

**HB 2694** - S COMM AMD

By Committee on Human Services, Mental Health & Housing

ADOPTED 03/02/2016

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 26.44.240 and 2008 c 232 s 2 are each amended to  
4 read as follows:

5 (1) During an emergency situation when a child must be placed in  
6 out-of-home care due to the absence of appropriate parents or  
7 custodians, the department shall, or an authorized agency of a  
8 federally recognized tribe may, request a federal name-based criminal  
9 history record check of each adult residing in the home of the  
10 potential placement resource. Upon receipt of the results of the  
11 name-based check, the department shall, or an authorized agency of a  
12 federally recognized tribe may, provide a complete set of each adult  
13 resident's fingerprints to the Washington state patrol for submission  
14 to the federal bureau of investigation within (~~fourteen~~) fifteen  
15 calendar days from the date the name search was conducted. The child  
16 shall be removed from the home immediately if any adult resident  
17 fails to provide fingerprints and written permission to perform a  
18 federal criminal history record check when requested.

19 (2) When placement of a child in a home is denied as a result of  
20 a name-based criminal history record check of a resident, and the  
21 resident contests that denial, the resident shall, within fifteen  
22 calendar days, submit to the department or an authorized agency of a  
23 federally recognized tribe a complete set of the resident's  
24 fingerprints with written permission allowing the department or an  
25 authorized agency of a federally recognized tribe to forward the  
26 fingerprints to the Washington state patrol for submission to the  
27 federal bureau of investigation.

28 (3) The Washington state patrol and the federal bureau of  
29 investigation may each charge a reasonable fee for processing a  
30 fingerprint-based criminal history record check.

31 (4) As used in this section, "emergency placement" refers to  
32 those limited instances when the department or an authorized agency

1 of a federally recognized tribe is placing a child in the home of  
2 private individuals, including neighbors, friends, or relatives, as a  
3 result of a sudden unavailability of the child's primary caretaker."

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4 On page 1, line 2 of the title, after "tribes;" strike the  
5 remainder of the title and insert "and amending RCW 26.44.240."

EFFECT: Increases time available to submit fingerprints to the Washington State Patrol following a name-based background check from 14 days to 15 days. Allows discretion for an authorized agency of a federally recognized tribe to decide whether or not to request a federal background check in an emergency when a child is placed in out-of-home care.

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