

FINAL BILL REPORT

ESHB 1845

C 124 L 03

Synopsis as Enacted

Brief Description: Exempting financial account numbers from public disclosure.

Sponsors: By House Committee on State Government (originally sponsored by Representatives Newhouse, Schual-Berke, Benson, Kirby, Linville, Moeller, Chase, Bush, Upthegrove, Veloria, McIntire, Skinner, Mielke and Rockefeller).

House Committee on State Government
Senate Committee on Financial Services, Insurance & Housing

Background:

The open public records law was approved by state voters in 1972 as part of Initiative Measure No. 276. All public records of state agencies and local governments are open to public inspection and copying unless a law expressly excludes the public record from public inspection and copying. This disclosure requirement is liberally construed and any exception is narrowly construed.

A person's right to privacy is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public. Beyond that, only those records expressly identified are considered exempt from disclosure.

Many exemptions to the law exist, including:

- personal information on students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients;
- information revealing the identity of persons who are witnesses to or victims of crime;
- test questions, scoring keys, and other examination data used to administer a licence, employment, or academic examination;
- financial and valuable trade information; and
- credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial account numbers supplied to an agency for the purpose of electronic transfer of funds.

Summary:

The exemption from public disclosure under the open public records act is broadened for

credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial account numbers. The limitation is removed that allowed the exemption only when the number or date was supplied to an agency for the purpose of electronic transfer of funds.

Votes on Final Passage:

House 95 0

Senate 47 0 (Senate amended)

House 97 0 (House concurred)

Effective: July 27, 2003