
SENATE BILL 6545

State of Washington

54th Legislature

1996 Regular Session

By Senator Smith

Read first time 01/17/96. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to participating in the bail bond business;
2 amending RCW 9.96A.020; adding a new section to chapter 18.185 RCW; and
3 prescribing penalties.

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

5 **Sec. 1.** RCW 9.96A.020 and 1993 c 71 s 1 are each amended to read
6 as follows:

7 (1) Subject to the exceptions in subsections (3) (~~and (4)~~)
8 through (5) of this section, and unless there is another provision of
9 law to the contrary, a person is not disqualified from employment by
10 the 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 occupation,
13 trade, vocation, or business for which a license, permit, certificate
14 or registration is required to be issued by the state of Washington or
15 any of its counties, cities, towns, municipal corporations, or quasi-
16 municipal corporations solely because of a prior conviction of a
17 felony. However, this section does not preclude the fact of any prior
18 conviction of a crime from being considered.

1 (2) A person may be denied employment by the state of Washington or
2 any of its counties, cities, towns, municipal corporations, or quasi-
3 municipal corporations, or a person may be denied a license, permit,
4 certificate or registration to pursue, practice or engage in an
5 occupation, trade, vocation, or business by reason of the prior
6 conviction of a felony if the felony for which he or she was convicted
7 directly relates to the position of employment sought or to the
8 specific occupation, trade, vocation, or business for which the
9 license, permit, certificate or registration is sought, and the time
10 elapsed since the conviction is less than ten years.

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

19 (4) A person is disqualified from employment by school districts,
20 educational service districts, and their contractors hiring employees
21 who will have regularly scheduled unsupervised access to children,
22 because of a prior guilty plea or conviction of a felony involving
23 sexual exploitation of a child under chapter 9.68A RCW, sexual offenses
24 under chapter 9A.44 RCW where a minor is the victim, promoting
25 prostitution of a minor under chapter 9A.88 RCW, or a violation of
26 similar laws of another jurisdiction, even if the time elapsed since
27 the guilty plea or conviction is ten years or more.

28 (5) A person is disqualified for a license required under chapter
29 18.185 RCW for any felony conviction or guilty pleading as set forth in
30 section 2 of this act.

31 (6)(a) Subsections (3) and (4) of this section only apply to a
32 person applying for a certificate or for employment on or after July
33 25, 1993.

34 (b) Subsection (5) of this section applies to any person who
35 applies for a license as a bail bond agent or for a license to manage
36 or operate a bail bond agency on or after the effective date of this
37 act.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.185 RCW
2 to read as follows:

3 (1) A person who has been convicted of or who has pleaded guilty to
4 a felony under the law of any state, territory, or country, or has
5 pleaded guilty to a crime, which would constitute a felony under the
6 laws of this state, may not participate as a director, officer,
7 manager, or employee of any bail bond agency or office thereof or act
8 as a bail bond agent or exercise direct or indirect control in any
9 manner in such agency, or as an officer own shares in any closely held
10 corporation which has any interest in any bail bond business, unless
11 such conviction or plea of guilty occurred more than ten years prior to
12 the date of such participation.

13 (2) Any person who violates the provisions of subsection (1) of
14 this section or any person who knowingly permits a person who has been
15 convicted of or who has pleaded guilty to a felony under subsection (1)
16 of this section to engage in the bail bond business commits a class C
17 felony, punishable as provided in RCW 9A.20.020.

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