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**HOUSE BILL 2737**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Representatives Frame, Holy, S. Hunt, and Kilduff; by request of Office of Financial Management

AN ACT Relating to criminal history record checks; adding a new section to chapter 43.22 RCW; adding a new section to chapter 74.04 RCW; adding a new section to chapter 82.01 RCW; and adding a new section to chapter 50.12 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 43.22 RCW to read as follows:

(1) Notwithstanding any provision of RCW 43.43.700 through 43.43.815, the department of labor and industries shall require a criminal history record check for conviction records through the Washington state patrol criminal identification system and through the federal bureau of investigation, for the purpose of conducting preemployment evaluations for applicants who will have access to federal taxpayer information provided by the United States internal revenue service, or current employees who have access to federal taxpayer information provided by the United States internal revenue service. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card, which shall be forwarded by the Washington state patrol to the federal bureau of investigation.

(2) Information received by the department pursuant to this section shall be made available by the department only to the assistant director of human resources or his or her designee, the appointing authority, or to that subject person, and it shall be used only for the purposes of making, supporting, or defending decisions regarding the appointment, hiring, or retention of persons for these positions, or for complying with any requirements from the internal revenue service. Otherwise, the reports and information contained therein shall remain confidential and shall not be subject to the disclosure requirements of chapter 42.56 RCW.

(3) Fees charged by the Washington state patrol or the federal bureau of investigation for conducting these investigations and providing these reports shall be paid by the department.

NEW SECTION. **Sec.**  A new section is added to chapter 74.04 RCW to read as follows:

(1) Notwithstanding any provision of RCW 43.43.700 through 43.43.815, the department shall require a criminal history record check for conviction records through the Washington state patrol criminal identification system and through the federal bureau of investigation, for the purpose of conducting preemployment evaluations for applicants who will have access to federal taxpayer information provided by the United States internal revenue service, or current employees who have access to federal taxpayer information provided by the United States internal revenue service. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card, which shall be forwarded by the Washington state patrol to the federal bureau of investigation.

(2) Information received by the department pursuant to this section shall be made available by the department only to the department's background check central unit, or to that subject person, and it shall be used only for the purposes of making, supporting, or defending decisions regarding the appointment, hiring, or retention of persons for these positions, or for complying with any requirements from the internal revenue service. Otherwise, the reports and information contained therein shall remain confidential and shall not be subject to the disclosure requirements of chapter 42.56 RCW.

(3) Fees charged by the Washington state patrol, or the federal bureau of investigation, for conducting these investigations and providing these reports shall be paid by the department.

NEW SECTION. **Sec.**  A new section is added to chapter 82.01 RCW to read as follows:

(1) Notwithstanding any provision of RCW 43.43.700 through 43.43.815, the department shall require a criminal history record check for conviction records through the Washington state patrol criminal identification system and through the federal bureau of investigation, for the purpose of conducting preemployment evaluations for applicants who will have access to federal taxpayer information provided by the United States internal revenue service, or current employees who have access to federal taxpayer information provided by the United States internal revenue service. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card, which shall be forwarded by the Washington state patrol to the federal bureau of investigation.

(2) Information received by the department pursuant to this section shall be made available by the department only to the director of human resources, or positions reporting directly to the assistant director of human resources, or to that subject person, and it shall be used only for the purposes of making, supporting, or defending decisions regarding the appointment, hiring, or retention of persons for these positions, or for complying with any requirements from the internal revenue service. Otherwise, the reports and information contained therein shall remain confidential and shall not be subject to the disclosure requirements of chapter 42.56 RCW.

(3) Fees charged by the Washington state patrol, or the federal bureau of investigation, for conducting these investigations and providing these reports shall be paid by the department.

NEW SECTION. **Sec.**  A new section is added to chapter 50.12 RCW to read as follows:

(1) Notwithstanding any provision of RCW 43.43.700 through 43.43.815, the employment security department shall require a criminal history record check for conviction records through the Washington state patrol criminal identification system and through the federal bureau of investigation, for the purpose of conducting preemployment evaluations for applicants who will have access to federal taxpayer information provided by the United States internal revenue service, or current employees who have access to federal taxpayer information provided by the United States internal revenue service. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card, which shall be forwarded by the Washington state patrol to the federal bureau of investigation.

(2) Information received by the employment security department pursuant to this section shall be made available by the employment security department only to the assistant commissioner of human resources, or position reporting directly to the assistant commissioner of human resources, or to that subject person, and it shall be used only for the purposes of making, supporting, or defending decisions regarding the appointment, hiring, or retention of persons for these positions, or for complying with any requirements from the internal revenue service. Otherwise, the reports and information contained therein shall remain confidential and shall not be subject to the disclosure requirements of chapter 42.56 RCW.

(3) Fees charged by the Washington state patrol, or the federal bureau of investigation, for conducting these investigations and providing these reports shall be paid by the employment security department.

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