
State Government & Tribal Relations Committee

HB 1765

Brief Description: Exempting email addresses of individuals who subscribe to regular communications and updates from local agencies.

Sponsors: Representatives Simmons, Waters, Ormsby and Nance.

Brief Summary of Bill

- Exempts from disclosure requirements under the Public Records Act email addresses of individuals who submit their information to a local agency for the purpose of subscribing to regular communications and updates from the agency.

Hearing Date: 2/12/25

Staff: Desiree Omli (786-7105).

Background:

The Public Records Act (PRA) requires state and local agencies to make all public records available for public inspection and copying unless a record falls within an exemption under the PRA or another statute that exempts or prohibits disclosure of specific information or records. Exemptions under the PRA are permissive, meaning that an agency, although not required to disclose, has the discretion to provide an exempt record. The exemptions under the PRA are inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be redacted from the specific records sought. The PRA is liberally construed, and its exemptions are narrowly construed.

The PRA provides for various exemptions related to personally identifiable information or a

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

person's right to privacy. For example, the PRA prohibits agencies from disclosing lists of individuals when that list is requested for commercial purposes. In addition, certain personal information such as personal email addresses in employee files maintained by an agency are exempt. The PRA also exempts certain specified information to the extent that disclosure of that information would violate a person's right to privacy. A person's right to privacy is violated if the disclosure of the information: (1) would be highly offensive to a reasonable person; and (2) is not of legitimate concern to the public.

Summary of Bill:

Email addresses of individuals who submit their information to a local agency for the purpose of subscribing to regular communications and updates from the agency, such as newsletters, are exempt from disclosure requirements under the Public Records Act.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.