46 RCW; and creating a new section.

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

5       NEW SECTION. **Sec. 1.** It has long been the policy of this state  
6 to prohibit all forms and means of gambling except where carefully  
7 and specifically authorized and regulated. The legislature intends to  
8 further this policy by authorizing sports wagering on a very limited  
9 basis by restricting it to tribal casinos in the state of Washington.  
10 Tribes have more than twenty years' experience with, and a proven  
11 track record of, successfully operating and regulating gaming  
12 facilities in accordance with tribal gaming compacts. Tribal casinos  
13 can operate sports wagering pursuant to these tribal gaming compacts,  
14 offering the benefits of the same highly regulated environment to  
15 sports wagering.

16       NEW SECTION. **Sec. 2.** A new section is added to chapter 9.46 RCW  
17 to read as follows:

18           (1) The legislature authorizes a federally recognized Indian  
19 tribe or entity owned by a federally recognized Indian tribe to  
20 conduct and operate sports wagering on federal Indian lands in

1 accordance with the terms of a class III gaming compact entered into  
2 by the tribe and state pursuant to the Indian gaming regulatory act,  
3 25 U.S.C. Sec. 2701 et seq., and RCW 9.46.360 that expressly  
4 addresses how sports wagering will be conducted, operated, and  
5 regulated.

6 (2) Sports wagering conducted pursuant to the provisions of a  
7 class III gaming compact entered into by a tribe and the state  
8 pursuant to RCW 9.46.360 does not constitute bookmaking and is not  
9 subject to civil or criminal penalties.

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

12 The legislature authorizes the transmission of gambling  
13 information over the internet for any sports wagering conducted and  
14 operated under this section and section 2 of this act, provided that  
15 a wager may be placed and accepted only while the customer placing  
16 the wager is physically present on the premises of the gaming  
17 facility of the Indian tribe or tribal entity.

18 **Sec. 4.** RCW 9.46.240 and 2006 c 290 s 2 are each amended to read  
19 as follows:

20 Whoever knowingly transmits or receives gambling information by  
21 telephone, telegraph, radio, semaphore, the internet, a  
22 telecommunications transmission system, or similar means, or  
23 knowingly installs or maintains equipment for the transmission or  
24 receipt of gambling information shall be guilty of a class C felony  
25 subject to the penalty set forth in RCW 9A.20.021. However, this  
26 section shall not apply to such information transmitted or received  
27 or equipment installed or maintained relating to activities  
28 authorized by this chapter, including but not limited to sports  
29 wagering authorized under sections 2 and 3 of this act, or to any act  
30 or acts in furtherance thereof when conducted in compliance with the  
31 provisions of this chapter and in accordance with the rules adopted  
32 under this chapter.

33 NEW SECTION. **Sec. 5.** A new section is added to chapter 9.46 RCW  
34 to read as follows:

35 (1) (a) For purposes of this chapter, "sports wagering" means the  
36 business of accepting wagers on any of the following sporting events,  
37 athletic events, or competitions by any system or method of wagering:

- (i) A professional sport or athletic event;
- (ii) A collegiate sport or athletic event;
- (iii) An Olympic or international sports competition or event;
- (iv) A combination of sporting events, athletic events, or competitions listed in (a)(i) through (iii) of this subsection; or
- (v) A portion of any sporting event, athletic event, or competition listed in (a)(i) through (iv) of this subsection.

(b) Sports wagering does not include the business of accepting wagers on horse racing authorized pursuant to chapter 67.16 RCW.

10 (2) For purposes of this section, "collegiate sport or athletic  
11 event" means a sport or athletic event offered or sponsored by, or  
12 played in connection with, a public or private institution that  
13 offers education services beyond the secondary level.

14 (3) For purposes of this section, "professional sport or athletic  
15 event" means an event at which two or more persons participate in  
16 sports or athletic events and receive compensation in excess of  
17 actual expenses for their participation in the event.

18        NEW SECTION.    **Sec. 6.**    If any provision of this act or its  
19 application to any person or circumstance is held invalid, the  
20 remainder of the act or the application of the provision to other  
21 persons or circumstances is not affected.

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