

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2694

64th Legislature
2016 Regular Session

Passed by the House March 7, 2016
Yeas 93 Nays 3

Speaker of the House of Representatives

Passed by the Senate March 2, 2016
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2694** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 2694

AS AMENDED BY THE SENATE

Passed Legislature - 2016 Regular Session

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

By Representatives DeBolt, Johnson, Condotta, Sells, Wilson, S. Hunt,
and Pettigrew

Read first time 01/18/16. Referred to Committee on Community
Development, Housing & Tribal Affairs.

1 AN ACT Relating to background checks in emergency placement
2 situations requested by tribes; and amending RCW 26.44.240.

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

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

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

20 (2) When placement of a child in a home is denied as a result of
21 a name-based criminal history record check of a resident, and the

1 resident contests that denial, the resident shall, within fifteen
2 calendar days, submit to the department or an authorized agency of a
3 federally recognized tribe a complete set of the resident's
4 fingerprints with written permission allowing the department or an
5 authorized agency of a federally recognized tribe to forward the
6 fingerprints to the Washington state patrol for submission to the
7 federal bureau of investigation.

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

11 (4) As used in this section, "emergency placement" refers to
12 those limited instances when the department or an authorized agency
13 of a federally recognized tribe is placing a child in the home of
14 private individuals, including neighbors, friends, or relatives, as a
15 result of a sudden unavailability of the child's primary caretaker.

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