

# HOUSE BILL REPORT

## HB 1276

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**As Reported by House Committee On:**  
Commerce & Labor

**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:** Representatives Cody, Cairnes, Kenney and Wood; by request of Horse Racing Commission.

**Brief History:**

**Committee Activity:**

Commerce & Labor: 2/6/03, 2/13/03 [DPS].

**Brief Summary of Substitute Bill**

- Continues the Horse Racing Commission's authority to receive non-conviction data in criminal history records after June 30, 2003.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Conway, Chair; Wood, Vice Chair; Chandler, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holmquist, Kenney and McCoy.

**Staff:** Chris Cordes (786-7103).

**Background:**

The Washington Horse Racing Commission (Commission) licenses, regulates, and supervises parimutuel horse racing in Washington. The Commission requires licensing for racing associations and for all individuals who participate in racing at a racetrack. Examples of individuals licensed by the Commission include jockeys, horse owners, trainers, veterinarians, horse grooms, and exercise riders.

For purposes of licensing, the Commission considers the criminal record of each applicant. An applicant's criminal background may contain two types of data. *Conviction* data includes all arrests, detentions, or other formal charges leading to a conviction or other disposition adverse to the person. *Non-conviction* data includes arrests, detentions, and formal criminal charges that have not led to conviction or other adverse disposition and for which proceedings are not actively pending. Proceedings are presumed to be not actively pending if more than one year has elapsed since arrest.

Although criminal justice agencies may release conviction records without restriction, non-conviction data contained in a criminal history record may be released only under limited circumstances. One of these circumstances allows the release of information pursuant to a statute. Legislation enacted in 2000 authorizes the Commission to receive criminal history records that include non-conviction data for any purpose associated with investigating the suitability for involvement in authorized horse racing activities. The Commission's authority to receive these records expires on June 30, 2003.

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**Summary of Substitute Bill:**

The Horse Racing Commission's authority to receive non-conviction data in criminal history records is continued beyond June 30, 2003, by repealing the clause that would terminate that authority.

**Substitute Bill Compared to Original Bill:**

The substitute bill adds an emergency clause with an immediate effective date.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** The full criminal history is very valuable to the Commission in reviewing applications for licenses. This information is needed to maintain confidence and the public's faith in the horse racing industry and to be sure that the criminal element is excluded from the industry. The authority to receive full criminal history is the same authority held by the Gambling Commission, Liquor Control Board, and Lottery Commission. Everyone is comfortable that the process is working well.

**Testimony Against:** None.

**Testified:** Bob Leichner, Horse Racing Commission; and Jim Halstrom, Emerald Downs.