

***Children & Family Services  
Committee***

***HB 1086***

***Brief Description:*** *Revising provision for consideration of prior felony convictions in employment and contracting with the department of social and health services.*

***Sponsors:*** *Representative Mulliken.*

***Brief Summary of Bill***

- An applicant to the Department of Social and Health Services or any of its contractors is disqualified for a guilty plea or conviction for sexual offenses involving a minor, the exploitation of a minor or promoting the prostitution of a minor, even if it occurred over 10 years ago.*

***Hearing Date:*** *2/14/01*

***Staff:*** *Tracey Taylor (786-7196).*

***Background:***

*Criminal history checks for felony convictions are required for many state employees, state agency contractors and their employees, and state agency licensees and their employees if there will be unsupervised access to a vulnerable population. This population includes children, the elderly, and the developmentally disabled. Usually the criminal history check is performed on an applicant prior to hiring or licensing. The criminal history check is performed by the Washington State Patrol and, in some instances, through the Federal Bureau of Investigation.*

*Current law prevents a felony conviction more than 10 years old from being the sole basis for disqualifying a person from employment by the state, one of its subdivisions or agencies, such as the Department of Social and Health Services. However, in 1993, the Legislature provided an exception to this rule in the issuance of teaching certificates and in employment by school districts, educational service districts and their contractors. Teaching certificates and employment by schools districts, educational services districts and*

*their contractors may be denied if an applicant has a guilty plea or conviction involving the sexual exploitation of a minor, a sexual offense involving a minor, or promoting the prostitution of a minor, even if the conviction is over 10 years old.*

***Summary of Bill:***

*An applicant to the Department of Social and Health Services and any of the department's contractors for a position involving unsupervised access to children must be disqualified for a guilty plea or conviction for the sexual exploitation of a minor, a sexual offense involving a minor or promoting prostitution of a minor, regardless of when it occurred.*

***Appropriation:*** None.

***Fiscal Note:*** Requested on February 6, 2001.

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