

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1017

Chapter 71, Laws of 1993

53rd Legislature
1993 Regular Session

SCHOOL EMPLOYMENT PROHIBITED FOR PERSONS CONVICTED OF
FELONY SEXUAL OFFENSE AGAINST A CHILD

EFFECTIVE DATE: 7/25/93

Passed by the House February 22, 1993
Yeas 94 Nays 0

BRIAN EBERSOLE
**Speaker of the
House of Representatives**

Passed by the Senate April 8, 1993
Yeas 46 Nays 3

R. LORRAINE WOJAHN
President of the Senate

Approved April 21, 1993

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1017** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

April 21, 1993 - 2:05 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1017

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By House Committee on Education (originally sponsored by Representatives Forner, Dorn, Brough, Chandler, Brumsickle, Vance, Cooke, Thomas, Long, Reams, Van Luven, Kremen, Tate, Mielke, Miller, Ballard, Basich, Dyer, Sheldon, Wood, Foreman, Ballasiotes, Schoesler, Morton, Stevens, Carlson, Edmondson, Sehlin, Rayburn and Horn)

Read first time 02/12/93.

1 AN ACT Relating to public employment; amending RCW 9.96A.020; and
2 creating a new section.

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

4 **Sec. 1.** RCW 9.96A.020 and 1973 c 135 s 2 are each amended to read
5 as follows:

6 (~~Notwithstanding any other provisions~~) (1) Subject to the
7 exceptions in subsections (3) and (4) of this section, and unless there
8 is another provision of law to the contrary, a person (~~shall~~) is not
9 (~~be~~) disqualified from employment by the state of Washington or any
10 ~~of its (agencies or political subdivisions) counties, cities, towns,~~
11 municipal corporations, or quasi-municipal corporations, nor (~~shall~~)
12 is a person (~~be~~) disqualified to practice, pursue or engage in any
13 occupation, trade, vocation, or business for which a license, permit,
14 certificate or registration is required to be issued by the state of
15 Washington or any of its (~~agencies or political subdivisions~~)
16 counties, cities, towns, municipal corporations, or quasi-municipal
17 corporations solely because of a prior conviction of a felony(~~+~~
18 PROVIDED)). However, this section (~~shall~~) does not preclude the
19 fact of any prior conviction of a crime from being considered.

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

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

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

29 (5) Subsections (3) and (4) of this section only apply to a person
30 applying for a certificate or for employment on or after the effective
31 date of this act.

32 NEW SECTION. Sec. 2. The legislature reaffirms its singular
33 intent that this act shall not affect the duties imposed or powers
34 conferred on the office of the superintendent of public instruction by
35 RCW 28A.410.090.

Passed the House February 22, 1993.

Passed the Senate April 8, 1993.

Approved by the Governor April 21, 1993.

Filed in Office of Secretary of State April 21, 1993.