

SENATE BILL REPORT

HB 1537

As Passed Senate, April 15, 2019

Title: An act relating to sunshine committee recommendations.

Brief Description: Concerning sunshine committee recommendations.

Sponsors: Representatives Springer and Van Werven.

Brief History: Passed House: 3/11/19, 96-0.

Committee Activity: State Government, Tribal Relations & Elections: 3/22/19, 3/27/19 [DP].

Floor Activity:

Passed Senate: 4/15/19, 45-0.

Brief Summary of Bill

- Removes exemption from public disclosure requirements for applications for vacancies in elective office.
- Removes exemption from public disclosure requirements for lists of members or owners of timeshare projects, subdivisions, camping resorts, condominiums, land developments, and associated communities.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey, Hasegawa, Hawkins and Takko.

Staff: Samuel Brown (786-7470)

Background: The Public Records Act. The Public Records Act (PRA), enacted in 1972 as part of Initiative 276, requires that all state and local government agencies make all public records available for public inspection and copying unless certain statutory exemptions apply. Over 500 specific references in the PRA or other statutes remove certain information from application of the PRA, provide exceptions to the public disclosure and copying of certain information, or designate certain information as confidential. The provisions requiring public

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records disclosure must be interpreted liberally while the exemptions are interpreted narrowly to effectuate the general policy favoring disclosure.

Sunshine Committee. The Public Records Exemption Accountability Committee, known as the Sunshine Committee, was created in 2007 to review these exemptions from public disclosure and provide recommendations as to whether exemptions should be continued, modified, or terminated. The Sunshine Committee consists of 13 members appointed to staggered four-year terms:

- one member representing the Governor, appointed by the Governor;
- one member representing local government, appointed by the Governor;
- one member representing the Attorney General, appointed by the Attorney General;
- one member representing a statewide media association, appointed by the Attorney General;
- four legislators—one from each of the two largest caucuses in each house of the Legislature; and
- four members of the public, appointed by the Governor.

Public Employee Records. A separate exemption protects certain personal information of public employee personnel records from disclosure. Such information includes residential and email addresses, telephone numbers, social security and driver's license numbers, and emergency contact information. The exemption includes the same information of an employee's dependents. Records of an agency's active and ongoing investigation of an employment related discrimination claim is also exempt.

Timeshare and Condominium Owner Lists. Lists of members or owners of timeshare projects, subdivisions, camping resorts, condominiums, land developments, and associated communities in the possession of the Department of Licensing are exempt from disclosure requirements under the PRA.

Summary of Bill: Public Employee Records. The exemption from public disclosure requirements is removed for applications for vacancies in elective office.

Timeshare and Condominium Owner Lists. The exemption from public disclosure requirements for lists of members or owners of timeshare projects, subdivisions, camping resorts, condominiums, land developments, and associated communities is removed.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The Sunshine Committee received letters of support for removing the timeshare information exemption and there appears to be no controversy.

OTHER: Names of individuals in possession of the Department of Licensing should generally not be subject to public disclosure.

Persons Testifying: PRO: Rowland Thompson, Allied Daily Newspapers of Washington.

OTHER: Michael Brunson, citizen.

Persons Signed In To Testify But Not Testifying: No one.