

# HOUSE BILL REPORT

## HB 2353

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### As Reported By House Committee On:

Judiciary

**Title:** An act relating to the dissemination of criminal history records to the Washington state gambling commission.

**Brief Description:** Allowing criminal history records to be sent to the Washington state gambling commission.

**Sponsors:** Representatives Wood, Carrell and Hurst; by request of Gambling Commission.

#### **Brief History:**

##### **Committee Activity:**

Judiciary: 1/18/00, 2/3/00 [DP].

#### **Brief Summary of Bill**

- Allows the Washington State Gambling Commission to access nonconviction related criminal history information.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 12 members: Representatives Carrell, Republican Co-Chair; Constantine, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Cox; Dickerson; Esser; Kastama; Lantz; Lovick; McDonald and Schindler.

**Staff:** Trudes Hutcheson (786-7384).

#### **Background:**

The Washington State Gambling Commission regulates gambling activities and restrains criminal activities associated with unlawful gambling. As part of its duties, the commission licenses individuals and entities who engage in gambling activities, such as bingo managers and distributors of gaming products.

Before issuing a license, the commission must check the criminal background of each applicant. The commission may deny, revoke, or suspend a license for any reason it deems to be in the public interest. For the purposes of licensing, the commission may consider any prior criminal conduct of the applicant or licensee.

The commission obtains some criminal background information through the Washington State Patrol's ACCESS system. The commission can obtain conviction-related information through ACCESS since criminal justice agencies may disseminate conviction records without restriction. However, criminal justice agencies may only disseminate nonconviction related information under limited circumstances.

The circumstances under which a criminal justice agency may release nonconviction related data include: (1) releasing the data to another criminal justice agency; (2) releasing the data pursuant to a statute, ordinance, executive order, or court rule; (3) releasing the data to an individual or agency pursuant to a contract to provide services related to the administration of criminal justice; and (4) releasing the data to an individual or agency for research, evaluative, or statistical activities.

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**Summary of Bill:**

Criminal justice agencies may release nonconviction related data to the Washington State Gambling Commission for purposes related to the commission's licensing responsibilities. Nonconviction data obtained by the commission can only be released to other criminal justice agencies.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** It is important for the commission to be able to do background checks on applicants. This bill clarifies the commission's authority to get full criminal background information when licensing. The commission can handle this type of information without invading a person's privacy.

**Testimony Against:** None.

**Testified:** Representative Wood, prime sponsor; Ed Fleisher and Bob Berg, Washington State Gambling Commission; and Vito Chiechi, Recreational Gambling Association.