

WAC 260-49-100 Enforcement and penalties. (1) Any violations of this chapter will be referred to the executive secretary. The executive secretary has sole authority to ensure compliance with these rules, make initial agency determination on violations, and determine penalties for violations.

(2) The executive secretary may suspend or revoke a license issued to an advance deposit wagering service provider, withdraw approval of a contract between a class 1 racing association and an advance deposit wagering service provider and/or impose fines, if the licensee:

(a) Violates any of the requirements of chapter 67.16 RCW or these rules;

(b) Fails to provide a bond or letter of credit or evidence thereof in another jurisdiction to the satisfaction of the commission;

(c) Fails to make payments in a timely manner as required by these rules;

(d) Fails to comply with any conditions on the license imposed by the commission;

(e) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level. This includes, but is not limited to, failure to make required payments to other state regulatory agencies;

(f) Poses a threat to the effective regulation of wagering or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of wagering activities, as demonstrated through the prior activities, criminal record, reputation, habits, or associations;

(g) Fails to provide at the office of the commission any information required under the commission's rules within the time required therefore by applicable rule, or if no maximum time has been established respecting the particular kind of information by other rule, then within thirty days after receiving a written request therefore from the commission or its staff;

(h) Commits, or has committed, any other act that the executive secretary determines constitutes a sufficient reason in the public interest for denying, suspending, or revoking licenses or approval of agreements.

(3) The executive secretary will afford a licensee the opportunity for a conference prior to denial, suspending or revoking a license or imposing fines, and shall provide a class 1 racing association and/or an authorized advance deposit wagering service provider a conference on refusal of approval or withdrawal of approval of the agreement between the association and the service provider.

(4) The executive secretary has authority to ensure compliance with these regulations, including, but not limited to, injunctive relief and the imposition of fines, suspensions and revocation of license and repayment of outstanding source market fees.

(5) If the executive secretary imposes a fine, suspension, or revocation of license, the applicant or licensee may request a hearing before the commission.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-07-039, § 260-49-100, filed 3/13/08, effective 4/13/08. Statutory Authority: RCW 67.16.020. WSR 04-21-053, § 260-49-100, filed 10/18/04, effective 11/18/04.]