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HOUSE BILL 2182

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State of Washington

66th Legislature

2019 Regular Session

**By** Representatives Shea, Klippert, Boehnke, Kretz, Dufault, Walsh, Orcutt, Young, Graham, Chambers, Harris, Caldier, McCaslin, Van Werven, Hoff, Smith, Rude, Griffey, Corry, Schmick, Sutherland, Goehner, Jenkin, Barkis, Eslick, Gildon, Kraft, MacEwen, Vick, Dent, and Chandler

Read first time 04/24/19. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to bump-fire stock buy-back program records;  
2 amending RCW 42.56.230 and 42.56.230; providing an effective date;  
3 providing an expiration date; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 42.56.230 and 2017 3rd sp.s. c 6 s 222 are each  
6 amended to read as follows:

7 The following personal information is exempt from public  
8 inspection and copying under this chapter:

9 (1) Personal information in any files maintained for students in  
10 public schools, patients or clients of public institutions or public  
11 health agencies, or welfare recipients;

12 (2)(a) Personal information:

13 (i) For a child enrolled in licensed child care in any files  
14 maintained by the department of children, youth, and families;

15 (ii) For a child enrolled in a public or nonprofit program  
16 serving or pertaining to children, adolescents, or students,  
17 including but not limited to early learning or child care services,  
18 parks and recreation programs, youth development programs, and after-  
19 school programs; or

20 (iii) For the family members or guardians of a child who is  
21 subject to the exemption under this subsection (2) if the family

1 member or guardian has the same last name as the child or if the  
2 family member or guardian resides at the same address as the child  
3 and disclosure of the family member's or guardian's information would  
4 result in disclosure of the personal information exempted under  
5 (a)(i) and (ii) of this subsection.

6 (b) Emergency contact information under this subsection (2) may  
7 be provided to appropriate authorities and medical personnel for the  
8 purpose of treating the individual during an emergency situation;

9 (3) Personal information in files maintained for employees,  
10 appointees, or elected officials of any public agency to the extent  
11 that disclosure would violate their right to privacy;

12 (4) Information required of any taxpayer in connection with the  
13 assessment or collection of any tax if the disclosure of the  
14 information to other persons would: (a) Be prohibited to such persons  
15 by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance  
16 authorized under RCW 35.102.145; or (b) violate the taxpayer's right  
17 to privacy or result in unfair competitive disadvantage to the  
18 taxpayer;

19 (5) Credit card numbers, debit card numbers, electronic check  
20 numbers, card expiration dates, or bank or other financial  
21 information as defined in RCW 9.35.005 including social security  
22 numbers, except when disclosure is expressly required by or governed  
23 by other law;

24 (6) Personal and financial information related to a small loan or  
25 any system of authorizing a small loan in RCW 31.45.093;

26 (7)(a) Any record used to prove identity, age, residential  
27 address, social security number, or other personal information  
28 required to apply for a driver's license or identicard.

29 (b) Information provided under RCW 46.20.111 that indicates that  
30 an applicant declined to register with the selective service system.

31 (c) Any record pertaining to a vehicle license plate, driver's  
32 license, or identicard issued under RCW 46.08.066 that, alone or in  
33 combination with any other records, may reveal the identity of an  
34 individual, or reveal that an individual is or was, performing an  
35 undercover or covert law enforcement, confidential public health  
36 work, public assistance fraud, or child support investigative  
37 activity. This exemption does not prevent the release of the total  
38 number of vehicle license plates, drivers' licenses, or identicards  
39 that, under RCW 46.08.066, an agency or department has applied for,

1 been issued, denied, returned, destroyed, lost, and reported for  
2 misuse.

3 (d) Any record pertaining to a vessel registration issued under  
4 RCW 88.02.330 that, alone or in combination with any other records,  
5 may reveal the identity of an individual, or reveal that an  
6 individual is or was, performing an undercover or covert law  
7 enforcement activity. This exemption does not prevent the release of  
8 the total number of vessel registrations that, under RCW 88.02.330,  
9 an agency or department has applied for, been issued, denied,  
10 returned, destroyed, lost, and reported for misuse;

11 (8) All information related to individual claims resolution  
12 structured settlement agreements submitted to the board of industrial  
13 insurance appeals under RCW 51.04.063, other than final orders from  
14 the board of industrial insurance appeals.

15 Upon request by the legislature, the department of licensing  
16 shall provide a report to the legislature containing all of the  
17 information in subsection (7)(c) and (d) of this section that is  
18 subject to public disclosure; (~~and~~)

19 (9) Voluntarily submitted information contained in a database  
20 that is part of or associated with enhanced 911 emergency  
21 communications systems, or information contained or used in emergency  
22 notification systems as provided under RCW 38.52.575 and 38.52.577;  
23 and

24 (10) Names, addresses, or other personal information of  
25 individuals who participated in the bump-fire stock buy-back program  
26 under RCW 43.43.920.

27 **Sec. 2.** RCW 42.56.230 and 2018 c 109 s 16 are each amended to  
28 read as follows:

29 The following personal information is exempt from public  
30 inspection and copying under this chapter:

31 (1) Personal information in any files maintained for students in  
32 public schools, patients or clients of public institutions or public  
33 health agencies, or welfare recipients;

34 (2)(a) Personal information:

35 (i) For a child enrolled in licensed child care in any files  
36 maintained by the department of children, youth, and families;

37 (ii) For a child enrolled in a public or nonprofit program  
38 serving or pertaining to children, adolescents, or students,  
39 including but not limited to early learning or child care services,

1 parks and recreation programs, youth development programs, and after-  
2 school programs; or

3 (iii) For the family members or guardians of a child who is  
4 subject to the exemption under this subsection (2) if the family  
5 member or guardian has the same last name as the child or if the  
6 family member or guardian resides at the same address as the child  
7 and disclosure of the family member's or guardian's information would  
8 result in disclosure of the personal information exempted under  
9 (a)(i) and (ii) of this subsection.

10 (b) Emergency contact information under this subsection (2) may  
11 be provided to appropriate authorities and medical personnel for the  
12 purpose of treating the individual during an emergency situation;

13 (3) Personal information in files maintained for employees,  
14 appointees, or elected officials of any public agency to the extent  
15 that disclosure would violate their right to privacy;

16 (4) Information required of any taxpayer in connection with the  
17 assessment or collection of any tax if the disclosure of the  
18 information to other persons would: (a) Be prohibited to such persons  
19 by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance  
20 authorized under RCW 35.102.145; or (b) violate the taxpayer's right  
21 to privacy or result in unfair competitive disadvantage to the  
22 taxpayer;

23 (5) Credit card numbers, debit card numbers, electronic check  
24 numbers, card expiration dates, or bank or other financial  
25 information as defined in RCW 9.35.005 including social security  
26 numbers, except when disclosure is expressly required by or governed  
27 by other law;

28 (6) Personal and financial information related to a small loan or  
29 any system of authorizing a small loan in RCW 31.45.093;

30 (7)(a) Any record used to prove identity, age, residential  
31 address, social security number, or other personal information  
32 required to apply for a driver's license or identicard.

33 (b) Information provided under RCW 46.20.111 that indicates that  
34 an applicant declined to register with the selective service system.

35 (c) Any record pertaining to a vehicle license plate, driver's  
36 license, or identicard issued under RCW 46.08.066 that, alone or in  
37 combination with any other records, may reveal the identity of an  
38 individual, or reveal that an individual is or was, performing an  
39 undercover or covert law enforcement, confidential public health  
40 work, public assistance fraud, or child support investigative

1 activity. This exemption does not prevent the release of the total  
2 number of vehicle license plates, drivers' licenses, or identicards  
3 that, under RCW 46.08.066, an agency or department has applied for,  
4 been issued, denied, returned, destroyed, lost, and reported for  
5 misuse.

6 (d) Any record pertaining to a vessel registration issued under  
7 RCW 88.02.330 that, alone or in combination with any other records,  
8 may reveal the identity of an individual, or reveal that an  
9 individual is or was, performing an undercover or covert law  
10 enforcement activity. This exemption does not prevent the release of  
11 the total number of vessel registrations that, under RCW 88.02.330,  
12 an agency or department has applied for, been issued, denied,  
13 returned, destroyed, lost, and reported for misuse;

14 (8) All information related to individual claims resolution  
15 structured settlement agreements submitted to the board of industrial  
16 insurance appeals under RCW 51.04.063, other than final orders from  
17 the board of industrial insurance appeals.

18 Upon request by the legislature, the department of licensing  
19 shall provide a report to the legislature containing all of the  
20 information in subsection (7)(c) and (d) of this section that is  
21 subject to public disclosure;

22 (9) Voluntarily submitted information contained in a database  
23 that is part of or associated with enhanced 911 emergency  
24 communications systems, or information contained or used in emergency  
25 notification systems as provided under RCW 38.52.575 and 38.52.577;  
26 ((and))

27 (10) Until the person reaches eighteen years of age, information,  
28 otherwise disclosable under chapter 29A.08 RCW, that relates to a  
29 future voter, except for the purpose of processing and delivering  
30 ballots; and

31 (11) Names, addresses, or other personal information of  
32 individuals who participated in the bump-fire stock buy-back program  
33 under RCW 43.43.920.

34 NEW SECTION. Sec. 3. (1) Section 1 of this act expires July 1,  
35 2019.

36 (2) Section 2 of this act takes effect July 1, 2019.

37 NEW SECTION. Sec. 4. This act is necessary for the immediate  
38 preservation of the public peace, health, or safety, or support of

1 the state government and its existing public institutions, and takes  
2 effect immediately.

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