
State Government & Tribal Affairs
Committee

HB 2447

Brief Description: Prohibiting the public disclosure of public employee photographs.

Sponsors: Representatives Appleton, Armstrong, Liias, Hunt, Hasegawa, Miloscia, Chase, Green and Ormsby.

Brief Summary of Bill

- Prohibits photographs of employees and dependents held by an agency in personnel records and public employment related documents from being released under the Public Records Act.

Hearing Date: 1/14/10

Staff: Tracey O'Brien (786-7196).

Background:

The Public Records Act (PRA) requires that all state and local government agencies make all public records available for public inspection and copying unless they fall within certain statutory exemptions. The provisions requiring public records disclosure must be interpreted liberally and the exemptions narrowly in order to effectuate a general policy favoring disclosure.

The PRA exempts employment and licensing information from public inspection and copying under the PRA. For employees and volunteers of public agencies, this includes: residential addresses; residential telephone numbers; personal wireless numbers; personal e-mail addresses; social security numbers; and emergency contact information. The exemption also covers dependents of public agency employees and volunteers. The exempt information for dependents include: name; date of birth; residential addresses; residential telephone numbers; personal wireless numbers; personal e-mail addresses; social security numbers; and emergency contact information. To be covered by this exemption, the records must be held by any public agency in

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personnel records, public employment related documents, volunteer rosters, or any mailing list. However, it is not necessary that the information come from the employee's personnel file. The focus is on whether the information is normally maintained for the employee's benefit and whether the disclosure would violate the employee's right to privacy. In addition, the exemption does not restrict all records containing the information from release under the PRA. If the information can be redacted, then the document must be released redacted.

Summary of Bill:

The PRA is amended to prohibit the release of photographs of an employee held by an agency in personnel records and public employment related documents. In addition, the new exemption applies to the dependents of employees.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.