ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2637

State of Washington 69th Legislature 2026 Regular Session

By House Appropriations (originally sponsored by Representatives Gregerson, Mena, Davis, Stearns, Ortiz-Self, Parshley, Fosse, Obras, Goodman, Ormsby, Taylor, Zahn, Macri, Ramel, Santos, and Peterson)

READ FIRST TIME 02/09/26.

AN ACT Relating to safeguarding personal information entrusted to agencies that is of no legitimate concern to the public; reenacting and amending RCW 42.56.230; and creating a new section.

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

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

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

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

(2)(a) Personal information:

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

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

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

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

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

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

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

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

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

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

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

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

(c) Any record pertaining to a vehicle license plate, driver's license, or identicard issued under RCW 46.08.066 that, alone or in

combination with any other records, may reveal the identity of an individual, or reveal that an individual is or was, performing an undercover or covert law enforcement, confidential public health work, public assistance fraud, or child support investigative activity. This exemption does not prevent the release of the total number of vehicle license plates, drivers' licenses, or identicards that, under RCW 46.08.066, an agency or department has applied for, been issued, denied, returned, destroyed, lost, and reported for misuse.

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

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

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

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

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

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

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

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

(14) The following personal information, except where disclosure of such information or a record containing such information is specifically and expressly required under state or federal law, or as specified under (b), (d), or (f) of this subsection:

(a) Age;

(b) Date of birth. The year of birth in a voter registration record is not exempt from disclosure under this subsection;

(c) Language preference;

(d) Residential address. Addresses retained by the agency as an individual's business address, addresses contained in voter registration records and addresses contained in real property records are not exempt from disclosure under this subsection;

(e) Place of birth;

(f) Location or precise geolocation data or global positioning system coordinates, except when an agency employee is engaging in official duties within the scope of employment;

(g) Government-issued identifier, which, for purposes of this subsection (14), means a social security number, passport number, driver's license number, student number, vehicle license plate number, or application number; and

(h) Individual consumer utility account data.

NEW SECTION. **Sec. 2.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2026, in the omnibus appropriations act, this act is null and void.

--- END ---