
SUBSTITUTE HOUSE BILL 2556

State of Washington

58th Legislature

2004 Regular Session

By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Kagi, Carrell, Upthegrove, Miloscia, Lovick and Moeller)

READ FIRST TIME 02/05/04.

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

16 The legislature has learned that some states have recently
17 developed comprehensive criminal history record information background
18 check programs. These programs focus on making criminal history record
19 information background checks easily accessible to employers and

1 prospective employees and have eliminated long response times. It is
2 the intent of this act to study advances with criminal history record
3 information background check programs in other states and determine
4 what is needed to implement similar programs in Washington state.

5 NEW SECTION. **Sec. 2.** (1) In consultation with the Washington
6 State Patrol and employers and nonprofit corporations who request
7 background information on employees or volunteers, the Washington
8 association of sheriffs and police chiefs shall conduct a study on
9 criminal history record information background checks. The study shall
10 focus on how Washington state can reduce delays in the criminal history
11 record information background check processing time and how Washington
12 state can make criminal history record information background checks
13 more accessible and efficient.

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

15 (a) A review and analysis of the criminal history record
16 information background check programs in states that have recently
17 implemented or are soon to implement comprehensive criminal history
18 record information background check programs.

19 (b) Recommendations on how a comprehensive criminal history record
20 information background check program should be designed in Washington
21 state, and how much a comprehensive program would cost to implement in
22 Washington state.

23 (c) A review of how a comprehensive criminal history record
24 information background check program could be paid for in Washington
25 state, which includes a determination on whether the program could be
26 funded solely by user fees.

27 (d) A review of the benefits and obstacles of implementing a
28 criminal history record information background check program created by
29 the national child protection act of 1993. The national child
30 protection act of 1993 increases the availability of criminal history
31 record information background checks for employers who have employees
32 or volunteers who work with children, elderly persons, or persons with
33 disabilities.

34 (e) A review of the feasibility of requiring all businesses and
35 organizations, including nonprofit entities, to conduct criminal
36 background checks for all employees, contractors, agents, and

1 volunteers who have regularly scheduled supervised or unsupervised
2 access to children, developmentally disabled persons, or vulnerable
3 adults.

4 (f) Upon completion of the review in (d) of this subsection,
5 recommendations on how Washington state can make criminal history
6 record information background checks, as authorized under the national
7 child protection act of 1993, available to Washington state employers.

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

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

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