
SUBSTITUTE HOUSE BILL 1681

State of Washington

59th Legislature

2005 Regular Session

By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives B. Sullivan, Darneille, Chase, Appleton, Upthegrove and Lovick)

READ FIRST TIME 02/25/05.

1 AN ACT Relating to the joint task force on criminal background
2 check processes; reenacting and amending 2004 c 41 s 2 (uncodified);
3 providing an expiration date; and declaring an emergency.

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

5 **Sec. 1.** 2004 c 41 s 2 (uncodified) is reenacted and amended to
6 read as follows:

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

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

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

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

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

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

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

5 (g) The following (~~seven~~) nine members, jointly appointed by the
6 speaker of the house of representatives and the president of the
7 senate:

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

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

11 (iii) A representative from a business or organization that
12 primarily serves persons with a developmental disability or vulnerable
13 adults;

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

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

16 (vi) Two representatives from a local parks and recreation program;
17 one member shall be selected by the association of Washington cities
18 and one member shall be selected by the Washington association of
19 counties;

20 (vii) A representative from a for-profit entity that primarily
21 serves children or vulnerable adults; and

22 (viii) A representative of an organization that serves as a
23 clearinghouse for other nonprofit organizations in the state and that
24 recruits volunteers and trains nonprofit boards of directors.

25 (2) The task force shall choose two cochairs from among its
26 membership.

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

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

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

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

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

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

5 (f) What is the feasibility of requiring all businesses and
6 organizations, including nonprofit entities, to conduct criminal
7 background checks for all employees, contractors, agents, and
8 volunteers who have regularly scheduled supervised or unsupervised
9 access to children, persons with a developmental disability, or
10 vulnerable adults; and

11 (g) 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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