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**HOUSE BILL 2491**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Representatives Doglio, Parshley, Reeves, and Reed; by request of WaTech

Read first time 01/15/26. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to protecting individual privacy by Washington  
2 technology solutions through an exemption from public inspection and  
3 copying; amending RCW 43.105.020 and 43.105.365; reenacting and  
4 amending RCW 42.56.230; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that Washington  
7 technology solutions (WaTech) exists to serve as a strategic,  
8 centralized information technology partner for state agencies,  
9 enabling better service delivery to Washingtonians, achieving cost  
10 savings through shared services, and ensuring uniform information  
11 technology standards across government. It provides these services to  
12 enhance transparency, efficiency, and the overall effectiveness of  
13 government operations through the appropriate use of technology.

14 (2)(a) Given that technological innovation and new uses of data  
15 can help Washingtonians solve societal problems and improve quality  
16 of life, the legislature intends to shape responsible public policies  
17 where innovation and protection of individual privacy coexist and  
18 provide for the confidentiality of identifying personal information.

19 (b) The legislature further intends to strengthen and enhance the  
20 protection of the information submitted to Washington technology  
21 solutions to provide information technology services.

1       **Sec. 2.** RCW 43.105.020 and 2024 c 54 s 3 are each amended to  
2 read as follows:

3       The definitions in this section apply throughout this chapter  
4 unless the context clearly requires otherwise.

5       (1) "Agency" means Washington technology solutions.

6       (2) "Board" means the technology services board.

7       (3) "Cloud computing" has the same meaning as provided by the  
8 special publication 800-145 issued by the national institute of  
9 standards and technology of the United States department of commerce  
10 as of September 2011 or its successor publications.

11       (4) "Customer agencies" means all entities that purchase or use  
12 information technology resources, telecommunications, or services  
13 from Washington technology solutions.

14       (5) "Digital experience platform" includes the agency's online  
15 systems, applications, or websites through which people find, access,  
16 interact with, or manage government services.

17       (6) "Director" means the state chief information officer, who is  
18 the director of Washington technology solutions.

19       ~~((6))~~ (7) "Enterprise architecture" means an ongoing activity  
20 for translating business vision and strategy into effective  
21 enterprise change. It is a continuous activity. Enterprise  
22 architecture creates, communicates, and improves the key principles  
23 and models that describe the enterprise's future state and enable its  
24 evolution.

25       ~~((7))~~ (8) "Equipment" means the machines, devices, and  
26 transmission facilities used in information processing, including but  
27 not limited to computers, terminals, telephones, wireless  
28 communications system facilities, cables, and any physical facility  
29 necessary for the operation of such equipment.

30       ~~((8))~~ (9) "Information" includes, but is not limited to, data,  
31 text, voice, and video.

32       ~~((9))~~ (10) "Information security" means the protection of  
33 communication and information resources from unauthorized access,  
34 use, disclosure, disruption, modification, or destruction in order  
35 to:

36       (a) Prevent improper information modification or destruction;

37       (b) Preserve authorized restrictions on information access and  
38 disclosure;

39       (c) Ensure timely and reliable access to and use of information;

40 and

1 (d) Maintain the confidentiality, integrity, and availability of  
2 information.

3 (~~(10)~~) (11) "Information technology" includes, but is not  
4 limited to, all electronic technology systems and services, automated  
5 information handling, system design and analysis, conversion of data,  
6 computer programming, information storage and retrieval,  
7 telecommunications, requisite system controls, simulation, electronic  
8 commerce, radio technologies, and all related interactions between  
9 people and machines.

10 (~~(11)~~) (12) "Information technology portfolio" or "portfolio"  
11 means a strategic management process documenting relationships  
12 between agency missions and information technology and  
13 telecommunications investments.

14 (~~(12)~~) (13) "K-20 network" means the network established in RCW  
15 43.41.391.

16 (~~(13)~~) (14) "Local governments" includes all municipal and  
17 quasi-municipal corporations and political subdivisions, and all  
18 agencies of such corporations and subdivisions authorized to contract  
19 separately.

20 (~~(14)~~) (15) "Oversight" means a process of comprehensive risk  
21 analysis and management designed to ensure optimum use of information  
22 technology resources and telecommunications.

23 (~~(15)~~) (16) "Proprietary software" means that software offered  
24 for sale or license.

25 (~~(16)~~) (17) "Public agency" means any agency of this state or  
26 another state; any political subdivision or unit of local government  
27 of this state or another state including, but not limited to,  
28 municipal corporations, quasi-municipal corporations, special purpose  
29 districts, and local service districts; any public benefit nonprofit  
30 corporation; any agency of the United States; and any Indian tribe  
31 recognized as such by the federal government.

32 (~~(17)~~) (18) "Public benefit nonprofit corporation" means a  
33 public benefit nonprofit corporation as defined in RCW 24.03A.245  
34 that is receiving local, state, or federal funds either directly or  
35 through a public agency other than an Indian tribe or political  
36 subdivision of another state.

37 (~~(18)~~) (19) "Public record" has the definitions in RCW  
38 42.56.010 and chapter 40.14 RCW and includes legislative records and  
39 court records that are available for public inspection.

1       (~~(19)~~) (20) "Public safety" refers to any entity or services  
2 that ensure the welfare and protection of the public.

3       (~~(20)~~) (21) "Ransomware" means a type of malware that attempts  
4 to deny a user or organization access to data or systems, usually  
5 through encryption, until a sum of money or other currency is paid or  
6 the user or organization is forced to take a specific action.

7       (~~(21)~~) (22) "Security incident" means an accidental or  
8 deliberative event that results in or constitutes an imminent threat  
9 of the unauthorized access, loss, disclosure, modification,  
10 disruption, or destruction of communication and information  
11 resources.

12       (~~(22)~~) (23) "State agency" means every state office,  
13 department, division, bureau, board, commission, or other state  
14 agency, including offices headed by a statewide elected official.

15       (~~(23)~~) (24) "Telecommunications" includes, but is not limited  
16 to, wireless or wired systems for transport of voice, video, and data  
17 communications, network systems, requisite facilities, equipment,  
18 system controls, simulation, electronic commerce, and all related  
19 interactions between people and machines.

20       (~~(24)~~) (25) "Utility-based infrastructure services" includes  
21 personal computer and portable device support, servers and server  
22 administration, security administration, network administration,  
23 telephony, email, and other information technology services commonly  
24 used by state agencies.

25       **Sec. 3.** RCW 43.105.365 and 2015 3rd sp.s. c 1 s 218 are each  
26 amended to read as follows:

27       (1) State agencies and local governments that collect and enter  
28 information concerning individuals into electronic records and  
29 information systems that will be widely accessible by the public  
30 under RCW 42.56.010 shall ensure the accuracy of this information to  
31 the extent possible. To the extent possible, information must be  
32 collected directly from, and with the consent of, the individual who  
33 is the subject of the data. State agencies shall establish procedures  
34 for correcting inaccurate information, including establishing  
35 mechanisms for individuals to review information about themselves and  
36 recommend changes in information they believe to be inaccurate. The  
37 inclusion of personal information in electronic public records that  
38 is widely available to the public should include information on the  
39 date when the database was created or most recently updated. If

1 personally identifiable information is included in electronic public  
2 records that are made widely available to the public, state agencies  
3 must follow retention and archival schedules in accordance with  
4 chapter 40.14 RCW, retaining personally identifiable information only  
5 as long as needed to carry out the purpose for which it was  
6 collected. At least once every five years, each agency that collects  
7 information must review the information collected and justify why it  
8 is being collected and for what purpose.

9 (2) Information submitted to the agency for the purpose of  
10 providing information technology related to digital experience  
11 platform services is exempt from public disclosure and copying under  
12 chapter 42.56 RCW.

13 **Sec. 4.** RCW 42.56.230 and 2023 c 361 s 14, 2023 c 346 s 1, and  
14 2023 c 182 s 2 are each reenacted and amended to read as follows:

15 The following personal information is exempt from public  
16 inspection and copying under this chapter:

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

20 (2)(a) Personal information:

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

23 (ii) For a child enrolled in a public or nonprofit program  
24 serving or pertaining to children, adolescents, or students,  
25 including but not limited to early learning or child care services,  
26 parks and recreation programs, youth development programs, and after-  
27 school programs;

28 (iii) For a student enrolled or previously enrolled in a local  
29 education agency, in any records pertaining to the student, including  
30 correspondence;

31 (iv) For the family members or guardians of a child who is  
32 subject to the exemption under this subsection (2) if the family  
33 member or guardian has the same last name as the child or if the  
34 family member or guardian resides at the same address as the child  
35 and disclosure of the family member's or guardian's information would  
36 result in disclosure of the personal information exempted under  
37 (a)(i) through (iii) of this subsection; or

1 (v) For substitute caregivers who are licensed or approved to  
2 provide overnight care of children by the department of children,  
3 youth, and families.

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

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

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

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

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

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

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

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

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

9 Upon request by the legislature, the department of licensing  
10 shall provide a report to the legislature containing all of the  
11 information in (c) of this subsection (7) and this subsection (7)(d)  
12 that is subject to public disclosure;

13 (8) All information related to individual claim resolution  
14 settlement agreements submitted to the board of industrial insurance  
15 appeals under RCW 51.04.063, other than final orders from the board  
16 of industrial insurance appeals. The board of industrial insurance  
17 appeals shall provide to the department of labor and industries  
18 copies of all final claim resolution settlement agreements;

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

23 (10) Information relating to a future voter, as provided in RCW  
24 29A.08.725;

25 (11) All information submitted by a person to the state, either  
26 directly or through a state-licensed gambling establishment, or  
27 Indian tribes, or tribal enterprises that own gambling operations or  
28 facilities with class III gaming compacts, as part of the self-  
29 exclusion program established in RCW 9.46.071 or 67.70.040 for people  
30 with a gambling problem or gambling disorder;

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

34 (13) All personal and financial information concerning a player  
35 that is received or maintained by the state lottery or any contracted  
36 lottery vendor except the player's name and city or town of  
37 residence. Additional information may be released only in accordance  
38 with prior written permission from the player; and

1        (14) Information submitted to Washington technology solutions, as  
2 provided in RCW 43.105.365(2).

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