

SENATE BILL REPORT

HB 2688

As Reported By Senate Committee On:
Commerce & Trade, February 19, 2004

Title: An act relating to criminal history background checks by the state lottery.

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

Sponsors: Representative Wood; by request of Lottery Commission.

Brief History:

Committee Activity: Commerce & Trade: 2/19/04 [DP].

SENATE COMMITTEE ON COMMERCE & TRADE

Majority Report: Do pass.

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

Staff: John Dziedzic (786-7784)

Background: The Lottery Commission (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 those applying to be licensed 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.

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 national criminal history background checks on any person seeking (a) employment with the Commission; (b) a contract with the Commission; or (c) to be licensed as a lottery retailer.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This is a Lottery Commission request bill.

Testimony Against: None.

Testified: Bruce Tanaka, Lottery Commission.