

CERTIFICATION OF ENROLLMENT

SENATE BILL 5786

Chapter 88, Laws of 2019

66th Legislature
2019 Regular Session

RELEASE OF RECORDS FOR RESEARCH--HIGHER EDUCATION INSTITUTIONS

EFFECTIVE DATE: July 28, 2019

Passed by the Senate March 6, 2019
Yeas 46 Nays 1

KAREN KEISER

President of the Senate

Passed by the House April 11, 2019
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 19, 2019 11:46 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5786** as passed by Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

April 22, 2019

**Secretary of State
State of Washington**

SENATE BILL 5786

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Senators Brown and Palumbo

1 AN ACT Relating to administrative efficiencies in research in
2 public institutions of higher education; and amending RCW 42.48.010.

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

4 **Sec. 1.** RCW 42.48.010 and 2018 c 58 s 20 are each amended to
5 read as follows:

6 For the purposes of this chapter, the following definitions
7 apply:

8 (1) "Individually identifiable" means that a record contains
9 information which reveals or can likely be associated with the
10 identity of the person or persons to whom the record pertains.

11 (2) "Legally authorized representative" means a person legally
12 authorized to give consent for the disclosure of personal records on
13 behalf of a minor or a legally incompetent adult.

14 (3) "Personal record" means any information obtained or
15 maintained by a state agency which refers to a person and which is
16 declared exempt from public disclosure, confidential, or privileged
17 under state or federal law.

18 (4) "Research" means a planned and systematic sociological,
19 psychological, epidemiological, biomedical, or other scientific
20 investigation carried out by a state agency, by a scientific research
21 professional associated with a bona fide scientific research

1 organization, or by a graduate student currently enrolled in an
2 advanced academic degree curriculum, with an objective to contribute
3 to scientific knowledge, the solution of social and health problems,
4 or the evaluation of public benefit and service programs. This
5 definition excludes methods of record analysis and data collection
6 that are subjective, do not permit replication, and are not designed
7 to yield reliable and valid results.

8 (5) "Research record" means an item or grouping of information
9 obtained for the purpose of research from or about a person or
10 extracted for the purpose of research from a personal record.

11 (6) "State agency" means: (a) The department of social and health
12 services; (b) the department of corrections; (c) ~~((an institution of~~
13 ~~higher education as defined in RCW 28B.10.016; (d))~~ the department
14 of health; or ~~((e))~~ (d) the department of children, youth, and
15 families.

Passed by the Senate March 6, 2019.

Passed by the House April 11, 2019.

Approved by the Governor April 19, 2019.

Filed in Office of Secretary of State April 22, 2019.

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