

# FINAL BILL REPORT

## HB 1221

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Synopsis as Enacted

**Brief Description:** Concerning the privacy of lottery players.

**Sponsors:** Representatives Stearns, Kloba, Ramel, Goodman and Morgan; by request of Lottery Commission.

**House Committee on State Government & Tribal Relations**  
**Senate Committee on State Government & Elections**

### **Background:**

#### Disclosure of Public Records.

The Public Records Act (PRA) requires state and local agencies to make all public records available for public inspection and copying unless a record falls within an exemption in the PRA or another statute that exempts or prohibits disclosure of specific information or records. Exemptions under the PRA are permissive, meaning that an agency, although not required to disclose, has the discretion to provide an exempt record. The exemptions under the PRA are inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. The PRA is liberally construed, and its exemptions narrowly construed.

Certain specific personal and financial information is expressly exempt under the PRA. For example, except when disclosure is expressly required by law, the following information is exempt from disclosure under the PRA:

- credit card numbers;
- debit card numbers;
- electronic check numbers; and
- card expiration dates.

Additional exempt bank or financial information includes:

- account numbers and balances;
- transactional information concerning an account;

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- codes;
- passwords;
- social security numbers;
- tax identification numbers;
- driver's license or permit numbers;
- state identification card numbers issued by the Department of Licensing; and
- other information held for the purpose of account access or transaction initiation.

In addition, to the extent required to prevent an unreasonable invasion of personal privacy, an agency must delete identifying details when it makes a public record available. A person's right to privacy is violated only if disclosure would be highly offensive to a reasonable person and is not of legitimate concern to the public.

Washington's Lottery.

Lottery products are administered by Washington's Lottery (Lottery), a public agency established in 1982 to generate revenues for state programs through the sale of lottery products. A five-member Lottery Commission, made up of regional members appointed by the Governor, serves as the administrative rulemaking authority for the Lottery.

Through the administration of lottery products, the Lottery and its contracted vendors receive a variety of information on players, such as residential address, email address, phone number, and date of birth. The Lottery follows Washington's state record retention schedules regarding the maintenance of player data; most winner information is retained for six years after the transaction or final payment.

**Summary:**

Personal and financial information concerning a player that is received or maintained by the Lottery, or any contracted lottery vendor, is exempt from public disclosure under the PRA, except for a player's name and city or town of residence. Additional information may be disclosed with the player's prior written permission.

**Votes on Final Passage:**

House	97	0
Senate	48	0

**Effective:** July 23, 2023