

# SENATE BILL REPORT

## SB 5703

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As Reported by Senate Committee On:  
Human Services & Corrections, February 17, 2011

**Title:** An act relating to consumer reports of employees or volunteers who will or may have unsupervised access to children, individuals with developmental disabilities, or vulnerable adults.

**Brief Description:** Concerning consumer reports of employees or volunteers who will or may have unsupervised access to children, individuals with developmental disabilities, or vulnerable adults.

**Sponsors:** Senators Kohl-Welles and Stevens.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/17/11 [DPS, w/oRec].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** That Substitute Senate Bill No. 5703 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Carrell, Harper and McAuliffe.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Baxter.

**Staff:** Kevin Black (786-7747)

**Background:** Consumer reporting agencies are prohibited from reporting adverse information, including bankruptcies, judgments, paid tax liens, arrests, and criminal convictions after seven years, or eight years in the case of bankruptcy. An exception is available for transactions or the underwriting of life insurance involving amounts greater than \$50,000 and for employment involving an annual salary greater than \$20,000.

**Summary of Bill (Recommended Substitute):** A nonprofit organization may conduct a fingerprint-based national criminal history check through the Washington State Patrol on behalf of any prospective employee or volunteer who may have contact with children, persons with developmental disabilities, or vulnerable adults. The nonprofit organization or

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prospective employee or volunteer must pay the current federal and state fees for the background check.

**EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Substitute):** All provisions from the original bill are removed and new provisions substituted.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** PRO: Many nonprofit organizations have employees that make less than \$20,000. Their criminal background information is not available through consumer reporting agencies after seven years. Our concern is for safety of children and vulnerable adults. We use consumer reporting agencies to perform background checks on all of our employees or volunteers. The information we get from the Washington State Patrol does not include out of state conviction information, because there is no statutory authority for it to provide us with this information.

**Persons Testifying:** PRO: Senator Kohl-Welles, prime sponsor; Denise Aubuchon, Shawna McMahon, Archdiocese of Seattle.