
**State Government & Tribal Relations
Committee**

HB 2366

Brief Description: Making the chief privacy officer an elected position.

Sponsors: Representatives Smith and Hudgins.

Brief Summary of Bill

- Makes the Chief Privacy Officer (CPO) a statewide elected official, beginning with the 2024 election cycle, in a general election conducted the same as for other statewide officials.
- Applies campaign finance laws and rules administered by the Public Disclosure Commission for state offices to CPO elections.
- Requires the Washington Citizens' Commission on Salaries for Elected Officials to determine the salary of the CPO.

Hearing Date: 1/15/20

Staff: Jason Zolle (786-7124).

Background:

The Chief Privacy Officer.

In April 2015 Governor Inslee created the position of Chief Privacy Officer (CPO) within the Office of the Chief Information Officer (CIO). The role of the CPO is to examine privacy practices across state agencies and to advise agencies that have privacy-related questions. The first CPO, Alex Alben, also saw his role as serving as a consumer advocate for Washington citizens with respect to their privacy rights and concerns.

In January 2016 Governor Inslee established the Office of Privacy and Data Protection (OPDP) by executive order, and the Legislature codified the OPDP in statute shortly thereafter. The

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OPDP was placed within the Office of the CIO, and the Chief Privacy Officer was made the director of the OPDP. By statute, the CIO appoints the Chief Privacy Officer.

The OPDP's duties include conducting an annual privacy review of state agencies and training for state employees; coordinating data protection in cooperation with state agencies; and serving as a resource to local governments and the public on data protection concerns.

Statewide Elected Officials.

Washington citizens elect several state executive officials in a statewide general election: the Governor, Lieutenant Governor, Secretary of State, State Treasurer, State Auditor, Attorney General, Superintendent of Public Instruction, Commissioner of Public Lands, and Insurance Commissioner. Each of these officials is elected to a four-year term that begins on the Wednesday after the second Monday of January following the election. The next election for these positions is in November 2020. The Public Disclosure Commission (PDC) oversees campaign finance laws and rules for these elections. The salary of these officials is determined by the Washington Citizens' Commission on Salaries for Elected Officials.

Summary of Bill:

The Chief Privacy Officer (CPO) shall be a statewide elected official, with the first election being held at the November 2024 general election. Candidates must file for office during the filing period for that election, and a primary must be held at the primary for that election. The election must be conducted the same as for other state executive officials, including with candidate statements in the voters' pamphlet. The position will appear on the ballot after all existing state elected officials and immediately before state legislators. The first elected CPO takes office on the Wednesday after the second Monday of January following the election, which is January 15, 2025.

Campaign finance laws and rules administered by the PDC apply to the CPO election the same as for other state offices. The salary for the CPO must be determined by the Washington Citizens' Commission on Salaries for Elected Officials.

Appropriation: None.

Fiscal Note: Requested on January 10, 2020.

Effective Date: This bill takes effect 90 days after adjournment of the session in which the bill is passed, except for sections 2 and 3 relating to providing that the Chief Privacy Officer is a statewide elected official, which take effect January 15, 2025.