
SENATE BILL 5324

State of Washington

61st Legislature

2009 Regular Session

By Senators Delvin, Prentice, and Holmquist; by request of Gambling Commission

Read first time 01/20/09. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to providing the gambling commission with authority
2 to determine locations where amusement games may be conducted; and
3 amending RCW 9.46.0331.

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

5 **Sec. 1.** RCW 9.46.0331 and 1991 c 287 s 1 are each amended to read
6 as follows:

7 The legislature hereby authorizes any person to conduct or operate
8 amusement games when licensed and operated pursuant to the provisions
9 of this chapter and rules and regulations adopted by the commission at
10 such locations as the commission may authorize. The rules shall
11 provide for at least the following:

12 (1) Persons other than bona fide charitable or bona fide nonprofit
13 organizations shall conduct amusement games only after obtaining a
14 special amusement game license from the commission.

15 (2) Amusement games may be conducted under such a license only as
16 a part of, and upon the site of:

17 (a) Any agricultural fair as authorized under chapter 15.76 or
18 36.37 RCW; or

19 (b) A civic center of a county, city, or town; or

1 (c) A world's fair or similar exposition that is approved by the
2 bureau of international expositions at Paris, France; or

3 (d) A community-wide civic festival held not more than once
4 annually and sponsored or approved by the city, town, or county in
5 which it is held; or

6 (e) A commercial exposition organized and sponsored by an
7 organization or association representing the retail sales and service
8 operators conducting business in a shopping center or other commercial
9 area developed and operated for retail sales and service, but only upon
10 a parking lot or similar area located in said shopping center or
11 commercial area for a period of no more than seventeen consecutive days
12 by any licensee during any calendar year; or

13 (f) An amusement park. An amusement park is a group of activities,
14 at a permanent location, to which people go to be entertained through
15 a combination of various mechanical or aquatic rides, theatrical
16 productions, motion picture, and/or slide show presentations with food
17 and drink service. The amusement park must include at least five
18 different mechanical, or aquatic rides, three additional activities,
19 and the gross receipts must be primarily from these amusement
20 activities; or

21 (g) Within a regional shopping center. A regional shopping center
22 is a shopping center developed and operated for retail sales and
23 service by retail sales and service operators and consisting of more
24 than six hundred thousand gross square feet not including parking
25 areas. Amusement games conducted as a part of, and upon the site of,
26 a regional shopping center shall not be subject to the prohibition on
27 revenue sharing set forth in RCW 9.46.120(2); or

28 (h) A location that possesses a valid license from the Washington
29 state liquor (~~control~~) control board and prohibits minors on their
30 premises; or

31 (i) Movie theaters, bowling alleys, miniature golf course
32 facilities, and amusement centers. For the purposes of this section an
33 amusement center shall be defined as a permanent location whose primary
34 source of income is from the operation of ten or more amusement
35 devices; or

36 (j) Any business whose primary activity is to provide food service
37 for on premises consumption and who offers family entertainment which

1 includes at least three of the following activities: Amusement
2 devices; theatrical productions; mechanical rides; motion pictures; and
3 slide show presentations; or

4 (k) Other locations as the commission may authorize.

5 (3) No amusement games may be conducted in any location except in
6 conformance with local zoning, fire, health, and similar regulations.
7 In no event may the licensee conduct any amusement games at any of the
8 locations set out in subsection (2) of this section without first
9 having obtained the written permission to do so from the person or
10 organization owning the premises or an authorized agent thereof, and
11 from the persons sponsoring the fair, exhibition, commercial
12 exhibition, or festival, or from the city or town operating the civic
13 center, in connection with which the games are to be operated.

14 (4) In no event may a licensee conduct any amusement games at the
15 location described in subsection (2)(g) of this section, without, at
16 the location of such games, providing adult supervision during all
17 hours the licensee is open for business at such location, prohibiting
18 school-age minors from entry during school hours, maintaining full-time
19 personnel whose responsibilities include maintaining security and daily
20 machine maintenance, and providing for hours for the close of business
21 at such location that are no later than 10:00 p.m. on Fridays and
22 Saturdays and on all other days that are the same as those of the
23 regional shopping center in which the licensee is located.

24 (5) In no event may a licensee conduct any amusement game at a
25 location described in subsection (2)(i) or (j) of this section,
26 without, at the location of such games, providing adult supervision
27 during all hours the licensee is open for business at such location,
28 prohibiting school-age minors from playing licensed amusement games
29 during school hours, maintaining full-time personnel whose
30 responsibilities include maintaining security and daily machine
31 maintenance, and prohibiting minors from playing the amusement games
32 after 10:00 p.m. on any day.

--- END ---