

---

HOUSE BILL 1681

---

State of Washington                      59th Legislature                      2005 Regular Session

By Representatives B. Sullivan, Darneille, Chase, Appleton,  
Upthegrove and Lovick

Read first time 02/01/2005.      Referred to Committee on Criminal  
Justice & Corrections.

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~~) eight 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; and

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

22 (2) The task force shall choose two cochairs from among its  
23 membership.

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

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

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

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

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

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

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

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

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

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

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

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

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

--- END ---