

FINAL BILL REPORT

HB 2208

C 19 L 18
Synopsis as Enacted

Brief Description: Authorizing criminal background investigations for current and prospective employees and contractors with access to federal tax information.

Sponsors: Representative Hudgins; by request of Office of Financial Management.

House Committee on State Government, Elections & Information Technology
Senate Committee on State Government, Tribal Relations & Elections

Background:

The Internal Revenue Service (IRS) requires state and local governmental agencies that access federal tax information (FTI) to establish a personnel security program that ensures a background investigation is completed for any individual who will have authorized access to FTI. The IRS has articulated certain minimum standards for such personnel security programs, including that the agencies develop written policies that all employees and contractors with access to FTI are subject to background checks, including fingerprinting, and also subject to reinvestigation at least every 10 years.

Summary:

All current and future state employees and contractors with the state who may be authorized in their duties to access FTI must have a criminal history record check through both the Washington State Patrol and the Federal Bureau of Investigation (FBI), including a fingerprint check that is forwarded to the FBI. State agencies must cover the costs of such background checks on their employees, but may charge contractors for the cost of their background checks.

Information received by state agencies as a result of background checks may only be used for the following purposes:

- making, supporting, or defending decisions regarding the appointment, hiring, or retention of employees or contractors; or
- to comply with any requirement of the IRS.

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.

State agencies must establish background investigation policies that satisfy any specific background check standards established by the IRS. The OFM must create a model background investigation policy and may adopt administrative rules.

Votes on Final Passage:

House	98	0
Senate	49	0

Effective: June 7, 2018