

SENATE BILL REPORT

ESSB 6517

As Passed Senate, February 17, 2014

Title: An act relating to exempting agency employee driver's license numbers, identicard numbers, and identification numbers from public inspection and copying.

Brief Description: Exempting agency employee driver's license numbers, identicard numbers, and identification numbers from public inspection and copying.

Sponsors: Senate Committee on Governmental Operations (originally sponsored by Senators Roach, Chase, Fraser and Rivers).

Brief History:

Committee Activity: Governmental Operations: 2/06/14 [DPS].

Passed Senate: 2/17/14, 48-0.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Majority Report: That Substitute Senate Bill No. 6517 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Hasegawa, Ranking Member; Conway and McCoy.

Staff: Samuel Brown (786-7470)

Background: 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. The provisions requiring public records disclosure must be interpreted liberally while the exemptions are interpreted narrowly to effectuate the general policy favoring disclosure.

Certain employment and licensing information contained in the files of a public agency is exempt from public inspection and copying under the PRA, including the following:

- examination data used to administer a license, employment, or academic examination;
- applications for public employment including names of applicants, resumes, and other related materials submitted with respect to the applicant; and
- the residential addresses, phone numbers, email addresses, social security numbers, and emergency contact information of employees or volunteers of a public agency.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Engrossed Substitute Bill: The driver's license or identicard numbers of the employees or volunteers of a public agency are exempt from public inspection and copying.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill: PRO: An inmate at the Thurston County jail filed a public records request seeking driver's license and employee identification numbers for a number of agencies. A judge found that there were insufficient grounds to issue an injunction and ordered the information released. The state's human resources web portal uses employee identification numbers and links to all sorts of statutorily protected information, raising concerns if employee identification numbers are released. People can use a driver's license number to determine with eerie accuracy someone's birthday, and use that to get access to all sorts of personal and banking information. Having these numbers readily available makes state employees prime targets for identity theft. These changes align with federal law, which makes this information private.

OTHER: Disclosure of employee identification numbers allows tracking employees through their places of employment to monitor misconduct. The portal used by employees to access their retirement and financial information should be more secure, and the employee identification number should not be used for that purpose.

Persons Testifying: PRO: Susan Berger, Maureen Van Deuren, Anita Hunter, WA Federation of State Employees.

OTHER: Rowland Thompson, Allied Daily Newspapers of WA.