
HOUSE BILL 2393

State of Washington 54th Legislature 1996 Regular Session

By Representatives Goldsmith, McMorris, Hargrove, Dyer and McMahan

Read first time 01/10/96. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to penalties for disclosure of confidential
2 information; amending RCW 50.13.080; creating a new section;
3 prescribing penalties; and declaring an emergency.

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

5 **Sec. 1.** RCW 50.13.080 and 1977 ex.s. c 153 s 8 are each amended to
6 read as follows:

7 (1) The employment security department shall have the right to
8 disclose information or records deemed private and confidential under
9 this chapter to any private person or organization when such disclosure
10 is necessary to permit private contracting parties to assist in the
11 operation and management of the department in instances where certain
12 departmental functions may be delegated to private parties to increase
13 the department's efficiency or quality of service to the public. The
14 private persons or organizations shall use the information or records
15 solely for the purpose for which the information was disclosed and
16 shall be bound by the same rules of privacy and confidentiality as
17 employment security department employees.

18 (2) Nothing in this section shall be construed as limiting or
19 restricting the effect of RCW 42.17.260(~~(+5)~~)(9).

1 (3) The misuse or unauthorized release of records or information
2 deemed private and confidential under this chapter by any private
3 person or organization to which access is permitted by this section
4 shall subject the person or organization to a civil penalty of five
5 (~~hundred~~) thousand dollars and other applicable sanctions under state
6 and federal law. Suit to enforce this section shall be brought by the
7 attorney general and the amount of any penalties collected shall be
8 paid into the employment security department administrative contingency
9 fund. The attorney general may recover reasonable attorneys' fees for
10 any action brought to enforce this section.

11 NEW SECTION. **Sec. 2.** If any part of this act is found to be in
12 conflict with federal requirements that are a prescribed condition to
13 the allocation of federal funds to the state or the eligibility of
14 employers in this state for federal unemployment tax credits, the
15 conflicting part of this act is hereby declared to be inoperative
16 solely to the extent of the conflict, and such finding or determination
17 shall not affect the operation of the remainder of this act. The rules
18 under this act shall meet federal requirements that are a necessary
19 condition to the receipt of federal funds by the state or the granting
20 of federal unemployment tax credits to employers in this state.

21 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and shall take
24 effect immediately.

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