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**HOUSE BILL 1336**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Kirby and Hayes; by request of Department of Licensing

AN ACT Relating to fingerprint-based background checks for the licensing of security guards; and amending RCW 18.170.130 and 18.170.030.

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

**Sec.**  RCW 18.170.130 and 1995 c 277 s 10 are each amended to read as follows:

(1) Applications for licenses required under this chapter shall be filed with the director on a form provided by the director. The director may require any information and documentation that reasonably relates to the need to determine whether the applicant meets the criteria.

(2) After receipt of an application for a license, the director shall conduct an investigation to determine whether the facts set forth in the application are true and shall request that the Washington state patrol compare the fingerprints submitted with the application to fingerprint records available to the Washington state patrol. The Washington state patrol shall forward the fingerprints of applicants for ((~~an armed~~))any private security guard license to the federal bureau of investigation for a national criminal history records check. The director may require that fingerprint cards of licensees be periodically reprocessed to identify criminal convictions subsequent to registration.

(3) The ((~~director shall solicit comments from the chief law enforcement officer of the county and city or town in which the applicant's employer is located on issuance of a permanent private security guard license.~~

~~(4) A summary of the information acquired under this section, to the extent that it is public information, shall be forwarded by the department to the applicant's employer~~))department must inform the employer if the applicant is ineligible to be a security guard and may provide a time frame for ineligibility.

**Sec.**  RCW 18.170.030 and 2012 c 118 s 2 are each amended to read as follows:

An applicant must meet the following minimum requirements to obtain a private security guard license:

(1) Be at least eighteen years of age;

(2) Be a citizen of the United States or a resident alien;

(3) Not have been convicted of a crime in any jurisdiction, if the director determines that the applicant's particular crime directly relates to his or her capacity to perform the duties of a private security guard, and the director determines that the license should be withheld to protect the citizens of Washington state. The director shall make her or his determination to withhold a license because of previous convictions notwithstanding the restoration of employment rights act, chapter 9.96A RCW;

(4) Be employed by or have an employment offer from a licensed private security company or be licensed as a private security company;

(5) Satisfy the training requirements established by the director;

(6) Submit a set of fingerprints; however, if an applicant has been issued a license as ((~~a~~))an armed private investigator under chapter 18.165 RCW within the last twelve months, the applicant is not required to undergo a separate background check to become licensed under this chapter;

(7) Pay the required nonrefundable fee for each application; and

(8) Submit a fully completed application that includes proper identification on a form prescribed by the director for each company of employment.

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