
SENATE BILL 6568

State of Washington

66th Legislature

2020 Regular Session

By Senators Mullet and Braun

1 AN ACT Relating to the application of gambling loss recovery laws
2 to certain online games of chance; amending RCW 4.24.070; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the state has
6 made it a priority to grow clean, high-wage jobs by encouraging firms
7 engaged in mobile game development to invest and grow in the state.
8 The state has been successful in its efforts. However, recent court
9 cases filed in federal district court in Washington have created
10 economic uncertainty for mobile game companies located in Washington
11 state, or offering games to players located in the state, by raising
12 the possibility that the legality surrounding these games will be
13 decided differently than similar issues raised and decided in other
14 states, such as Illinois, Maryland, and Ohio.

15 The legislature further finds that, of the recent lawsuits filed,
16 two mobile game companies based in Washington are subject to these
17 class action lawsuits. These lawsuits, if decided adversely to the
18 game companies, pose a substantial financial risk for mobile game
19 development in the state. The further possibility exists that
20 companies based in Washington will move their base of operations to

1 other states, which would remove thousands of jobs from the state and
2 currently incalculable, but materially significant, tax dollars.

3 The legislature further finds that if any of these lawsuits
4 result in adverse verdicts, the mobile game companies should be held
5 harmless. The companies relied upon written guidance from a state
6 regulatory body in developing their mobile games to ensure that no
7 player would be able to win real money or prizes.

8 Therefore, it is the intent of the legislature to remove this
9 economic uncertainty by clarifying that a player is not entitled to
10 recovery under RCW 4.24.070, unless the mobile game played provides a
11 mechanism for the withdrawal of money or property from the game.

12 **Sec. 2.** RCW 4.24.070 and 1957 c 7 s 2 are each amended to read
13 as follows:

14 (1) All persons losing money or anything of value at or on any
15 illegal gambling games shall have a cause of action to recover from
16 the dealer or player winning, or from the proprietor for whose
17 benefit such game was played or dealt, or such money or things of
18 value won, the amount of the money or the value of the thing so lost.

19 (2) For purposes of this section, "illegal gambling games" does
20 not include online games of chance when played solely for
21 entertainment purposes with virtual items if such virtual items may
22 be used only for gameplay and may not be, per the terms of service of
23 the game, transferred, exchanged, or redeemed for money or property.

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