
HOUSE BILL 2556

State of Washington

58th Legislature

2004 Regular Session

By Representatives O'Brien, Kagi, Carrell, Upthegrove, Miloscia, Lovick and Moeller

Read first time 01/16/2004. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to studying criminal background check processes;
2 creating new sections; and providing an expiration date.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that criminal
5 background checks for employment purposes are rapidly increasing in
6 Washington state. While the demand for criminal background checks is
7 growing, the existing background check data transmission infrastructure
8 and processes are not adequate to keep pace with the growing demand.
9 Furthermore, employers are concerned with the current system's ability
10 to quickly secure background check results. Without adequate data
11 transmission infrastructure and processes to encourage efficient
12 criminal background checks and to receive results quickly, a public
13 safety risk is created. This is especially true when new or
14 prospective employees will be working with children.

15 The legislature has learned that some states have recently
16 developed comprehensive criminal background check programs. These
17 programs focus on making criminal background checks easily accessible
18 to employers and prospective employees and have eliminated long

1 response times. It is the intent of this act to study advances with
2 criminal background check programs in other states and determine what
3 is needed to implement similar programs in Washington state.

4 NEW SECTION. **Sec. 2.** (1) In consultation with the Washington
5 State Patrol, the Washington association of sheriffs and police chiefs
6 shall conduct a study on criminal background checks. The study shall
7 focus on how Washington state can reduce delays in the criminal
8 background check processing time and how Washington state can make
9 criminal background checks more accessible and efficient.

10 (2) The study shall include, but is not limited to:

11 (a) A review and analysis of the criminal background check programs
12 in states that have recently implemented or are soon to implement
13 comprehensive criminal background check programs.

14 (b) Recommendations on how a comprehensive criminal background
15 check program should be designed in Washington state, and how much a
16 comprehensive program would cost to implement in Washington state.

17 (c) A review of how a comprehensive criminal background check
18 program could be paid for in Washington state, which includes a
19 determination on whether the program could be funded solely by user
20 fees.

21 (d) A review of the benefits and obstacles of implementing a
22 criminal background check program created by the national child
23 protection act of 1993. The national child protection act of 1993
24 increases the availability of criminal background checks for employers
25 who have employees or volunteers who work with children, elderly
26 persons, or persons with disabilities.

27 (e) Upon completion of the review in (d) of this subsection,
28 recommendations on how Washington state can make criminal background
29 checks, as authorized under the national child protection act of 1993,
30 available to Washington state employers.

31 (3) The findings and recommendations from the study shall be
32 presented to the legislature no later than December 31, 2004.

33 NEW SECTION. **Sec. 3.** This act expires December 31, 2004.

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