

HOUSE BILL REPORT

SHB 1694

As Passed House:

March 9, 2005

Title: An act relating to the release of personal information.

Brief Description: Protecting public employee personal information.

Sponsors: By House Committee on State Government Operations & Accountability (originally sponsored by Representatives O'Brien, Lovick, Hankins, Ericks, Holmquist, Darneille, Kirby and Moeller).

Brief History:

Committee Activity:

State Government Operations & Accountability: 2/15/05, 3/2/05 [DPS].

Floor Activity:

Passed House: 3/9/05, 96-0.

Brief Summary of Substitute Bill

- Exempts from public records disclosure of certain information pertaining to public employees, volunteers, and their dependents.

HOUSE COMMITTEE ON STATE GOVERNMENT OPERATIONS & ACCOUNTABILITY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Haigh, Chair; Green, Vice Chair; Nixon, Ranking Minority Member; Clements, Assistant Ranking Minority Member; Hunt, McDermott, Miloscia, Schindler and Sump.

Staff: Jim Morishima (786-7191).

Background:

The Public Disclosure Act (PDA) requires that all state and local government agencies make all public records available for public inspection and copying unless they fall within certain statutory exemptions. The provisions requiring public records disclosure must be interpreted liberally and the exceptions narrowly in order to effectuate a general policy favoring disclosure.

The residential addresses or residential telephone numbers of employees or volunteers of a public agency are exempt from public records disclosure when they are held by any public

agency in personnel records, public employment related records, volunteer rosters, or mailing lists.

Summary of Substitute Bill:

Exempts the following information from public records disclosure when it is held by any public agency in personnel records, public employment related records, volunteer rosters, or mailing lists:

- personal wireless telephone numbers, personal e-mail addresses, social security numbers, and emergency contact information of employees or volunteers of a public agency; and
- personal wireless telephone numbers, personal e-mail addresses, social security numbers, and emergency contact information of dependents of employees or volunteers of a public agency.

"Employees" includes independent provider home care workers.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: (In support) Many public employees work dangerous jobs. The PDA is often abused by people trying to harass public employees. In a prison setting, inmates often use the PDA to harass prison employees, to intentionally drain the resources of the Department of Corrections, and to obtain the names of informants. This bill will protect public employees and their dependents by protecting their personal information.

(Neutral) There should be a general exemption for the names and personal information of public employees so the Legislature does not have to keep revisiting this issue.

Testimony Against: None.

Persons Testifying: (In support) Representative O'Brien, prime sponsor; Lynne DeLano, Carol Porter, Magdalena Escobar, and Dennis W. O'Brien; Department of Corrections; Dennis Eagle, Washington Federation of State Employees; and Joseph Beard, Snohomish County Sheriff's Office.

(Neutral) Rowland Thompson, Allied Daily Newspapers of Washington.

Persons Signed In To Testify But Not Testifying: None.