
**Financial Institutions &
Insurance Committee**

SSB 5718

Brief Description: Exempting bank account, social security, and credit card numbers from public disclosure.

Sponsors: Senate Committee on Financial Services, Insurance & Housing (originally sponsored by Senators Winsley, Prentice, Roach, Fairley, Kastama, Fraser, Keiser, Kline, Shin, Kohl-Welles, Thibaudeau, Regala, B. Sheldon, Reardon, Brown, Hargrove, Franklin, Spanel, McAuliffe, Jacobsen, Haugen, Rasmussen, Doumit and Schmidt).

Brief Summary of Substitute Bill

- Exempts federal social security numbers from public disclosure and copying except when disclosure is expressly required, governed, or authorized by other law.
- Clarifies the limits on the public disclosure exemption provided for credit card and other financial account numbers.

Hearing Date: 3/26/03.

Staff: Thamas Osborn (786-7129).

Background:

The open public records law was approved by state voters in 1972 as part of Initiative 276. All public records of state agencies and local governments are open to public inspection and copying unless a law expressly exempts the public record from such disclosure. The law requires that this disclosure requirement be liberally construed and that any exceptions be narrowly interpreted.

A person's right to privacy is deemed to be invaded or violated only if a disclosure of information about the person: (1) would be highly offensive to a reasonable person; and (2) is not of legitimate concern to the public.

Under current law, there are many categories of information that are exempted from the public disclosure requirements, including:

- credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial account numbers supplied to an agency for the purpose of electronic transfer of funds;
- personal information on students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients;
- information revealing the identity of persons who are witnesses to or victims of crime;
- test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination; and
- financial and valuable trade information.

Summary of Bill:

Federal social security numbers are exempt from disclosure when supplied to an agency of the state or local government.

The exemption for credit card and other types of financial account numbers applies whenever such numbers are "supplied to an agency." The bill deletes more restrictive language, thus broadening the account number exemption.

The exemption provisions for credit card, social security, and other financial account numbers do not apply when:

- disclosure is expressly required, or governed, by other law; or
- a disclosure request is made by a credit reporting agency, or a financial institution, or a specified funeral director and such disclosure is authorized by other law.

Appropriation: None.

Fiscal Note: Not Requested.

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