
SENATE BILL 5828

State of Washington 65th Legislature 2017 Regular Session

By Senators Palumbo, Rolfes, Frockt, Kuderer, Hunt, and Saldaña

Read first time 02/16/17. Referred to Committee on Law & Justice.

1 AN ACT Relating to limiting disclosure of information about the
2 religious affiliation of individuals; adding a new section to chapter
3 49.60 RCW; adding a new section to chapter 42.56 RCW; adding a new
4 chapter to Title 42 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds and declares the
7 following:

8 (1) Washington state celebrates the rich cultural heritage and
9 diversity of its residents; and

10 (2) Freedom of religion and protection from persecution on the
11 basis of religion is one of the founding ideals of the nation.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.60
13 RCW to read as follows:

14 It is an unfair practice for an employer to:

15 (1) Require an employee to disclose information about his or her
16 religious affiliation, unless the disclosure is for the purpose of
17 providing religious accommodation for the employee; or

18 (2) Require or authorize an employee to disclose information
19 about the religious affiliation of another employee, unless the
20 individual whose religious affiliation will be disclosed (a)

1 expressly consents to the disclosure, and (b) has knowledge of the
2 purpose for the disclosure.

3 NEW SECTION. **Sec. 3.** A state or local government agency or
4 public employee shall not:

5 (1) Provide or disclose to federal government authorities
6 personally identifiable information regarding the religious beliefs,
7 practices, or affiliation of any individual, except where the
8 employee is a witness to a crime;

9 (2) Use public funds, facilities, property, equipment, or
10 personnel to assist in creation, implementation, or enforcement of
11 any government program compiling a list, registry, or database of
12 personally identifiable information about individuals based on
13 religious beliefs, practice, or affiliation, for law enforcement or
14 immigration purposes; or

15 (3) Make personally identifiable information from agency
16 databases available, including any databases maintained by private
17 vendors contracting with the agency, to anyone or any entity for the
18 purpose of investigation or enforcement under any government program
19 compiling a list, registry, or database of individuals based on
20 religious belief, practice, or affiliation, or national origin, or
21 ethnicity for law enforcement or immigration purposes.

22 NEW SECTION. **Sec. 4.** State and local law enforcement agencies
23 shall not:

24 (1) Collect information on the religious belief, practice, or
25 affiliation of any individual except (a) as part of a targeted
26 investigation of an individual based on reasonable suspicion that the
27 individual has engaged in criminal activity, and when there is a
28 clear nexus between the criminal activity and the specific
29 information collected about religious belief, practice, or
30 affiliation, or (b) where necessary to provide religious
31 accommodations; or

32 (2) Use public funds, facilities, property, equipment, or
33 personnel to investigate, enforce, or assist in the investigation or
34 enforcement of any criminal, civil, or administrative violation, or
35 warrant for a violation, of any requirement that individuals register
36 with the federal government or any federal agency based on religion.

1 NEW SECTION. **Sec. 5.** Any agreements in existence on the
2 effective date of this section that make any state or local
3 government agency information or database available in conflict with
4 the terms of this chapter are terminated on that date to the extent
5 of the conflict.

6 NEW SECTION. **Sec. 6.** Sections 3 through 5 of this act
7 constitute a new chapter in Title 42 RCW.

8 NEW SECTION. **Sec. 7.** A new section is added to chapter 42.56
9 RCW to read as follows:

10 All records that relate to or contain personally identifying
11 information about an individual's religious beliefs, practices, or
12 affiliation are exempt from disclosure under this chapter.

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