

HOUSE BILL REPORT

HB 2790

As Amended by the Senate

Title: An act relating to distribution of certain governmental lists and information.

Brief Description: Authorizing the distribution of certain governmental lists of public information to private companies for use by federal, state or local governments.

Sponsors: Representatives Dyer, Hymes, Scott, Wolfe, Honeyford, D. Schmidt and B. Thomas.

Brief History:

Committee Activity:

Trade & Economic Development: 1/31/96, 2/1/96 [DP].

Floor Activity:

Passed House: 2/9/96, 97-0.

Senate Amended.

HOUSE COMMITTEE ON TRADE & ECONOMIC DEVELOPMENT

Majority Report: Do pass. Signed by 12 members: Representatives Van Luven, Chairman; Radcliff, Vice Chairman; D. Schmidt, Vice Chairman; Sheldon, Ranking Minority Member; Veloria, Assistant Ranking Minority Member; Backlund; Ballasiotes; Hatfield; Hickel; Sherstad; Skinner and Valle.

Minority Report: Without recommendation. Signed by 1 member: Representative Mason.

Staff: Kenny Pittman (786-7392).

Background: The state Public Disclosure Law applies to the type of records and information that state agencies can make public. The law allows certain personal and other records to be exempt from public disclosure.

The Department of Licensing is authorized to provide lists of registered and legal owners of motor vehicles to (1) manufacturers of motor vehicles regarding safety-related defects; (2) any governmental agencies of the United States and Canada, or their political subdivisions regarding enforcement of motor vehicle or traffic laws; and (3) businesses that make loans to other persons to finance the purchase of motor vehicles.

The Department of Revenue may not give, sell, or provide access to any list of taxpayers for any commercial purpose.

Summary of Bill: A state agency is authorized to furnish lists of public information to private companies that provide on-line computer data base services with data bases consisting primarily of public records. The state agency can provide information that is made available only to other federal, state, or local government agencies, including law enforcement agencies. The state agency must obtain a written agreement that the lists will be provided only to federal, state, or local government agencies solely for law enforcement or governmental purposes.

The Department of Licensing (DOL) may furnish lists of registered and legal owners of motor vehicles to private companies that provide on-line computer data base services to federal, state, and local agencies for law enforcement or government purposes. DOL must obtain a written agreement that the lists will be provided only to persons authorized to receive the information.

The Department of Revenue (DOR) may furnish lists of taxpayer names, entity types, business addresses, mailing addresses, revenue tax registration numbers, a businesses' standard industrial classification code, and dates of opening and closing of a business to companies that provide on-line computer data base services. DOR must obtain a written agreement that the lists will be provided only to federal, state, or local governments solely for law enforcement or governmental purposes.

EFFECT OF SENATE AMENDMENT(S): The Senate amendment makes violations of the provisions of the bill by companies that provide on-line computer data base services a violation of the state's consumer protection act. The violation is considered an unfair or deceptive act in trade or commerce and an unfair method of competition.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Data collection and cross-reference are important to the efficient operation of government. The present system makes it nearly impossible to cross-reference information supplied by various agencies. This bill will make it easier for governments to have the information compiled in a useful format. The bill also clarifies access to government records by other agencies. All safeguards regarding public disclosure are maintained.

Testimony Against: None.

Testified: (Pro) Representative Dyer, sponsor; Representative Wolfe, sponsor; Sharon Foster, Frank Barden, and Vito Chiechi, Commercial Information Systems; and Ryan Spiller, Washington Department of Revenue.