

SHB 1681 - S COMM AMD

By Committee on Human Services & Corrections

ADOPTED 04/11/2005

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. 2004 c 41 s 2 (uncodified) is reenacted and amended to  
4 read as follows:

5 (1) A joint task force on criminal background check processes is  
6 established. The joint task force shall consist of the following  
7 members:

8 (a) One member from each of the two largest caucuses of the senate,  
9 appointed by the president of the senate;

10 (b) One member from each of the two largest caucuses of the house  
11 of representatives, appointed by the speaker of the house of  
12 representatives;

13 (c) The chief of the Washington state patrol, or the chief's  
14 designee;

15 (d) The secretary of the department of social and health services,  
16 or the secretary's designee;

17 (e) The state superintendent of public instruction, or the  
18 superintendent's designee;

19 (f) An elected sheriff or police chief, selected by the Washington  
20 association of sheriffs and police chiefs; and

21 (g) The following (~~seven~~) eleven members, jointly appointed by  
22 the speaker of the house of representatives and the president of the  
23 senate:

24 (i) A representative from a nonprofit service organization that  
25 serves primarily children under sixteen years of age;

26 (ii) A health care provider as defined in RCW 7.70.020;

27 (iii) A representative from a business or organization that  
28 primarily serves persons with a developmental disability (~~or~~  
29 ~~vulnerable adults~~);

30 (iv) A representative from a local youth athletic association;

1 (v) A representative from the insurance industry; (~~and~~)

2 (vi) Two representatives from a local parks and recreation program;  
3 one member shall be selected by the association of Washington cities  
4 and one member shall be selected by the Washington association of  
5 counties;

6 (vii) A representative from a for-profit entity that primarily  
7 serves children;

8 (viii) A representative from a business or organization that  
9 primarily serves vulnerable adults;

10 (ix) A representative selected by the state's long-term care  
11 ombudsman; and

12 (x) As a nonvoting ex officio member, a representative of an  
13 organization that serves as a clearinghouse for other nonprofit  
14 organizations in the state and that recruits volunteers and trains  
15 nonprofit boards of directors.

16 (2) The task force shall choose two cochairs from among its  
17 membership.

18 (3) The task force shall review and make recommendations to the  
19 legislature and the governor regarding criminal background check policy  
20 in Washington state. In preparing the recommendations, the committee  
21 shall, at a minimum, review the following issues:

22 (a) What state and federal statutes require regarding criminal  
23 background checks, and determine whether any changes should be made;

24 (b) What criminal offenses are currently reportable through the  
25 criminal background check program, and determine whether any changes  
26 should be made;

27 (c) What information is available through the Washington state  
28 patrol and the federal bureau of investigation criminal background  
29 check systems, and determine whether any changes should be made;

30 (d) What are the best practices among organizations for obtaining  
31 criminal background checks on their employees and volunteers;

32 (e) What is the feasibility and costs for businesses and  
33 organizations to do periodic background checks;

34 (f) What is the feasibility of requiring all businesses and  
35 organizations, including nonprofit entities, to conduct criminal  
36 background checks for all employees, contractors, agents, and  
37 volunteers who have regularly scheduled supervised or unsupervised

1 access to children, persons with a developmental disability, or  
2 vulnerable adults; ((and))

3 (g) What is the feasibility of establishing a state registration  
4 program for private youth sports coaches under which some or all of  
5 such persons are required to obtain and disclose to prospective clients  
6 and employers a copy of the results of their fingerprint-based criminal  
7 background checks;

8 (h) A review of the practices of the department of social and  
9 health services with respect to checking the backgrounds of its  
10 employees, applicants for employment, and candidates for promotion; and

11 (i) A review of the benefits and obstacles of implementing a  
12 criminal history record information background check program created by  
13 the national child protection act of 1993. The national child  
14 protection act of 1993 increases the availability of criminal history  
15 record information background checks for employers who have employees  
16 or volunteers who work with children, elderly persons, or persons with  
17 disabilities.

18 (4) The task force, where feasible, may consult with individuals  
19 from the public and private sector.

20 (5) The task force shall use legislative facilities and staff from  
21 senate committee services and the house office of program research.

22 (6) The task force shall report its findings and recommendations to  
23 the legislature by December 31, ((2004)) 2005.

24 NEW SECTION. Sec. 2. This act expires January 31, 2006.

25 NEW SECTION. Sec. 3. This act is necessary for the immediate  
26 preservation of the public peace, health, or safety, or support of the  
27 state government and its existing public institutions, and takes effect  
28 immediately."

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1        On page 1, line 2 of the title, after "processes;" strike the  
2 remainder of the title and insert "reenacting and amending 2004 c 41 s  
3 2 (uncodified); providing an expiration date; and declaring an  
4 emergency."

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