

Date of Hearing: June 8, 2016

ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION

Adam Gray, Chair

SB 1313 (Hall) – As Introduced February 19, 2016

**SENATE VOTE:** 37-0

**SUBJECT:** Gambling: California Gambling Control Commission

**SUMMARY:** Requires that a public record of every vote of the California Gambling Control Commission (CGCC) be posted on the CGCC's Internet Web site no later than 48 hours after the vote is taken.

**EXISTING LAW:**

- 1) Provides, under the Gambling Control Act (Act), for the licensure and regulation of various legalized gambling activities and establishments by the CGCC and the investigation and enforcement of those activities and establishments by the Department of Justice (DOJ).
- 2) Requires five members to be appointed by the CGCC by the Governor, subject to confirmation by the California State Senate.
- 3) Specifies that a majority of the appointed members of the CGCC is a quorum and that a concurring vote of three members of the CGCC is required for any official action of the CGCC or for the exercise of any of the CGCC's duties, powers, or functions.
- 4) Requires that a public record of every vote of the CGCC be maintained at its principal office.
- 5) Requires under the Bagley-Keene Act, that all meetings of state bodies be open to the public, with certain specific exceptions.

**FISCAL EFFECT:** Unknown

**COMMENTS:**

Purpose of the bill: According to the author, "while current law requires that votes of the CGCC be maintained at its principal office, there is no requirement that votes be made available to the public online. By requiring that these votes are posted on the CGCC's Internet Web site, this bill ensures that the public is aware of the decisions that are being made by the CGCC."

Background: The Act provides the CGCC with jurisdiction over the operation of gambling establishments in California. The Act assigns the CGCC the responsibility of assuring that gambling licenses are not issued to, or held by, unqualified or disqualified persons, or by persons whose operations are conducted in a manner that is harmful to the public health, safety, or welfare. The Act directs the CGCC to issue licenses only to those persons of good character, honesty and integrity, whose prior activities, criminal record, if any; reputation, habits and associations do not pose a threat to the public interest of this state.

The Bureau of Gambling Control (Bureau) within the DOJ is the state law enforcement authority with special jurisdiction over gambling activities within the State of California. The Bureau of Gambling Control is also the entity that receives applications and fees and conducts criminal background investigations and audits.

Bagley-Keene Act: When the Legislature enacted the Bagley-Keene Act of 1967 it essentially said that when a body sits down to develop its consensus, there needs to be a seat at the table reserved for the public. In doing so, the Legislature has provided the public with the ability to monitor and be part of the decision-making process. The Bagley-Keene Act explicitly mandates open meetings for California State agencies, boards, and commissions. It facilitates transparency of government activities and protects the rights of citizens to participate in state government deliberations. Therefore, absent a specific reason to keep the public out of meetings, the public should be allowed to monitor and participate in the decision-making process. Similarly, California's Brown Act of 1953 protects citizen's rights to open meetings at the local county government levels.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on File

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