
HOUSE BILL 2737

State of Washington

64th Legislature

2016 Regular Session

By Representatives Frame, Holy, S. Hunt, and Kilduff; by request of Office of Financial Management

Read first time 01/19/16. Referred to Committee on State Government.

1 AN ACT Relating to criminal history record checks; adding a new
2 section to chapter 43.22 RCW; adding a new section to chapter 74.04
3 RCW; adding a new section to chapter 82.01 RCW; and adding a new
4 section to chapter 50.12 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.22
7 RCW to read as follows:

8 (1) Notwithstanding any provision of RCW 43.43.700 through
9 43.43.815, the department of labor and industries shall require a
10 criminal history record check for conviction records through the
11 Washington state patrol criminal identification system and through
12 the federal bureau of investigation, for the purpose of conducting
13 preemployment evaluations for applicants who will have access to
14 federal taxpayer information provided by the United States internal
15 revenue service, or current employees who have access to federal
16 taxpayer information provided by the United States internal revenue
17 service. The record check shall include a fingerprint check using a
18 complete Washington state criminal identification fingerprint card,
19 which shall be forwarded by the Washington state patrol to the
20 federal bureau of investigation.

1 (2) Information received by the department pursuant to this
2 section shall be made available by the department only to the
3 assistant director of human resources or his or her designee, the
4 appointing authority, or to that subject person, and it shall be used
5 only for the purposes of making, supporting, or defending decisions
6 regarding the appointment, hiring, or retention of persons for these
7 positions, or for complying with any requirements from the internal
8 revenue service. Otherwise, the reports and information contained
9 therein shall remain confidential and shall not be subject to the
10 disclosure requirements of chapter 42.56 RCW.

11 (3) Fees charged by the Washington state patrol or the federal
12 bureau of investigation for conducting these investigations and
13 providing these reports shall be paid by the department.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.04
15 RCW to read as follows:

16 (1) Notwithstanding any provision of RCW 43.43.700 through
17 43.43.815, the department shall require a criminal history record
18 check for conviction records through the Washington state patrol
19 criminal identification system and through the federal bureau of
20 investigation, for the purpose of conducting preemployment
21 evaluations for applicants who will have access to federal taxpayer
22 information provided by the United States internal revenue service,
23 or current employees who have access to federal taxpayer information
24 provided by the United States internal revenue service. The record
25 check shall include a fingerprint check using a complete Washington
26 state criminal identification fingerprint card, which shall be
27 forwarded by the Washington state patrol to the federal bureau of
28 investigation.

29 (2) Information received by the department pursuant to this
30 section shall be made available by the department only to the
31 department's background check central unit, or to that subject
32 person, and it shall be used only for the purposes of making,
33 supporting, or defending decisions regarding the appointment, hiring,
34 or retention of persons for these positions, or for complying with
35 any requirements from the internal revenue service. Otherwise, the
36 reports and information contained therein shall remain confidential
37 and shall not be subject to the disclosure requirements of chapter
38 42.56 RCW.

1 (3) Fees charged by the Washington state patrol, or the federal
2 bureau of investigation, for conducting these investigations and
3 providing these reports shall be paid by the department.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.01
5 RCW to read as follows:

6 (1) Notwithstanding any provision of RCW 43.43.700 through
7 43.43.815, the department shall require a criminal history record
8 check for conviction records through the Washington state patrol
9 criminal identification system and through the federal bureau of
10 investigation, for the purpose of conducting preemployment
11 evaluations for applicants who will have access to federal taxpayer
12 information provided by the United States internal revenue service,
13 or current employees who have access to federal taxpayer information
14 provided by the United States internal revenue service. The record
15 check shall include a fingerprint check using a complete Washington
16 state criminal identification fingerprint card, which shall be
17 forwarded by the Washington state patrol to the federal bureau of
18 investigation.

19 (2) Information received by the department pursuant to this
20 section shall be made available by the department only to the
21 director of human resources, or positions reporting directly to the
22 assistant director of human resources, or to that subject person, and
23 it shall be used only for the purposes of making, supporting, or
24 defending decisions regarding the appointment, hiring, or retention
25 of persons for these positions, or for complying with any
26 requirements from the internal revenue service. Otherwise, the
27 reports and information contained therein shall remain confidential
28 and shall not be subject to the disclosure requirements of chapter
29 42.56 RCW.

30 (3) Fees charged by the Washington state patrol, or the federal
31 bureau of investigation, for conducting these investigations and
32 providing these reports shall be paid by the department.

33 NEW SECTION. **Sec. 4.** A new section is added to chapter 50.12
34 RCW to read as follows:

35 (1) Notwithstanding any provision of RCW 43.43.700 through
36 43.43.815, the employment security department shall require a
37 criminal history record check for conviction records through the
38 Washington state patrol criminal identification system and through

1 the federal bureau of investigation, for the purpose of conducting
2 preemployment evaluations for applicants who will have access to
3 federal taxpayer information provided by the United States internal
4 revenue service, or current employees who have access to federal
5 taxpayer information provided by the United States internal revenue
6 service. The record check shall include a fingerprint check using a
7 complete Washington state criminal identification fingerprint card,
8 which shall be forwarded by the Washington state patrol to the
9 federal bureau of investigation.

10 (2) Information received by the employment security department
11 pursuant to this section shall be made available by the employment
12 security department only to the assistant commissioner of human
13 resources, or position reporting directly to the assistant
14 commissioner of human resources, or to that subject person, and it
15 shall be used only for the purposes of making, supporting, or
16 defending decisions regarding the appointment, hiring, or retention
17 of persons for these positions, or for complying with any
18 requirements from the internal revenue service. Otherwise, the
19 reports and information contained therein shall remain confidential
20 and shall not be subject to the disclosure requirements of chapter
21 42.56 RCW.

22 (3) Fees charged by the Washington state patrol, or the federal
23 bureau of investigation, for conducting these investigations and
24 providing these reports shall be paid by the employment security
25 department.

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