HOUSE BILL 1824

State of Washington       63rd Legislature       2013 Regular Session

By Representatives Harris, Appleton, Upthegrove, Hunter, Reykdal, Vick, Stonier, and Fitzgibbon

Read first time 02/11/13. Referred to Committee on Government Accountability & Oversight.

1 AN ACT Relating to reducing the penalty for a person conducting unlawful internet gambling in his or her primary residence for recreational purposes; amending RCW 9.46.240; and prescribing penalties.

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

Sec. 1. RCW 9.46.240 and 2006 c 290 s 2 are each amended to read as follows:

(1) Whoever knowingly transmits or receives gambling information by telephone, telegraph, radio, semaphore, the internet, a telecommunications transmission system, or similar means, or knowingly installs or maintains equipment for the transmission or receipt of gambling information, other than a person described in subsection (2) of this section, is guilty of a class C felony subject to the penalty set forth in RCW 9A.20.021. (However,)

(2) Whoever knowingly transmits or receives gambling information over the internet or knowingly installs or maintains equipment for the transmission or receipt of gambling information over the internet, in his or her primary residence for recreational purposes, commits a class 3 civil infraction under chapter 7.80 RCW. For purposes of this
subsection, "recreational purposes" means solely for the defendant's
own enjoyment and not as part of an enterprise that derives income from
operating an internet web site that transmits or receives gambling
information.

(3) This section ((shall)) does not apply to such information
transmitted or received or equipment installed or maintained relating
to activities authorized by this chapter or to any act or acts in
furtherance thereof when conducted in compliance with the provisions of
this chapter and in accordance with the rules adopted under this
chapter.

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