

HOUSE BILL REPORT

HB 2515

As Passed Legislature

Title: An act relating to treatment of population enumeration data, including exempting from public inspection and copying.

Brief Description: Concerning the treatment of population enumeration data, including exempting it from public inspection and copying.

Sponsors: Representatives Christian, S. Hunt, Kretz and Bergquist; by request of Office of Financial Management.

Brief History:

Committee Activity:

Government Operations & Elections: 1/28/14, 1/31/14 [DP].

Floor Activity:

Passed House: 2/14/14, 96-0.

Passed Senate: 2/26/14, 49-0.

Passed Legislature.

Brief Summary of Bill

- Exempts enumeration data from public inspection and copying.
- Requires the Office of Financial Management to destroy enumeration data after it is used to produce the required population estimates.

HOUSE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass. Signed by 10 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Taylor, Ranking Minority Member; Young, Assistant Ranking Minority Member; Carlyle, Christian, Manweller, Orwall, Robinson and Van De Wege.

Staff: Marsha Reilly (786-7135).

Background:

Annexations.

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.

Annexations by cities and towns and annexations by code cities, while governed by separate statutes, share a common requirement for the annexing jurisdiction to determine the resident population of the territory to be annexed. Actual enumeration must be used to account for the population of a territory to be annexed if:

- the annexing city has a population of 10,000 or fewer inhabitants;
- the territory to be annexed consists entirely of one or more partial census blocks; or
- the annexation does not occur within the 12 months immediately following release of the 2010 federal decennial census data.

An annexing city may always choose to use actual enumeration to determine the population of territory to be annexed.

Population Determinations.

Population determinations made through actual enumeration must be conducted in accordance with the practices and policies, and subject to the approval of, the Office of Financial Management (OFM), which uses the information supplied through the annexation process in annually calculating the population of all cities and towns in the state. State-shared revenues from the gasoline tax, liquor board profits, and the liquor excise tax are distributed to cities on the basis of population as determined by the OFM. For a city to have its population adjusted for an annexation for purposes of state-shared revenue distributions, the OFM must certify the annexation, after which it notifies the appropriate state agencies of the population change. For purposes of distributing funds based on the population of a county, the population must be determined by the most recent census, population estimate by the OFM, or special county census as certified by the OFM.

Summary of Bill:

Enumeration data collected for the purposes of determining the population: (1) of annexed territory to a code city, or city or town; (2) for a county census; or (3) for allocation of funds or state moneys from any source, are confidential and exempt from public inspection and copying. The OFM must destroy enumeration data after it is used to produce the required population estimates.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This information does not need to be kept and should be destroyed. Cities are required to do an actual population count and the OFM certifies the result. A lot of resources are distributed based on this count. It was discovered last year that the information was not confidential. It would be difficult to get an accurate count if people knew about the distribution of resources. Enumeration data is used for only one reason and it should be destroyed afterwards.

(Opposed) None.

Persons Testifying: Representative Christian, prime sponsor; and Marc Baldwin, Office of Financial Management.

Persons Signed In To Testify But Not Testifying: None.