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**HB 1336** - H AMD **243**

By Representative Holy

On page 1, beginning on line 20, after "check." strike all material through "registration" on page 2, line 2 and insert "((~~The director may require that fingerprint cards of licensees be periodically reprocessed to identify criminal convictions subsequent to registration.~~))"

On page 2, line 9, after "~~employer~~))" insert "Washington state patrol may retain fingerprints submitted in accordance with this section and shall notify the department of any change in criminal history record information that is identified against the retained fingerprints if the employer has enrolled the security guard licensed under this chapter in the rap back service with the Washington state patrol. The department must notify license applicants that if their employer is enrolled in the rap back service under this subsection:

(a) The applicant's fingerprints may be retained by the Washington state patrol for the period of time that the individual is licensed as a security guard;

(b) Arrests and unsolved crime files may be searched against the applicant's retained prints; and

(c) Notifications of any changes to the applicant's criminal history record information shall be made to the department.

(4) Employers shall conduct subsequent background checks on security guards licensed under this chapter beginning no later than the licensee's renewal in the year 2018, by either:

(a) Conducting a name and date of birth background check through the Washington state patrol, or another service approved by the director, at least every two years during the period of employment for each licensed security guard; or

(b) Enrolling in the rap back service provided by the Washington state patrol for the period of time that the licensed security guard is employed.

(i) The employer shall submit fingerprint cards, if previous fingerprints were submitted prior to the effective date of this section, for the purpose of a state and federal fingerprint based background check and subsequent background checks to be conducted under this subsection (4)(b).

(ii) The Washington state patrol shall ensure that arrest information is provided only to the department and may allow a search by criminal justice agencies of unsolved crime files against fingerprints submitted for purposes of this section.

(c) The department shall notify the Washington state patrol when the license of a security guard has not been renewed or has been revoked, and the Washington state patrol must ensure that the fingerprints of the individual are destroyed and are no longer retained by the Washington state patrol.

(d)(i) The licensee or the employer, as applicable, shall:

(A) Pay a fee amount equal to that in effect on January 1, 2015 to the Washington state patrol for name and date of birth background checks of the licensee; or

(B) Notify the department of a change in the licensee's criminal history record information.

(ii) The fees for subsequent background checks required under this subsection(d) are separate from any license application fees and shall be paid by the employer at the rates in effect on January 1, 2015. Beginning January 1, 2021, the Washington state patrol may increase the fee or fees to an amount that will cover as nearly as practicable the direct and indirect costs to the Washington state patrol of implementing this subsection (d).

(e) The"

On page 2, line 36, after "Pay" strike all material through "application" and insert ", for each application, the required nonrefundable fee ((~~for each application~~)) in the amount in effect on January 1, 2015. Beginning January 1, 2021, the department may increase the fee or fees to an amount that will cover as nearly as practicable the direct and indirect costs to the department of implementing this section"

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|  | EFFECT: (1) Authorizes the Washington State Patrol (WSP) to retain the fingerprints of an applicant for a security guard license and requires the WSP to notify the Department of Licensing (DOL) regarding any change in criminal history if the employer has enrolled a licensed security guard in the "rap back service," which provides automatic notification of new criminal events.  (2) Requires the DOL to notify applicants for a security guard license that if their employer is enrolled in the rap back service: (a) the applicant's fingerprints may be retained by the WSP during the time they are licensed as a security guard; (b) arrests and unsolved crime files may be searched against the applicant's fingerprints; and (c) notifications of changes to the applicant's criminal history record must be made to the DOL.  (3) Requires employers to conduct subsequent background checks, at least every two years while the licensee is employed, beginning no later than a licensee's 2018 renewal date.  (4) Requires the DOL to notify the WSP when the license of a security guard is not renewed or has been revoked, after which the WSP must ensure that the fingerprints of the individual are destroyed.  (5) Requires the fees for security guard license applications and subsequent background checks to remain at the amount charged as of January 1, 2015, and permits fee increases beginning January 1, 2021 in an amount that will cover the direct and indirect costs of implementing the provisions of this act. |

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