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**Human Services, Youth, & Early  
Learning Committee**

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**SSB 5774**

**Brief Description:** Increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs.

**Sponsors:** Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Billig, Hawkins, Wilson, C., Wellman, Dozier, Frame, Kuderer, Lovick, Mullet, Nguyen, Nobles, Padden, Salomon and Shewmake).

**Brief Summary of Substitute Bill**

- Requires, subject to appropriated funding, that the Department of Children, Youth, and Families maintain the capacity to roll, print, or scan fingerprints in at least 10 of its early learning and child welfare offices.

**Hearing Date:** 2/20/24

**Staff:** Omeara Harrington (786-7136).

**Background:**

Criminal History Information.

The Washington State Patrol's (WSP) Criminal History Records Section is the central repository for criminal history record information for Washington. Criminal history record information consists of fingerprint-based records and disposition information submitted by law enforcement agencies and courts throughout the state. The WSP facilitates background checks for other agencies, employers, and the public.

Federal Bureau of Investigation (FBI) records are compiled from records received from local, state, federal, tribal, and international criminal justice agencies. Federal law allows for the

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exchange of criminal records and related information within the possession of the FBI with authorized officials of the federal government, states, Indian tribes, cities, and penal and other institutions.

Background Check Requirements.

Persons with certain criminal history, pending charges, or history of other disqualifying negative action are ineligible to work in positions where they will have unsupervised access to children or vulnerable adults. A person must pass a fingerprint-based state and federal background check through the WSP and the FBI before working in a position with such unsupervised access.

The DCYF must require a fingerprint-based background check of any individual who:

- is applying for a license to provide certain foster or maternity care services, or is an adult living in a home where a child is placed;
- is applying for employment or already employed at a group care facility, regardless of whether the applicant is working directly with children;
- is newly applying for a child care license, is newly licensed, is an employee of a child care agency that is newly licensed, or will newly have unsupervised access to children in child care; or
- has resided in the state less than three consecutive years before application and is applying for employment, promotion, reallocation, or transfer to a position that may require unsupervised access to children or juveniles; is a business or individual contracted to provide developmental disabilities services; or is a person age 16 or older who is residing with or under the care of an applicant or service provider providing foster care or other services.

The DCYF contracts with a third-party provider to collect fingerprints for background check purposes.

**Summary of Bill:**

Subject to appropriated funding, the DCYF must maintain the capacity to roll, print, or scan fingerprints in at least 10 of its early learning and child welfare offices for the purposes of WSP and FBI background checks. Office locations must be prioritized based on proximity to existing fingerprinting service capacity, regional demand, and criteria to enhance timely access. Staff support for this purpose is limited to 0.25 full-time equivalent employees per office location.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.