

# SENATE BILL REPORT

## SB 6878

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As of February 26, 2010

**Title:** An act relating to fees for criminal background checks.

**Brief Description:** Concerning fees for criminal background checks.

**Sponsors:** Senators Prentice and Kline.

**Brief History:**

**Committee Activity:** Ways & Means: 2/25/10.

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### SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Jenny Greenlee (786-7711)

**Background:** The Washington State Patrol (WSP) operates the statewide repository for fingerprint-based criminal histories. Local criminal justice agencies are required by law to submit felony and gross misdemeanor arrest and disposition information to the State Patrol. Under the Criminal Records Privacy Act, a criminal record may be made public to anyone without restriction and without the consent of the subject of the record.

The WSP is allowed to collect a fee for record checks and that fee must cover the direct and indirect costs of the WSP for disseminating the records. Nonprofit organizations requesting a records check are not charged this fee.

**Summary of Bill:** Nonprofit organizations are required to pay a fee for record checks. Those organizations requesting 50 or more record checks per fiscal year are charged \$1 per check and those with 50 or fewer checks per year are charged \$5 per check.

**Appropriation:** None.

**Fiscal Note:** Requested on February 24, 2010.  
[OFM requested ten-year cost projection pursuant to I-960.]

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill takes effect on July 1, 2010.

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*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.*

**Staff Summary of Public Testimony:** CON: Catholic Conference is doing background checks on 20,000 to 25,000 people. They will probably cut back on the number of times they renew those checks, which is very concerning. They may receive a big reduction in funding for their homecare activities and this will be a further reduction.

OTHER: Nonprofits are really hurting in this economy and can provide a safety net as the state cuts programs. Any bill that increases costs for nonprofits is a concern. The bill is confusing. It is unclear how much will be charged. Nonprofits are not required to conduct background checks and charging a fee may discourage them from doing them. This could put children and others at risk.

**Persons Testifying:** CON: Donna Christensen, Catholic Conference.

OTHER: Amy Bell, YMCA's of Washington Council of Youth Agencies; Laurie Lippold, Children's Home Society.