

FINAL BILL REPORT

ESB 6296

C 125 L 12
Synopsis as Enacted

Brief Description: Modifying background check provisions.

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

Senate Committee on Human Services & Corrections
House Committee on Public Safety & Emergency Preparedness

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

A business, organization, or school district that conducts background checks under RCW 43.43 may receive only criminal history of convictions and pending charges which are less than a year old if the pending charges are crimes against persons. Businesses and organizations that conduct background checks under RCW 10.97 receive criminal history of convictions and all pending charges which are less than one year old.

Summary: Individuals may retain 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. A criminal justice agency may impose additional restrictions, including fingerprinting, such 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 under RCW 10.97 is clarified to exclude police incident reports.

An entity conducting a background check pursuant to RCW 10.97 may 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.

Votes on Final Passage:

Senate	45	2
House	98	0

Effective: June 7, 2012

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.