

HOUSE BILL REPORT

HB 2631

As Reported by House Committee On:

Commerce & Labor

Title: An act relating to meeting federal standards for criminal background checks for the liquor control board and the gambling commission.

Brief Description: Changing provisions relating to criminal history background checks by state agencies.

Sponsors: Representatives Conway, Clements, Wood and Kenney; by request of Liquor Control Board and Gambling Commission.

Brief History:

Committee Activity:

Commerce & Labor: 2/6/02 [DP].

Brief Summary of Bill

- Clarifies authority for the Liquor Control Board and Gambling Commission to conduct national criminal history background checks using the Federal Bureau of Investigation (FBI) database.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 6 members: Representatives Conway, Chair; Wood, Vice Chair; Clements, Ranking Minority Member; Chandler, Kenney and Lysen.

Staff: Sydney Forrester (786-7120).

Background:

Both the Gambling Commission and the Liquor Control Board are charged with conducting criminal history background checks for the purpose of licensing. Both agencies access the FBI database through the Washington State Patrol. The provisions for conducting these checks through the FBI database are currently in regulation instead of statute.

The FBI recently reviewed state statutes and issued a requirement that language

authorizing national criminal background checks be placed in statute in order to allow continued access to its database. The agencies were granted a grace period until May 1, 2002, to bring their statutes into compliance with federal law.

Summary of Bill:

The gambling statute and the liquor licensing statute are amended to reference agency authority to access the FBI database for the purpose of conducting criminal history background checks for license applicants.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The bill does not provide additional agency authority. Rather, it allows continued access to the FBI database consistent with the way the agencies have and do conduct background checks. The new language comes from the FBI and is sufficient to allow the agencies to access the same information as they have since 1974. The Liquor Control Board conducts background checks on new applicants and on license transfers. The Gambling Commission checks new applicants only and does not allow license transfers.

Testimony Against: None.

Testified: Rick Day, Gambling Commission; and Rick Garza, Liquor Control Board.