

HOUSE BILL REPORT

HB 1852

As Passed Legislature

Title: An act relating to record checks using fingerprints.

Brief Description: Modifying provisions relating to record checks using fingerprints.

Sponsors: Representatives Appleton and Hinkle; by request of Washington State Patrol.

Brief History:

Committee Activity:

Public Safety & Emergency Preparedness: 2/10/09 [DP].

Floor Activity

Passed House: 2/23/09, 97-0.

Passed Senate: 4/10/09, 47-0.

Passed Legislature.

Brief Summary of Bill

- Eliminates the requirement that the Washington State Patrol charge school districts and educational service districts for only the incremental costs associated with checking fingerprints.

HOUSE COMMITTEE ON PUBLIC SAFETY & EMERGENCY PREPAREDNESS

Majority Report: Do pass. Signed by 8 members: Representatives Hurst, Chair; O'Brien, Vice Chair; Pearson, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Appleton, Goodman, Kirby and Ross.

Staff: Yvonne Walker (786-7841)

Background:

School districts require new applicants, who will have regularly scheduled unsupervised access to children, to obtain a background record check through the Washington State Patrol (WSP) using fingerprints. Other employees such as school secretaries and janitorial and maintenance staff are not required to obtain such a check; although, as a practical matter, many school districts do conduct background checks on all applicants.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

There is currently an incremental fee schedule for record checks for classified and non-classified school employees. Under this fee schedule private school employees, contractors, classified employees, and certification applicants are charged one fee (\$60.25) while school district and educational service districts are charged another fee (\$50.25).

The Joint Task Force on Criminal Background Check Processes (Task Force) was created by the passage of Engrossed Substitute House Bill (ESHB) 2556 during the 2004 legislative session. The purpose of the Task Force was to review and make recommendations regarding how to improve the state's criminal background check processes. The Task Force was extended and expanded through subsequent legislation in 2005 and 2006. In January 2007 the Task Force issued its final report, which included recommendations. One of the recommendations included eliminating incremental fees to allow all school employees and contractors to pay the same fee.

Summary of Bill:

The requirement that the WSP charges only incremental fees for school district and educational service district employees is eliminated. All school employees and contractors must pay the same fee for a fingerprint-based criminal background check.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) The reason for this bill is to establish consistency. There are two groups of employees that work in schools that are charged different prices for the same criminal background check. It does not make sense that people who are classified employees have to pay more for a criminal background check than those that are certificated. This bill simply removes language that causes this problem. This will bring consistency into the system so that everyone will be charged the same fee.

(Opposed) None.

Persons Testifying: Representative Appleton, prime sponsor; and Jeff De Vere, Washington State Patrol.

Persons Signed In To Testify But Not Testifying: None.