

SENATE BILL REPORT

SB 5290

As Reported By Senate Committee On:
Commerce & Trade, February 7, 2003

Title: An act relating to authorizing continued receipt of criminal history information by the horse racing commission.

Brief Description: Authorizing the horse racing commission to continue receiving criminal history information.

Sponsors: Senators West, Rasmussen, Hale and Winsley; by request of Horse Racing Commission.

Brief History:

Committee Activity: Commerce & Trade: 2/7/03 [DPS].

SENATE COMMITTEE ON COMMERCE & TRADE

Majority Report: That Substitute Senate Bill No. 5290 be substituted therefor, and the substitute bill do pass.

Signed by Senators Honeyford, Chair; Hewitt, Vice Chair; Franklin, Keiser and Mulliken.

Staff: John Dziedzic (786-7784)

Background: Horse owners, trainers, jockeys, veterinarians, and others who participate in pari-mutuel horse racing meets must be licensed annually by the Horse Racing Commission. An applicant's criminal history is one issue the commission considers as part of the licensing process.

Criminal history records can contain both conviction and nonconviction data. Conviction data includes arrests, detentions, and other formal charges that resulted in a disposition, along with arrests that are pending and less than one year old. Nonconviction data includes arrests, (including those with no dispositions that are over a year old), detentions, and formal charges that did not lead to convictions and that are not currently pending.

The Criminal Records Privacy Act (RCW 10.97.050) provides that "conviction records may be disseminated without restriction," but that criminal history records containing nonconviction data may be disseminated only as authorized by statute.

In Chapter 204, Laws of 2000, the Horse Racing Commission was authorized to receive criminal history records containing both conviction and nonconviction data. This statute is set to expire June 30, 2003.

Summary of Substitute Bill: The provision of Chapter 204, Laws of 2000, setting an expiration date is repealed.

Substitute Bill Compared to Original Bill: An emergency clause is added.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: The authority to continue to receive both conviction and nonconviction data is critical to the commission's goal of maintaining the public's faith and confidence in horse racing, assuring the safety of persons and animals involved in horse racing, and keeping the criminal element out of horse racing in Washington. An emergency clause is needed to prevent a possible gap between the effective date of this act and the current June 30, 2003, expiration date of the commission's authority to receive full criminal history information.

Testimony Against: None.

Testified: PRO: Robert Leichner, Horse Racing Commission; Jim Halstrom, Emerald Downs.