

AMENDED IN SENATE APRIL 8, 2015

SENATE BILL

No. 650

Introduced by Senator Hall

February 27, 2015

An act to amend Section ~~19876~~ 19821 of the Business and Professions Code, relating to gambling.

LEGISLATIVE COUNSEL'S DIGEST

SB 650, as amended, Hall. ~~Gambling licenses: annual renewal. California Gambling Control Commission: records.~~

Existing law, the Gambling Control Act, establishes the California Gambling Control Commission. Existing law requires the commission to keep a record of all proceedings at its regular and special meetings and a record of all applications for licenses under the Gambling Control Act, and to make these records open to public inspection.

This bill would require the commission to make these records open to public inspection during normal business hours.

~~The Gambling Control Act provides for the licensure and regulation of various legalized gambling activities by the California Gambling Control Commission and the investigation and enforcement of those activities and establishments by the Department of Justice. Existing law requires a gambling license to be renewed biennially. Existing law requires the owner licensee or key employee to file an application for renewal with the Department of Justice no later than 120 calendar days before the expiration of the current license. A willful violation of these provisions is punishable as a misdemeanor.~~

~~This bill would require the owner licensee or key employee to file an application for renewal with the California Gambling Control Commission by no later than 120 calendar days after the end of the~~

~~owner licensee's fiscal year. The bill would automatically renew a license annually upon the payment of an annual renewal fee, as specified. The bill would also make conforming changes. Because a willful violation of these provisions would be a crime, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19821 of the Business and Professions
2 Code is amended to read:

3 19821. (a) The commission shall cause to be made and kept
4 a record of all proceedings at regular and special meetings of the
5 commission. These records shall be open to public ~~inspection.~~
6 ~~inspection during normal business hours.~~

7 (b) The department shall maintain a file of all applications for
8 licenses under this chapter. The commission shall maintain a record
9 of all actions taken with respect to those applications. The file and
10 record shall be open to public ~~inspection.~~ *inspection during normal*
11 *business hours.*

12 (c) The department and commission may maintain any other
13 files and records as they deem appropriate. Except as provided in
14 this chapter, the records of the department and commission are
15 exempt from disclosure under Chapter 3.5 (commencing with
16 Section 6250) of Division 7 of Title 1 of the Government Code.

17 (d) Except as necessary for the administration of this chapter,
18 no commissioner and no official, employee, or agent of the
19 commission or the department, having obtained access to
20 confidential records or information in the performance of duties
21 pursuant to this chapter, shall knowingly disclose or furnish the
22 records or information, or any part thereof, to any person who is
23 not authorized by law to receive it. A violation of this subdivision
24 is a misdemeanor.

1 (e) Notwithstanding subdivision (k) of Section 1798.24 of the
2 Civil Code, a court shall not compel disclosure of personal
3 information in the possession of the department or the commission
4 to any person in any civil proceeding wherein the department or
5 the commission is not a party, except for good cause and upon a
6 showing that the information cannot otherwise be obtained. This
7 section shall not authorize the disclosure of personal information
8 that is otherwise exempt from disclosure.

9 ~~SECTION 1. Section 19876 of the Business and Professions~~
10 ~~Code is amended to read:~~

11 ~~19876. (a) Subject to the power of the commission to deny,~~
12 ~~revoke, suspend, condition, or limit any license, as provided in~~
13 ~~this chapter, a license shall be automatically renewed annually~~
14 ~~upon the payment of an annual renewal fee, as listed in~~
15 ~~subparagraph (B) of paragraph (2) of subdivision (b) of Section~~
16 ~~19951.~~

17 ~~(b) An application for renewal of a gambling license shall be~~
18 ~~filed by the owner licensee or key employee with the commission~~
19 ~~no later than 120 calendar days following the end of the owner~~
20 ~~licensee's fiscal year. The commission shall act upon any~~
21 ~~application for renewal before the date of expiration of the current~~
22 ~~license. Upon renewal of any owner license, the commission shall~~
23 ~~issue an appropriate renewal certificate or validating device or~~
24 ~~sticker.~~

25 ~~(c) Unless the commission determines otherwise, renewal of an~~
26 ~~owner's gambling license shall be deemed to effectuate the renewal~~
27 ~~of every other gambling license endorsed thereon.~~

28 ~~(d) In addition to the penalties provided by law, any owner~~
29 ~~licensee who deals, operates, carries on, conducts, maintains, or~~
30 ~~exposes for play any gambling game after the expiration date of~~
31 ~~the gambling license is liable to the state for all license fees and~~
32 ~~penalties that would have been due upon renewal.~~

33 ~~(e) If an owner licensee fails to renew the gambling license as~~
34 ~~provided in this chapter, the commission may order the immediate~~
35 ~~closure of the premises and a cessation of all gambling activity~~
36 ~~therein until the license is renewed.~~

37 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
38 ~~Section 6 of Article XIII B of the California Constitution because~~
39 ~~the only costs that may be incurred by a local agency or school~~
40 ~~district will be incurred because this act creates a new crime or~~

1 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
2 ~~for a crime or infraction, within the meaning of Section 17556 of~~
3 ~~the Government Code, or changes the definition of a crime within~~
4 ~~the meaning of Section 6 of Article XIII B of the California~~
5 ~~Constitution.~~

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