
SUBSTITUTE SENATE BILL 5275

State of Washington

60th Legislature

2007 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Brandland and Hargrove)

READ FIRST TIME 02/05/07.

1 AN ACT Relating to establishing a work group to ensure seamless
2 access to information for all background checks for noncriminal justice
3 purposes; creating new sections; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** Federal and state law require the balancing
6 of the privacy interests of individuals with the government's interest
7 in the protection of children and vulnerable adults. The legislature
8 finds that the balancing of these interests may be skewed in favor of
9 the privacy rights of individuals. Therefore, a work group is created
10 to research the current laws regarding background checks for
11 prospective employees of public and private entities which work with
12 vulnerable adults or children. The legislature finds that a
13 comprehensive background check which includes both civil and criminal
14 information is a valuable tool in safeguarding vulnerable adults and
15 children from preventable risk.

16 NEW SECTION. **Sec. 2.** (1) The department of social and health
17 services shall convene a work group to review the current federal and

1 state laws and administrative rules and practices with respect to
2 sharing confidential information.

3 (2)(a) The work group shall include but not be limited to the
4 following members, chosen by the chief executive officer of each
5 entity:

6 (i) A representative of the department of social and health
7 services;

8 (ii) A representative of the department of early learning;

9 (iii) A representative of the department of health;

10 (iv) A representative of the office of the superintendent of public
11 instruction;

12 (v) A representative of the department of licensing;

13 (vi) A representative of the Washington state patrol;

14 (vii) A representative from the Washington state bar association's
15 civil rights committee;

16 (viii) A representative of the Washington association of sheriffs
17 and police chiefs;

18 (ix) A representative of the Washington association of criminal
19 defense attorneys;

20 (x) Two representatives from the superior court judges association,
21 including a superior court judge and a court commissioner who is
22 familiar with adult protective services or child protective services
23 cases;

24 (xi) A representative from the administrative office of the courts;
25 and

26 (xii) A representative from the department of information services.

27 (b) The work group shall also include as nonvoting ex officio
28 members:

29 (i) One member from each of the two largest caucuses of the senate,
30 appointed by the president of the senate; and

31 (ii) One member from each of the two largest caucuses of the house
32 of representatives, appointed by the speaker of the house of
33 representatives.

34 (c) Additional voting members may be invited to participate as
35 determined by the work group.

36 (3) Appointments to the work group shall be completed within thirty
37 days of the effective date of this section.

1 (4) The work group may form an executive committee, create
2 subcommittees, designate alternative representatives, and define other
3 procedures, as needed, for operation of the work group.

4 (5) Legislative members of the work group shall be reimbursed for
5 travel expenses under RCW 44.04.120. Nonlegislative members, except
6 those representing an employee or organization, are entitled to be
7 reimbursed for travel expenses in accordance with RCW 43.03.050 and
8 43.03.060.

9 (6) The secretary of the department of social and health services
10 or the secretary's designee shall serve as chair of the work group.

11 (7) The department of social and health services shall provide
12 staff support to the work group.

13 (8) The work group shall:

14 (a) Provide an interim report to the legislature and the governor
15 by December 1, 2007; and

16 (b) Make recommendations to the legislature and the governor by
17 July 1, 2008, regarding improving current processes for sharing
18 information, including but not limited to the feasibility of creating
19 a clearinghouse of information.

20 (9) This section expires November 30, 2008.

21 NEW SECTION. **Sec. 3.** If specific funding for the purposes of this
22 act, referencing this act by bill or chapter number, is not provided by
23 June 30, 2007, in the omnibus appropriations act, this act is null and
24 void.

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