

Introduced by Senator Vidak

February 27, 2015

An act to amend Section 19981 of the Business and Professions Code, relating to gambling.

LEGISLATIVE COUNSEL'S DIGEST

SB 692, as amended, Vidak. Gambling: California Gambling Control Commission.

Existing law, the Gambling Control Act, provides for the licensure and regulation of various legalized gambling activities and establishments by the California Gambling Control Commission and the investigation and enforcement of those activities and establishments by the Department of Justice. The act specifies qualifications for eligibility as a member of the commission, and provides that a person is ineligible for appointment if, within 2 years prior to appointment, the person was employed by, retained by, or derived substantial income from, a gambling establishment. The act prohibits a member of the commission, the executive director, the chief, and any employee of the commission or department designated by regulation, for a period of 3 years after leaving office or terminating employment, for compensation, from acting as agent or attorney for any other person before the commission or the department, if the appearance or communication is for the purpose of influencing administrative action, as specified. A person who willfully violates any provision of the act for which a penalty is not expressly provided is guilty of a misdemeanor.

~~The act also defines "key employee" for its purposes as a natural person employed in the operation of a gambling enterprise in a~~

~~supervisory capacity or empowered to make discretionary decisions that regulate gambling operations, including, among others, pit bosses, shift bosses, gambling operation managers and assistant managers, or any other natural person designated as a key employee by the department for reasons consistent with the policies of the act.~~

This bill would additionally prohibit a member of the commission, the executive director, the chief, and any employee of the commission ~~or department designated by regulation, department,~~ for a period of 2 years after leaving office or terminating employment, ~~from being employed as a consultant or key employee of holding a direct or indirect interest in, holding employment with, representing, appearing for, or negotiating on behalf of,~~ a gambling establishment. By creating a new 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.
State-mandated local program: yes.

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

- 1 SECTION 1. Section 19981 of the Business and Professions
- 2 Code is amended to read:
- 3 19981. (a) A member of the commission, the executive
- 4 director, the chief, and any employee of the commission or
- 5 department designated by regulation, shall not, for a period of three
- 6 years after leaving office or terminating employment, for
- 7 compensation, act as agent or attorney for, or otherwise represent,
- 8 any other person by making any formal or informal appearance,
- 9 or by making any oral or written communication, before the
- 10 commission or the department, or any officer or employee thereof,
- 11 if the appearance or communication is for the purpose of
- 12 influencing administrative action, or influencing any action or
- 13 proceeding involving the issuance, amendment, awarding, or
- 14 revocation of a permit, license, or approval.
- 15 (b) A member of the commission shall not solicit or accept
- 16 campaign contributions from any person, including any applicant
- 17 or licensee.

1 (c) A member of the commission, the executive director, the
2 chief, and any employee of the commission or ~~department~~
3 ~~designated by regulation, department~~, shall not, for a period of
4 two years after leaving office or terminating employment, ~~be~~
5 ~~employed as a consultant or key employee of~~ *hold a direct or*
6 *indirect interest in, hold employment with, represent, appear for,*
7 *or negotiate on behalf of*, a gambling establishment.

8 SEC. 2. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 the only costs that may be incurred by a local agency or school
11 district will be incurred because this act creates a new crime or
12 infraction, eliminates a crime or infraction, or changes the penalty
13 for a crime or infraction, within the meaning of Section 17556 of
14 the Government Code, or changes the definition of a crime within
15 the meaning of Section 6 of Article XIII B of the California
16 Constitution.