

HOUSE BILL REPORT

SHB 1511

As Amended by the Senate

Title: An act relating to disclosure of information from public records by state and local agencies.

Brief Description: Restricting disclosure of public records containing addresses of victims of domestic violence.

Sponsor(s): By House Committee on Appropriations (originally sponsored by Representatives Anderson, Silver, Pruitt, Winsley, Leonard, Riley, Beck, H. Myers, R. King, Wynne, Van Luven, Ludwig, Orr, Brekke, Roland and Brough).

Brief History:

Reported by House Committee on:
State Government, February 8, 1991, DPA;
Appropriations, February 21, 1991, DPS;
Passed House, February 22, 1991, 92-0.

**HOUSE COMMITTEE ON
STATE GOVERNMENT**

Majority Report: *Do pass as amended.* Signed by 10 members: Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Staff: Tim Burke (786-7103).

**HOUSE COMMITTEE ON
APPROPRIATIONS**

Majority Report: *That Substitute House Bill No. 1511 be substituted therefor, and the substitute bill do pass.* Signed by 21 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Bowman; Brekke; Ebersole; Ferguson; Hine; Lisk; May; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

Minority Report: *Do not pass.* Signed by 1 member: Representative McLean.

Staff: Marilyn Showalter (786-7148).

Background: During the 1990 Regular Session, a law was enacted generally restricting state and local government agencies from disclosing address records of persons who request that the records be maintained as confidential because disclosure would endanger them or their property. Notwithstanding its broad scope, this law was designed primarily to assist victims of domestic violence who are attempting to reduce the risk of additional victimization by establishing new addresses not known by their assaultive spouses or former domestic partners.

Many state and local agencies and some business groups complained that the law was too broad and not workable. Responding to these complaints, the Legislature, in the 1990 Special Session, amended the law to postpone its effective date to March 1, 1991. The postponement was intended to enable the Legislature to enact a remedial law early in the 1991 Regular Session, before the March 1st effective date.

Summary of Bill: The effective date of the 1990 law is again postponed. The law will become effective on July 1, 1992.

Effect of Senate Amendment: As passed the House, the bill would have postponed the effective date of the 1990 law to July 1, 1992. The Senate amendment changes this effective date to April 19, 1991.

Fiscal Note: Not requested for substitute bill.

Effective Date: The substitute bill contains an emergency clause and takes effect immediately.

Testimony For: (State Government) Persons who establish new addresses in order to escape from assaultive, former household members should be able to obtain confidentiality of public records containing their new addresses. Breaches of this confidentiality should be discouraged by subjecting violators to tort liability and large fines. The bill's enactment is necessary to prevent the 1990 law from becoming effective. (This testimony was on bill without amendments.)

(Appropriations) There is a need for confidentiality of the names and/or addresses of individuals trying to escape domestic violence. State and local agencies need ways to protect these records and at the same time perform their general functions. Some businesses, for example title companies, also need access to records that may need to be protected for other purposes.

Testimony Against: (State Government) A statutory prohibition against disclosing public records containing the

new addresses of domestic violence victims would be very disruptive on some businesses and government agencies and, because of title insurance requirements, would prevent some real estate transactions. The bill's tort and penalty provisions are too severe. (This testimony was on bill without amendments.)

(Appropriations) None.

Witnesses: (State Government) Pam Davenport, Office of the Secretary of State; Bev Allenbaugh, Kittitas County Auditor; Karen Flynn, Kitsap County Auditor; Bob Terwilliger, Office of Snohomish County Auditor; Mike Murphy, Thurston County Auditor; Ron Strabbing, Grays Harbor Treasurer; Debra Senn and Mary Pontarolo, Coalition Against Domestic Violence; Graham Johnson, Public Disclosure Commission; Clark Holloway, Department of Licensing; John Woodring and Cathy Robinett, WA Association of Realtors; Chet Wainhouse, WA Land Title Association; Bill Fritz, Julie Sundin and Bill Tener, TRW; Judy Bedell, City of Seattle; Kathleen Collins, Association of WA Cities; Fred Saeger, WA Association of County Officials; Colleen Waterhouse, Department of Social and Health Services; Roland Thompson, Allied Daily Newspapers; Chip Holcomb, Assistant Attorney General; and Bill Williams, Assistant Attorney General, Department of Health.

(Appropriations) Don Whiting, Secretary of State's Office; Chet Wainhouse, Washington Land Title Association; Debra Senn, Washington State Coalition Against Domestic Violence; Jeralita Costa, Washington Coalition of Crime Victims Advocates; Bill Fritz, TRW; Karen Flynn, Kitsap County Auditor; Elaine Rose, City of Seattle; and Mary Pontarolo, Washington State Coalition Against Domestic Violence.