

HOUSE BILL REPORT

SB 6431

As Reported By House Committee On:

Judiciary

Title: An act relating to dissemination of criminal history record information to the Washington horse racing commission.

Brief Description: Allowing for the dissemination of criminal history record information to the horse racing commission.

Sponsors: Senators Heavey, West, Prentice, Hale, Winsley, Horn, Gardner and Roach; by request of Horse Racing Commission.

Brief History:

Committee Activity:

Judiciary: 2/24/00, 2/25/00 [DPA].

Brief Summary of Bill

(As Amended by House Committee)

- Allows the Washington State Horse Racing Commission to receive criminal history record information that includes non-conviction data for investigation purposes.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass as amended. 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 Horse Racing Commission licenses, regulates, and supervises parimutuel horse racing in Washington state. The Horse Racing Commission has five commissioners and four ex officio legislative members.

The commission requires all individuals who participate in racing at a race track to be licensed. Examples of individuals licensed by the commission include jockeys, horse owners, trainers, veterinarians, horse grooms, and exercise riders. The Horse Racing Commission also licenses racing associations.

For purposes of licensing, the commission considers the criminal background of each applicant. An applicant's criminal background may contain two types of data. Conviction data includes all arrests, detentions, or other formal charges and their disposition. In addition, conviction data includes arrests that are pending and less than one year old. Non-conviction data includes arrests, detentions, and formal criminal charges that have not led to convictions and that are not currently pending.

The circumstances under which a criminal justice agency may release non-conviction 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.

Summary of Amended Bill:

The Horse Racing Commission is authorized to receive criminal history record information that includes non-conviction data for use in investigations to determine suitability for involvement in horse racing activities. The commission may not disseminate or use non-conviction data for purposes other than that authorized in the bill.

Amended Bill Compared to Original Bill: The original bill allowed the commission to disseminate non-conviction data to criminal justice agencies only.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This bill will clarify the commission's authority to receive complete criminal history record information for doing background checks. The commission worked with industry members, and they are in support of the bill. There is also no method of receiving out-of-state criminal history record information.

Testimony Against: None.

Testified: Bruce Batson, Washington State Horse Racing Commission.