
**State Government Operations &
Accountability Committee**

SB 5439

Brief Description: Authorizing background checks on gubernatorial appointees.

Sponsors: Senators Roach, Swecker, Delvin, Sheldon, Parlette, Kohl-Welles and McCaslin; by request of Washington State Patrol.

Brief Summary of Bill

- Permits the Governor or Director of the Department of Personnel to request and receive non-conviction criminal history on applicants for agency head positions appointed by the Governor.

Hearing Date: 2/22/06

Staff: Kathryn Leathers (786-7114).

Background:

Procedures for confirmation of gubernatorial appointments require the Governor to transmit "pertinent information" regarding a prospective appointee to the Secretary of the Senate. The term "pertinent information" is not defined, but can include a criminal history background check. "Criminal history" means the list of a person's prior convictions and juvenile adjudications in Washington state, other states, and federal courts.

Summary of Bill:

When requested by the Governor or the Director of the Department of Personnel (Director) for gubernatorial appointments of agency heads, a check of the Washington State Patrol and Federal Bureau of Investigation non-conviction criminal history fingerprint records shall be conducted. Agency heads are those individuals or bodies who are vested by law with the ultimate legal authority of an agency. Information received pursuant to such records checks are confidential, and made available only to the Governor or Director, or to their employees directly involved in the selection, hiring, or background investigation. When necessary, an appointment may be conditional, pending completion of the criminal history check.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.