

HOUSE BILL REPORT

SB 5330

As Passed House:

April 4, 1995

Title: An act relating to the release of background information by the state patrol.

Brief Description: Regulating background checks.

Sponsors: Senators Smith and Franklin; by request of Washington State Patrol.

Brief History:

Committee Activity:

Law & Justice: 3/21/95, 3/22/95 [DP].

Floor Activity:

Passed House: 4/4/95, 97-0.

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 17 members: Representatives Padden, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Robertson; Sheahan; Smith; Thibaudeau and Veloria.

Staff: Pat Shelledy (786-7149).

Background: The Washington State Patrol (WSP) is required to conduct background checks under a variety of statutes. Under one statute, the WSP conducts background checks upon request of the subject of the inquiry, businesses or organizations who may hire the person, the Department of Social and Health Services, and law enforcement entities. The background check authorized by this statute is conducted to determine whether the subject of the inquiry has any history of committing crimes of abuse against children or vulnerable adults.

If the background check does not show any evidence that the subject of the inquiry has committed any crimes against children or vulnerable adults, current law requires the WSP to notify the "applicant" in writing. Reference to "applicant" in current law presumably is a reference to a job applicant who is applying for a job with a business or organization. Another section of the code provides that the business or organization must notify the job applicant of the results of the background check.

The WSP's identification satisfies future record checks for a two-year period in most cases.

Summary of Bill: The WSP is relieved of the responsibility to issue to a job applicant a statement that the background check did not reveal any evidence that the applicant has committed crimes against children or vulnerable adults. The business or organization that requests the background check must give a copy of the WSP's findings to the job applicant.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Changing the law will comport with current practice. Providing notice to both the business and the applicant is a costly and unnecessary duplication. Costs of mailing would be \$50,000 in just postage.

Testimony Against: None.

Testified: Bob Leichner, Washington State Patrol (pro).