

# SENATE BILL REPORT

## SB 5779

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As of January 12, 2024

**Title:** An act relating to the public records exemptions accountability committee.

**Brief Description:** Concerning the public records exemptions accountability committee.

**Sponsors:** Senators Wilson, J., Frame, Braun, Valdez, Gildon, Lovick, Padden, Fortunato, Wilson, L., Wagoner, Boehnke, Dozier, Keiser, McCune, Mullet, Nobles and Warnick.

**Brief History:**

**Committee Activity:** State Government & Elections: 1/12/24.

**Brief Summary of Bill**

- Requires the public records exemptions accountability committee to meet four times annually, modifying the current requirement to meet quarterly.
- Directs the committee to present annual recommendations to the appropriate committees of the Legislature during committee assembly days.
- Provides that committee members are subject to the ethics act.

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### SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

**Staff:** Danielle Creech (786-7412)

**Background:** Public Records Accountability Committee. The public records exemptions accountability committee, commonly referred to as the sunshine committee, is tasked with reviewing statutory exemptions from public disclosure. Under current law, the 13-member committee must conduct an annual review of each public disclosure exemption in statute, and provide a recommendation as to whether the exemption should be continued without modification, modified, scheduled for sunset review at a later date, or terminated. The

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committee must meet at least once per quarter and present its recommendations to the Governor, attorney general, and appropriate committees of the Legislature.

Ethics in Public Service Act. The ethics in public service act addresses financial conflicts and ethical issues for state officers and employees. Specifically, the act bars elected and appointed officials, as well as state employees, from engaging in activities that conflict with their official duties. The act includes that state officials and employees may not:

- participate in state transactions from which they or their family members may personally benefit;
- assist another person in a transaction involving the state, except in the course of official duties;
- disclose confidential information with unauthorized persons;
- use their position to secure special privileges or exemptions for themselves; or
- give or receive compensation, gifts, rewards or gratuities for performing, omitting, or deferring the performance of an official duty.

**Summary of Bill:** The public records exemptions accountability committee must meet at least four times annually and present its annual recommendations to the appropriate committees of the Legislature during committee assembly days. Committee members are subject to the provisions of the ethics act.

**Appropriation:** None.

**Fiscal Note:** Requested on January 9, 2024.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: This is a bipartisan effort that ensures the work of the sunshine committee is seen and reviewed. This will improve the interface that the committee has with the Legislature. The committee puts in a lot of hard work and has not had great success in getting its recommendations to be considered by the Legislature. The change from quarterly meetings provides flexibility to ensure the members who are in the Legislature can fully participate. The work of the committee is very important to ensure transparency. Flexibility and requiring a presentation will help make sure that the more than 500 exemptions are thoroughly reviewed.

**Persons Testifying:** PRO: Senator Jeff Wilson, Prime Sponsor; Katherine George, Johnston George LLP; Joe Kunzler; Rowland Thompson, The Sunshine Committee; Tristan Mospan; Anthony Mixer, Conservative Advocate; Linda Krese.

**Persons Signed In To Testify But Not Testifying:** No one.