SENATE BILL REPORT
SSB 6049

As Passed Senate, February 13, 2026

Title: An act relating to protecting student and employee information from public disclosure.

Brief Description: Protecting student and employee information from public disclosure.

Sponsors: Senate Committee on State Government, Tribal Affairs & Elections (originally sponsored by Senators Wilson, C., Frame, Nobles and Wellman; by request of Office of Financial Management).

Brief History:

Committee Activity: State Government, Tribal Affairs & Elections: 1/30/26, 2/03/26 [DPS, w/oRec].

Floor Activity: Passed Senate: 2/13/26, 30-18.

Brief Summary of First Substitute Bill

- Exempts agency employee personally identifying information for victims of hate crimes, survey responses for purposes of engagement and improving state government, and student responses to the Healthy Youth Survey from public disclosure.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL AFFAIRS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 6049 be substituted therefor, and the substitute bill do pass.

Signed by Senators Valdez, Chair; Kauffman, Vice Chair; Hasegawa and Riccelli.

Minority Report: That it be referred without recommendation.

Signed by Senators Wilson, J., Ranking Member; Fortunato and McCune.

Staff: Greg Vogel (786-7413)

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.

Background: Public Records Act. 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. Specific references in the PRA and other statutes remove certain information from application of the PRA, provide exceptions to the public disclosure and copying of certain information, or designate certain information as confidential. The provisions requiring public records disclosure must be interpreted liberally while the exemptions are interpreted narrowly to effectuate the general policy favoring disclosure.

If an agency employee has provided a sworn statement that they or their dependent is a survivor of domestic violence, sexual assault, sexual abuse, stalking, or harassment, and believe that the risk of the crime continues to exist, the employee's name or other personally identifying information, including but not limited to birthdate, job title, addresses of work stations and locations, work email address, work phone number, or bargaining unit, maintained by an agency in personnel-related records or systems, must be exempt from public inspection and copying.

Voluntary submitted information collected and maintained by a state agency or higher education institution that identifies an individual state employee's personal demographic details is exempt from public inspection and copying. Personal demographic details include race or ethnicity, sexual orientation, immigration status, national origin, or status as a person with a disability.

Healthy Youth Survey. The Healthy Youth Survey is a biennial survey administered to sixth through twelfth grade students in Washington that assesses health risk behaviors such as substance use, behaviors that result in intentional and unintentional injuries, behaviors related to food and physical activity, mental health, school climate, and risk and protective factors. The survey is collaboratively administered by the Office of Superintendent of Public Instruction, the Department of Health, the Health Care Authority's Division of Behavioral Health and Recovery, the Liquor and Cannabis Board, and a contractor.

Summary of First Substitute Bill: Agency Employee Records. Any employee's name or other personally identifying information, maintained by an agency in personnel-related records or systems, is exempt from public inspection and copying if the employee has provided a sworn statement that the employee or a dependent of the employee is a survivor of a hate crime and notifying the agency as to why the employee has a reasonable basis to believe that the risk of a hate crime continues to exist.

All individual survey responses voluntarily provided by a state employee, vendor, or contractor in response to a voluntary survey administered by or on behalf of a public agency for the purposes of engagement and improving state government is exempt from public inspection and copying.

This exemption and the exemption for voluntarily submitted personal demographic

information does not prevent the release of such information that is deidentified, anonymized, or aggregated.

Aggregated is defined to mean data combined from many individuals and reported in a summary form such that individual-level information is not disclosed.

Anonymized is defined to mean data processed so that an individual can no longer be identified directly or indirectly by any party making reidentification effectively impossible.

Deidentified is defined to mean data that has been stripped of personal identifiers or redacted so that it cannot reasonably be linked to a specific individual.

Healthy Youth Survey. Records containing individual student responses to the Healthy Youth Survey are exempt from public inspection and copying.

Appropriation: None.

Fiscal Note: Not requested.

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 on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Because some agencies are smaller, it would not take much to identify the respondents, which can have a chilling effect on participation. The bill also seeks to protect information from Washington students whose individual responses to the Healthy Youth Survey are currently not exempt from disclosure. Public agencies rely on the surveys to strengthen workplace practices and make more equitable and data informed decisions. Even when names are removed, with AI and advanced data matching, it can make it possible to reidentify individuals. The result is that employees and students are less likely to take the survey because they don't feel safe. This bill reassures students that honesty will not be punished and experiences are not public property. Student privacy and safety is worth protecting.

Persons Testifying: PRO: Senator Claire Wilson, Prime Sponsor; Sheri Sawyer, Office of Financial Management; Katea Palefau; Ella Nielsen; Olivia Lux; Ruby Pederson.

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