

SENATE BILL REPORT

SB 5151

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, February 26, 2007
Ways & Means, March 5, 2007

Title: An act relating to the registration of persons who provide or offer to provide athletic coaching services to children under the age of eighteen.

Brief Description: Requiring the registration of commercial youth athletic coaches.

Sponsors: Senators Franklin, Kohl-Welles and Keiser.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 2/01/07, 2/26/07 [DP-WM, w/oRec].

Ways & Means: 3/05/07 [DPS, w/oRec].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: Do pass and be referred to the Committee on Ways & Means.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin, Murray and Prentice.

Minority Report: That it be referred without recommendation.

Signed by Senators Clements, Ranking Minority Member and Holmquist.

Staff: Ingrid Mungia (786-7423)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5151 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Fairley, Hatfield, Hobbs, Keiser, Kohl-Welles, Oemig, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

Minority Report: That it be referred without recommendation.

Signed by Senators Carrell, Honeyford and Parlette.

Staff: Maria Hovde (786-7710)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background: State law does not require a person who offers private athletic coaching or training, for compensation, to children or youth to be licensed or certified. There is also no requirement that these commercial coaches or trainers submit to a background check before offering their services.

Summary of Bill (Recommended Substitute): A registration program is created in the Department of Licensing (DOL), to operate within the Business and Professions Account, for individuals who provide or offer to provide commercial athletic coaching services to children under the age of eighteen.

Registration requirements include submitting the registrant's fingerprints for a background check to be conducted by the Washington State Patrol (WSP) and the Federal Bureau of Investigation (FBI). DOL cannot issue a certificate of registration when the criminal history record information indicates convictions of any gross misdemeanor or felony relating to the registrant's professional practice or operation of his or her business.

Specific information must be included in any advertisement or other publication that contains an offer to provide services as a commercial youth coach. Prior to entering into a contract for compensation with the parent, parents, or guardian of a child to provide youth athletic coaching services, a commercial youth athletic coach must deliver a certified copy of the certification of registration issued by DOL to the parents or guardians.

Before entering into an employment or business relationship with a third party to provide youth athletic coaching services to the clients or members of the third party, the commercial youth athletic coach must deliver to the hiring officer of any entity employing or retaining the coach a certified copy of the certification of registration issued by DOL.

The registrant is required to pay a non-refundable fee for the background check. The department will issue a unique registration number to identify the registrant. Renewal requirements for the certificate of registration are set at two years. The registrant has thirty days to notify the department of any material changes in the information furnished or required to be furnished to DOL.

Any person may submit a written complaint to DOL charging a commercial youth athletic coach with unprofessional conduct and specify the grounds for the charge. DOL must investigate to determine if there has been unprofessional conduct. Unprofessional conduct is described in RCW and also includes violating any provisions of this act or any misrepresentation on the registration application or in marketing his or her business.

An effective date of July 1, 2007, is added for the bill to become effective on the first day of the 2007-2009 biennium. An emergency clause is also added to allow the bill to go into effect on July 1, 2007.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Substitute): The commercial youth athletic coach registration program will operate within the Business and Professions Account. An effective date of July 1, 2007, is added for the bill to become effective on the first day of the 2007-2009 biennium. An emergency clause is also added to allow the bill to go into effect on July 1, 2007.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Labor, Commerce, Research & Development):

PRO: Parents and guardians would have more information on individuals who privately coach their children. The Task Force on Criminal Background Check Processes recommended supporting this legislation. The bill came as a result of the Seattle Times article on "Coaches who Prey" written two years ago. A prime example is a coach in the article who moved from one small rural area to another thereby avoiding a large metropolitan area where he might be under more scrutiny. The bill would not affect volunteers or coaches in schools. The persons who advertise themselves as coaches for money to provide instruction to children are the focus. Requiring a registration may be overkill.

Persons Testifying (Labor, Commerce, Research & Development): PRO: Senator Franklin, prime sponsor; Roland Thompson, Allied Daily Newspapers.

Staff Summary of Public Testimony (Ways & Means): None.

Persons Testifying (Ways & Means): No one.