**2694 AMS HSMH S4983.2 - NOT FOR FLOOR USE**

**HB 2694** - S COMM AMD

By Committee on Human Services, Mental Health & Housing

**ADOPTED 03/02/2016**

Strike everything after the enacting clause and insert the following:

"**Sec.**  RCW 26.44.240 and 2008 c 232 s 2 are each amended to read as follows:

(1) During an emergency situation when a child must be placed in out-of-home care due to the absence of appropriate parents or custodians, the department shall, or an authorized agency of a federally recognized tribe may, request a federal name-based criminal history record check of each adult residing in the home of the potential placement resource. Upon receipt of the results of the name-based check, the department shall, or an authorized agency of a federally recognized tribe may, provide a complete set of each adult resident's fingerprints to the Washington state patrol for submission to the federal bureau of investigation within ((~~fourteen~~)) fifteen calendar days from the date the name search was conducted. The child shall be removed from the home immediately if any adult resident fails to provide fingerprints and written permission to perform a federal criminal history record check when requested.

(2) When placement of a child in a home is denied as a result of a name-based criminal history record check of a resident, and the resident contests that denial, the resident shall, within fifteen calendar days, submit to the department or an authorized agency of a federally recognized tribe a complete set of the resident's fingerprints with written permission allowing the department or an authorized agency of a federally recognized tribe to forward the fingerprints to the Washington state patrol for submission to the federal bureau of investigation.

(3) The Washington state patrol and the federal bureau of investigation may each charge a reasonable fee for processing a fingerprint-based criminal history record check.

(4) As used in this section, "emergency placement" refers to those limited instances when the department or an authorized agency of a federally recognized tribe is placing a child in the home of private individuals, including neighbors, friends, or relatives, as a result of a sudden unavailability of the child's primary caretaker."

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On page 1, line 2 of the title, after "tribes;" strike the remainder of the title and insert "and amending RCW 26.44.240."

EFFECT: Increases time available to submit fingerprints to the Washington State Patrol following a name-based background check from 14 days to 15 days. Allows discretion for an authorized agency of a federally recognized tribe to decide whether or not to request a federal background check in an emergency when a child is placed in out-of-home care.