

SENATE BILL REPORT

SB 6296

As of January 26, 2012

Title: An act relating to background checks.

Brief Description: Modifying background check provisions.

Sponsors: Senators Harper, Carrell and Shin; by request of Washington State Patrol.

Brief History:

Committee Activity: Human Services & Corrections: 1/27/12.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Jennifer Strus (786-7316)

Background: Currently, when individuals seek to review their criminal history record, they are only entitled to an in-person review and cannot keep a copy of their record.

Businesses, organizations, and school districts that conduct background checks under RCW 43.43 receive only criminal history of convictions and pending charges less than a year old when those charges are crimes against persons. Businesses and organizations that conduct background checks under RCW 10.97 receive not only criminal history of convictions but all pending charges less than a year old.

Summary of Bill: Individuals may request a copy of their personal nonconviction data information on file if the criminal justice agency has verified the identity of the person making the request. Criminal justice agencies may impose additional restrictions, including fingerprinting, as are reasonably necessary to assure the record's security and to verify the identity of the requester. The agency may charge a reasonable copying fee.

The definition of criminal history record in RCW 10.97 is clarified to exclude jail records and police incident reports.

An entity conducting a background check pursuant to RCW 10.97 will receive information about any incident that occurred within the last 12 months for which the person is currently being processed by the criminal justice system.

Appropriation: None.

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.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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