Commerce & Labor Committee

HB 2688

Brief Description: Authorizing the state lottery to conduct criminal history background checks.

Sponsors: Representative Wood; by request of Lottery Commission.

Brief Summary of Bill

- The Lottery Commission is authorized to conduct criminal history background checks, including FBI fingerprint checks, on individuals seeking employment or a contract with the lottery.

Hearing Date: 1/22/04

Staff: Susan Kavanaugh (786-7106).

Background:

By statute, the Lottery Commission is a law enforcement agency with power to enforce the Lottery Act. Under this authority, the Commission by rule requires criminal history background checks of applicants for licensure as lottery retailers. National criminal history checks require submitting fingerprints to the Federal Bureau of Investigation (FBI).

In 2001, as a result of court decisions, the FBI adopted a policy that state agencies may access their criminal history records for licensing, employment, or contracting background checks only if they are required to do so by state law. As background checks by the Commission are not currently required in statute, the Commission must contract with the State Patrol for FBI fingerprint checks or contact local law enforcement in other states directly.

Statutes governing the Washington State Gambling Commission and the Liquor Control Board have both been updated to specify background check requirements.

Summary of Bill:

The Commission is authorized to conduct needed criminal history background checks on any person seeking:

- employment with the Commission;
- a contract with the Commission; or
- licensure as a lottery retailer.

It is specified that national criminal history checks are to include submission of fingerprints to the FBI.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.