
HOUSE BILL 1086

State of Washington

57th Legislature

2001 Regular Session

By Representative Mulliken

Read first time 01/16/2001. Referred to Committee on Children & Family Services.

1 AN ACT Relating to the consideration of prior felony
2 convictions in employment and occupational licensing; and amending
3 RCW 9.96A.020.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 9.96A.020 and 1999 c 16 s 1 are each amended to read
6 as follows:

7 (1) Subject to the exceptions in subsections (3) and (4) of
8 this section, and unless there is another provision of law to the
9 contrary, a person is not disqualified from employment by the
10 state of Washington or any of its counties, cities, towns,
11 municipal corporations, or quasi-municipal corporations, nor is a
12 person disqualified to practice, pursue or engage in any
13 occupation, trade, vocation, or business for which a license,
14 permit, certificate or registration is required to be issued by
15 the state of Washington or any of its counties, cities, towns,
16 municipal corporations, or quasi-municipal corporations solely
17 because of a prior conviction of a felony. However, this section

1 does not preclude the fact of any prior conviction of a crime from
2 being considered.

3 (2) A person may be denied employment by the state of
4 Washington or any of its counties, cities, towns, municipal
5 corporations, or quasi-municipal corporations, or a person may be
6 denied a license, permit, certificate or registration to pursue,
7 practice or engage in an occupation, trade, vocation, or business
8 by reason of the prior conviction of a felony if the felony for
9 which he or she was convicted directly relates to the position of
10 employment sought or to the specific occupation, trade, vocation,
11 or business for which the license, permit, certificate or
12 registration is sought, and the time elapsed since the conviction
13 is less than ten years. However, for positions in the county
14 treasurer's office, a person may be disqualified from employment
15 because of a prior guilty plea or conviction of a felony involving
16 embezzlement or theft, even if the time elapsed since the guilty
17 plea or conviction is ten years or more.

18 (3) A person is disqualified for any certificate required or
19 authorized under chapters 28A.405 or 28A.410 RCW, because of a
20 prior guilty plea or the conviction of a felony involving sexual
21 exploitation of a child under chapter 9.68A RCW, sexual offenses
22 under chapter 9A.44 RCW where a minor is the victim, promoting
23 prostitution of a minor under chapter 9A.88 RCW, or a violation of
24 similar laws of another jurisdiction, even if the time elapsed
25 since the guilty plea or conviction is ten years or more.

26 (4) A person is disqualified from employment by school
27 districts, educational service districts, and the department of
28 social and health services and any of their contractors hiring
29 employees who will have regularly scheduled unsupervised access to
30 children, because of a prior guilty plea or conviction of a felony
31 involving sexual exploitation of a child under chapter 9.68A RCW,
32 sexual offenses under chapter 9A.44 RCW where a minor is the
33 victim, promoting prostitution of a minor under chapter 9A.88 RCW,
34 or a violation of similar laws of another jurisdiction, even if
35 the time elapsed since the guilty plea or conviction is ten years
36 or more.

37 (5) Subsections (3) and (4) of this section only apply to a

1 person applying for a certificate or for employment on or after
2 July 25, 1993.

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