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SB-666 California Gambling Control Commission and Department of Justice: postemployment restrictions. (2017-2018)

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Senate Bill No. 666

CHAPTER 245

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

[Approved by Governor September 11, 2017. Filed with Secretary of State September 11, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

SB 666, Vidak. California Gambling Control Commission and Department of Justice: postemployment restrictions.

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, from 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.

This bill would additionally prohibit a member of the commission, the executive director, the chief, any employee of the commission, and any employee of the department who works on or supervises over gambling issues for a period of 2 years after leaving office or terminating employment, from holding a direct or indirect interest in, holding employment with, representing, appearing for, or negotiating on behalf of, a gambling establishment, gambling enterprise, registrant, or licensee. 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 Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 19981 of the Business and Professions Code is amended to read:

19981. (a) A member of the commission, the executive director, the chief, and any employee of the commission or department designated by regulation, shall not, for a period of three years after leaving office or terminating employment, for compensation, act as agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance, or by making any oral or written communication, before the commission or the department, or any officer or employee thereof, if the appearance or communication is for the purpose of influencing administrative action, or influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, or approval.

(b) A member of the commission shall not solicit or accept campaign contributions from any person, including any applicant or licensee.

(c) A member of the commission, the executive director, the chief, any employee of the commission, and any employee of the department who works on or supervises over gambling issues shall not, for a period of two years after leaving office or terminating employment, hold a direct or indirect interest in, hold employment with, represent, appear for, or negotiate on behalf of, a gambling establishment, gambling enterprise, registrant, or licensee.

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