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**SUBSTITUTE SENATE BILL 6081**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Pedersen, Liiias, Bateman, Dhingra, Frame, Hasegawa, Nobles, Saldaña, Stanford, Valdez, and C. Wilson)

READ FIRST TIME 02/06/26.

1 AN ACT Relating to protecting Washingtonians from invasion of  
2 privacy, including the unauthorized disclosure of sex designation  
3 information and historic sex designation changes in official  
4 government records; amending RCW 46.20.091, 46.20.156, 46.20.157,  
5 70.58A.500, 70.58A.510, 70.58A.520, 70.58A.530, and 70.58A.540;  
6 reenacting and amending RCW 42.56.230; adding a new section to  
7 chapter 46.20 RCW; and declaring an emergency.

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

9 **Sec. 1.** RCW 42.56.230 and 2023 c 361 s 14, 2023 c 346 s 1, and  
10 2023 c 182 s 2 are each reenacted and amended to read as follows:

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

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

16 (2)(a) Personal information:

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

19 (ii) For a child enrolled in a public or nonprofit program  
20 serving or pertaining to children, adolescents, or students,  
21 including but not limited to early learning or child care services,

1 parks and recreation programs, youth development programs, and after-  
2 school programs;

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

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

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

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

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

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

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

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

36 (7)(a) Any record or information used to prove identity, age,  
37 residential address, social security number, sex designation, or  
38 other personal information required to apply for, renew, or make  
39 changes to a driver's license, instruction permit, or identicard.

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

3 (c) Any record pertaining to a vehicle license plate, driver's  
4 license, or identicard issued under RCW 46.08.066 that, alone or in  
5 combination with any other records, may reveal the identity of an  
6 individual, the sex designation of an individual, or reveal that an  
7 individual is or was, performing an undercover or covert law  
8 enforcement, confidential public health work, public assistance  
9 fraud, or child support investigative activity. This exemption does  
10 not prevent the release of the total number of vehicle license  
11 plates, drivers' licenses, or identicards that, under RCW 46.08.066,  
12 an agency or department has applied for, been issued, denied,  
13 returned, destroyed, lost, and reported for misuse.

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

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

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

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

36 (10) Information relating to a future voter, as provided in RCW  
37 29A.08.725;

38 (11) All information submitted by a person to the state, either  
39 directly or through a state-licensed gambling establishment, or  
40 Indian tribes, or tribal enterprises that own gambling operations or

1 facilities with class III gaming compacts, as part of the self-  
2 exclusion program established in RCW 9.46.071 or 67.70.040 for people  
3 with a gambling problem or gambling disorder;

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

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

12 (14) Information collected from individuals who have requested or  
13 previously requested changes to sex designation for vital records  
14 under chapter 70.58A RCW.

15 NEW SECTION. Sec. 2. A new section is added to chapter 46.20  
16 RCW to read as follows:

17 (1) The department may not display, transmit, or otherwise make  
18 available any record or supporting documentation of a person's sex  
19 designation change except with the consent of the person, given for a  
20 specific purpose.

21 (2) Credentials and digital records issued after a change to sex  
22 designation must contain only the current sex designation and no  
23 indicator that a change occurred.

24 **Sec. 3.** RCW 46.20.091 and 2021 c 158 s 4 are each amended to  
25 read as follows:

26 (1) **Application.** In order to apply for a driver's license or  
27 instruction permit the applicant must provide the applicant's:

28 (a) Name of record, as established by documentation required  
29 under RCW 46.20.035;

30 (b) Date of birth, as established by satisfactory evidence of  
31 age;

32 (c) Sex;

33 (d) Washington residence address;

34 (e) Description;

35 (f) Driving licensing history, including:

36 (i) Whether the applicant has ever been licensed as a driver or  
37 chauffeur and, if so, (A) when and by what state or country; (B)

1 whether the license has ever been suspended or revoked; and (C) the  
2 date of and reason for the suspension or revocation; or

3 (ii) Whether the applicant's application to another state or  
4 country for a driver's license has ever been refused and, if so, the  
5 date of and reason for the refusal; and

6 (g) Any additional information required by the department.

7 (2) **Sworn statement.** An application for an instruction permit or  
8 for an original driver's license must be made upon a form provided by  
9 the department. The form must include a section for the applicant to  
10 indicate whether the applicant has received driver training and, if  
11 so, where. The identifying documentation verifying the name of record  
12 must be accompanied by the applicant's sworn statement that it is  
13 valid. For an original driver's license, the information provided on  
14 the form must be sworn to and signed by the applicant before a person  
15 authorized to administer oaths. An applicant who makes a false  
16 statement on an application for a driver's license or instruction  
17 permit is guilty of false swearing, a gross misdemeanor, under RCW  
18 9A.72.040.

19 (3) **Driving records from other jurisdictions.** If a person  
20 previously licensed in another jurisdiction applies for a Washington  
21 driver's license, the department shall request a copy of the  
22 applicant's driver's record from the other jurisdiction. The driving  
23 record from the other jurisdiction becomes a part of the driver's  
24 record in this state.

25 (4) **Driving records to other jurisdictions.** If another  
26 jurisdiction requests a copy of a person's Washington driver's  
27 record, the department shall provide a copy of the record. The  
28 department shall forward the record without charge if the other  
29 jurisdiction extends the same privilege to the state of Washington.  
30 Records and supporting documentation of a person's sex designation  
31 change are considered sensitive information and must be excluded from  
32 any records transmitted to other jurisdictions except with the  
33 consent of the person, given for a specific purpose. Otherwise the  
34 department shall charge a reasonable fee for transmittal of the  
35 record.

36 **Sec. 4.** RCW 46.20.156 and 2023 c 466 s 22 are each amended to  
37 read as follows:

38 (1) For persons (~~(eighteen)~~) 18 years of age or older who meet  
39 requirements for voter registration and persons (~~(sixteen)~~) 16 or

1 ((seventeen)) 17 years of age who meet requirements to sign up to  
2 register to vote, who have been issued or are renewing an enhanced  
3 driver's license or identicard under RCW 46.20.202 or applying for a  
4 change of address for an existing enhanced driver's license or  
5 identicard pursuant to RCW 46.20.205, the department shall produce  
6 and transmit to the secretary of state the following information from  
7 the records of each individual: The name, address, date of birth,  
8 gender of the applicant if provided, the driver's license number,  
9 signature image, any language preference information collected, any  
10 phone number provided by the voter, any email address provided by the  
11 voter, and the date on which the application was submitted. The  
12 department and the secretary of state shall process information as an  
13 automated application on a daily basis. If requested by the secretary  
14 of state, the department shall provide copies of the documents  
15 submitted to prove citizenship for an individual subject to this  
16 section.

17 (2) Credentials and digital records issued after a change to sex  
18 designation must contain only the current sex designation and no  
19 indicator that a change occurred.

20 **Sec. 5.** RCW 46.20.157 and 2024 c 54 s 57 are each amended to  
21 read as follows:

22 (1) Except as provided in subsection (2) of this section, the  
23 department shall annually provide to Washington technology solutions  
24 an electronic data file. The data file must:

25 (a) Contain information on all licensed drivers and identicard  
26 holders who are ((eighteen)) 18 years of age or older and whose  
27 records have not expired for more than two years;

28 (b) Be provided at no charge; and

29 (c) Contain the following information on each such person: Full  
30 name, date of birth, residence address including county, sex, and  
31 most recent date of application, renewal, replacement, or change of  
32 driver's license or identicard.

33 (2) (a) Before complying with subsection (1) of this section, the  
34 department shall remove from the file the names of any certified  
35 participants in the Washington state address confidentiality program  
36 under chapter 40.24 RCW that have been identified to the department  
37 by the secretary of state.

1 (b) Credentials and digital records issued after a change to sex  
2 designation must contain only the current sex designation and no  
3 indicator that a change occurred.

4 **Sec. 6.** RCW 70.58A.500 and 2019 c 148 s 18 are each amended to  
5 read as follows:

6 (1) The state registrar may amend certification items on state  
7 vital records.

8 (2) The state registrar may amend a live birth record to change  
9 the name of a person born in state:

10 (a) Upon receipt of a complete and signed amendment application  
11 with applicable fees and a certified copy of an order of a court of  
12 competent jurisdiction, including the name of the person as it  
13 appears on the current live birth record and the new name to be  
14 designated on the amended live birth record, under RCW 4.24.130; or

15 (b) As authorized under 18 U.S.C. Sec. 3521, the federal witness  
16 relocation and protection act.

17 (3) The state registrar shall seal the original live birth record  
18 amended under subsection (2)(b) of this section. The sealed record is  
19 not subject to public inspection and copying under chapter 42.56 RCW  
20 except upon order of a court of competent jurisdiction.

21 (4) (a) The state registrar may amend a vital record to change the  
22 sex designation of the subject of the record. The state registrar  
23 shall include a nonbinary option for sex designation on the record.

24 (b) Supporting documentation related to sex designation changes  
25 shall be sealed by the state registrar and constitute supporting  
26 documentation for the purposes of RCW 42.56.365 and 70.58A.540.

27 (5) The state registrar may amend vital records for purposes  
28 other than those established in this section.

29 (6) The state registrar may deny an application to amend a vital  
30 record when:

31 (a) The application is not completed or filed in accordance with  
32 this chapter;

33 (b) The state registrar has cause to question the validity or  
34 adequacy of the applicant's statements or documentary evidence; or

35 (c) The deficiencies under (a) or (b) of this subsection are not  
36 addressed to the satisfaction of the state registrar.

37 (7) The state registrar shall provide notice of the denial of an  
38 application to amend a vital record and state the reasons for the  
39 denial. If the state registrar denies an amendment to a vital record

1 under the provisions of this section, a person may appeal the  
2 decision under RCW 70.58A.550.

3 **Sec. 7.** RCW 70.58A.510 and 2019 c 148 s 19 are each amended to  
4 read as follows:

5 (1) The state registrar shall develop and implement a  
6 preservation management policy for the vital records system for  
7 permanent preservation while in the custody of the state registrar.

8 (2) The state registrar shall transfer the custody of vital  
9 records to the state archives in accordance with state archival  
10 procedures when:

11 (a) One hundred years have elapsed after the date of live birth  
12 or fetal death;

13 (b) Twenty-five years have elapsed after the date of death; and

14 (c) Twenty-five years have elapsed after the date of marriage,  
15 divorce, dissolution of marriage, dissolution of domestic  
16 partnership, declaration of invalidity of marriage, declaration of  
17 invalidity of domestic partnership, or legal separation.

18 (3) The state archives may provide noncertified copies of  
19 original vital records in the custody of the state archives, due to a  
20 transfer under subsection (2) of this section, to the public.

21 (4) The state archives may not:

22 (a) Charge the department a fee or pass along costs to transfer  
23 the vital records to state archives or maintain the vital records in  
24 the state archives, other than those charged through the central  
25 services billing model for the cost of operating the state archives;  
26 or

27 (b) Alter, amend, or delete certification items on the vital  
28 records.

29 (5) Sealed records must remain sealed and in the custody of the  
30 department.

31 (6) In consultation with the state archives, the state registrar  
32 shall prescribe the format and method of delivery of vital records  
33 transferred to the state archives.

34 (7) The department may retain records for the purpose of issuing  
35 certifications under RCW 70.58A.530.

36 (8) The state archives shall not make publicly available or  
37 disclose to any recipient other than the department any supporting  
38 documentation related to sex designation changes that were  
39 transferred pursuant to this section.

1       **Sec. 8.** RCW 70.58A.520 and 2019 c 148 s 20 are each amended to  
2 read as follows:

3       (1) The department may disclose vital records information for  
4 persons named in any birth, death, or fetal death record only as  
5 provided under this chapter.

6       (2) Proposals for research and public health purposes must be  
7 reviewed and approved as to scientific merit and adequacy of  
8 confidentiality safeguards in accordance with this section.

9       (3) The department may release birth and fetal death record data  
10 that includes direct identifiers for research with approval of the  
11 state institutional review board and receipt of a signed  
12 confidentiality agreement with the department.

13       (4) The department may release birth and fetal death record data  
14 that includes direct identifiers for nonresearch public health  
15 purposes to a government agency upon receipt of a signed written  
16 data-sharing agreement with the department.

17       (5) The department may release birth and fetal death record data  
18 that contains only indirect identifiers to anyone upon receipt of a  
19 signed written data-sharing agreement with the department.

20       (6) The department may release death record data to anyone upon  
21 approval of the department and receipt of a signed written data-  
22 sharing agreement with the department.

23       (7) A written data-sharing agreement required under subsections  
24 (4) through (6) and (14) through (17) of this section must, at a  
25 minimum:

26       (a) Include a description of the type of data needed and the  
27 purpose for how the data will be used;

28       (b) Include the methods to be used to protect the confidentiality  
29 and security of the data;

30       (c) State that ownership of the data provided under this section  
31 remains with the department, and is not transferred to those  
32 authorized to receive and use the data under the agreement; and

33       (d) Include the applicable fees for use of the data.

34       (8) In addition to the conditions required by subsection (7) of  
35 this section, the written data-sharing agreement for birth and fetal  
36 death record data for public health purposes under subsection (4) of  
37 this section must:

38       (a) Prohibit redisclosure of any direct or indirect identifiers  
39 without explicit permission from the department; and

1 (b) Prohibit the recipient of the data from contacting or  
2 attempting to contact the person whose information is included in the  
3 data set or that person's family members without explicit permission  
4 from the department.

5 (9) In addition to the conditions required by subsection (7) of  
6 this section, the written data-sharing agreement for birth or fetal  
7 death record data with indirect identifiers under subsection (5) of  
8 this section must prohibit the recipient of the data from attempting  
9 to determine the identity of persons whose information is included in  
10 the data set or use the data in any manner that identifies  
11 individuals or their family members.

12 (10) The department and the state institutional review board  
13 shall apply the most restrictive law governing data release to  
14 proposals for research and public health purposes requesting data  
15 sets with direct identifiers for linkage to other data sets.

16 (11) The department may provide the fewest birth and fetal death  
17 record data elements necessary for the purpose described in the  
18 proposal for research or public health purposes.

19 (12) The department may deny a request for data for cause  
20 including, but not limited to, when:

21 (a) Indirect identifiers are sufficient for the purpose described  
22 in the proposal for research or public health purposes;

23 (b) The research or public health proposal lacks scientific  
24 merit;

25 (c) The department lacks resources or the request would result in  
26 an unreasonable use of resources related to data preparation and  
27 analysis;

28 (d) The requestor cannot meet the requirements in a data-sharing  
29 agreement for protecting the confidentiality of the data; ~~((or))~~

30 (e) The requestor is out of compliance with an existing data-  
31 sharing agreement; or

32 (f) The department determines that there is a reasonable  
33 possibility of the data being used to cause or enable harm or  
34 disenfranchisement or that its use could reasonably result in  
35 disparate impact on the data subject or that otherwise fulfilling the  
36 request would not be in the public interest.

37 (13) The department must provide notice of the denial to the  
38 requestor and include a statement of the reasons for the denial. If  
39 the state registrar denies a request for data under the provisions of  
40 this section, a person may appeal the decision under RCW 70.58A.550.

1           (14) The department may release vital records to government  
2 agencies in the conduct of official duties upon approval of the state  
3 registrar and receipt of a signed written data-sharing agreement with  
4 the department that prohibits redisclosure of any direct or indirect  
5 identifiers without explicit permission from the department. Vital  
6 records information released by the department under this subsection  
7 may be limited to only the information necessary to perform the  
8 official duties of the agencies to which the information is released.  
9 The department may deny requests according to subsection (12) of this  
10 section. Government agencies may access records electronically and  
11 use of records must be limited to the information needed for official  
12 business. The agreement may include cost sharing for support of the  
13 electronic system.

14           (15) The department shall make available to the department of  
15 social and health services, division of child support, the social  
16 security numbers of parents listed on birth records as required for  
17 establishing child support upon receipt of a signed written data-  
18 sharing agreement with the department.

19           (16) The department may release vital records to the national  
20 center for health statistics to be used solely for national  
21 statistics upon approval of the state registrar and receipt of a  
22 signed written data-sharing agreement with the department.

23           (17) The department may release copies of vital records through  
24 an interjurisdictional exchange agreement to offices of vital  
25 statistics in states or territories of the United States, the  
26 District of Columbia, New York City, or neighboring countries. The  
27 records must relate to a resident of, a person born in, or a person  
28 who died in the requesting state, territory, the District of  
29 Columbia, New York City, or neighboring country.

30           (18) The department may release indices of death, marriage, and  
31 divorce records annually to the state archives.

32           (19) Nothing in this chapter may be construed as giving authority  
33 to the state or local registrar, department, government agencies, or  
34 data recipients to sell or provide access to lists of individuals  
35 when requested for commercial purposes.

36           (20) For the purposes of this section:

37           (a) "Data" means a data file containing multiple records.

38           (b) "Direct identifier" means a single data element that  
39 identifies an individual person.

1 (c) "Indirect identifier" means a single data element that on its  
2 own does not identify an individual person, but when combined with  
3 other indirect identifiers can be used to identify an individual  
4 person.

5 (d) "Public health purpose" means a purpose that seeks to support  
6 or evaluate public health activities which include, but are not  
7 limited to, health surveillance; identifying population health  
8 trends; health assessments; implementing educational programs;  
9 program evaluation; developing and implementing policies; determining  
10 needs for access to services and administering services; creating  
11 emergency response plans; promoting healthy lifestyles; and  
12 preventing, detecting, and responding to infectious diseases, injury,  
13 and chronic and inheritable conditions. Public health purpose does  
14 not include research as defined in this section.

15 (e) "Research" means a systematic investigation, including  
16 research development, testing, and evaluation, designed to develop or  
17 contribute to generalizable knowledge. Activities that meet this  
18 definition constitute research for purposes of this policy, whether  
19 or not they are conducted or supported under a program that is  
20 considered research for other purposes.

21 **Sec. 9.** RCW 70.58A.530 and 2025 c 37 s 1 are each amended to  
22 read as follows:

23 (1)(a) A certification issued in accordance with this section is  
24 considered for all purposes the same as the original vital record and  
25 is prima facie evidence of the facts stated therein.

26 (b) An informational copy is not considered the same as the  
27 original vital record and does not serve as prima facie evidence of  
28 the facts stated therein.

29 (2) The state and local registrar shall issue all certifications  
30 registered in the vital records system from the state's central vital  
31 records system database upon submission by a qualified applicant of  
32 all required information and documentation required either by this  
33 chapter or by rule, or both, and shall ensure that all certifications  
34 include:

35 (a) The date of registration; and

36 (b) Security features that deter altering, counterfeiting, or  
37 simulation without ready detection as required under this chapter.

38 (3) A person requesting a certification of birth, death, fetal  
39 death, or birth resulting in stillbirth must submit an application,

1 identity documentation, evidence of eligibility, and the applicable  
2 fee established in RCW 70.58A.560 to the state or local registrar.

3 (4) For a certification of birth, the state or local registrar  
4 may release the certification only to:

5 (a) The subject of the record or the subject of the record's  
6 spouse or domestic partner, child, parent, stepparent, stepchild,  
7 sibling, grandparent, great grandparent, grandchild, great  
8 grandchild, legal guardian, legal representative, or authorized  
9 representative; or

10 (b) A government agency or court, if the certification will be  
11 used in the conduct of the agency's or court's official duties,  
12 unless the department determines that there is a reasonable  
13 possibility of the certification being used to cause or enable harm  
14 or disenfranchisement or that its use could reasonably result in  
15 disparate impact on the data subject or that otherwise fulfilling the  
16 request would not be in the public interest.

17 (5) The state registrar may issue an heirloom certification of  
18 birth to a qualified applicant consistent with subsection (4) of this  
19 section. The heirloom certification of birth must contain the state  
20 seal and be signed by the governor.

21 (6) The state registrar may issue a certification of a birth  
22 record registered as delayed under RCW 70.58A.120 or 70.58A.130 to a  
23 qualified applicant consistent with subsection (4) of this section.  
24 The certification must:

25 (a) Be marked as delayed; and

26 (b) Include a description of the evidence or court order number  
27 used to establish the delayed record.

28 (7) The state registrar may issue a certification of a birth  
29 record for a person adopted under chapter 26.33 RCW and registered  
30 under RCW 70.58A.400 to a qualified applicant consistent with  
31 subsection (4) of this section. The certification:

32 (a) Must not include reference to the adoption of the child; and

33 (b) For children born outside of the state, must be issued  
34 consistent with the certification standards of this section, unless  
35 the court orders otherwise.

36 (8) When providing a birth certification to a qualified applicant  
37 under this chapter, the state or local registrar shall include  
38 information prepared by the department setting forth the advisability  
39 of a security freeze under RCW 19.182.230 and the process for  
40 acquiring a security freeze.

1 (9) For a certification of death, the state or local registrar  
2 may release the certification only to:

3 (a) The decedent's spouse or domestic partner, child, parent,  
4 stepparent, stepchild, sibling, grandparent, great grandparent,  
5 grandchild, great grandchild, legal guardian immediately prior to  
6 death, legal representative, authorized representative, or next of  
7 kin as specified in RCW 11.28.120;

8 (b) A funeral director, the funeral establishment licensed  
9 pursuant to chapter 18.39 RCW, or the person having the right to  
10 control the disposition of the human remains under RCW 68.50.160  
11 named on the death record, within twelve months of the date of death;  
12 or

13 (c) A government agency or court, if the certification will be  
14 used in the conduct of the agency's or court's official duties.

15 (10) The state or local registrar may issue a short form  
16 certification of death that does not display information relating to  
17 cause and manner of death to a qualified applicant. In addition to  
18 the qualified applicants listed in subsection (9) of this section, a  
19 qualified applicant for a short form certification of death includes:

20 (a) A title insurer or title insurance agent handling a  
21 transaction involving real property in which the decedent held some  
22 right, title, or interest; or

23 (b) A person that demonstrates that the certified copy is  
24 necessary for a determination related to the death or the protection  
25 of a personal or property right related to the death.

26 (11) The state or local registrar may issue reports of fetal  
27 death either as a certification of a fetal death or as a  
28 certification of birth resulting in a stillbirth, or both.

29 (12) When issuing a certification of fetal death, the state or  
30 local registrar may release the certification only to:

31 (a) A parent, a parent's legal representative, an authorized  
32 representative, a sibling, or a grandparent;

33 (b) The funeral director or funeral establishment licensed  
34 pursuant to chapter 18.39 RCW and named on the fetal death record,  
35 within twelve months of the date of fetal death; or

36 (c) A government agency or court, if the certification will be  
37 used in the conduct of the agency's or court's official duties.

38 (13) When issuing a certification of birth resulting in  
39 stillbirth, the state or local registrar may release the

1 certification only to the individual who gave birth listed on the  
2 fetal death record.

3 (a) A certification of birth resulting in stillbirth must comply  
4 with the format requirements prescribed by the state registrar and be  
5 in a format similar to a certification of birth.

6 (b) The certification of birth resulting in stillbirth must  
7 contain a title at the top of the certification that reads: "This  
8 certificate of birth resulting in stillbirth is not proof of a live  
9 birth and is not an identity document."

10 (c) Nothing in this subsection (13):

11 (i) May be the basis for a civil cause of action seeking damages  
12 or criminal charges against any person or entity for bodily injury,  
13 personal injury, or wrongful death for a stillbirth;

14 (ii) Shall alter a woman's rights to reproductive freedom or  
15 equal protection under the law, or to alter or supersede any other  
16 provision of law; and

17 (iii) Except for the right to request a certification of birth  
18 resulting in stillbirth, may constitute the basis of any new right,  
19 privilege, or entitlement, or abrogate any existing right, privilege,  
20 or entitlement.

21 (14) The state or local registrar shall review the identity  
22 documentation and evidence of eligibility to determine if the person  
23 requesting the certification is a qualified applicant under this  
24 section. The state or local registrar may verify the identity  
25 documents and evidence of eligibility to determine the acceptability  
26 and authenticity of identity documentation and evidence of  
27 eligibility.

28 (15) The state or local registrar may not issue a certification  
29 of birth or fetal death, including a certification of birth resulting  
30 in stillbirth, that includes information from the confidential  
31 section of record, except as provided in subsection (16) of this  
32 section.

33 (16) The state registrar may release information contained in the  
34 confidential section of the birth record only to the following  
35 persons:

36 (a) The individual who is the subject of the birth record, upon  
37 confirmation of documentation and evidence of identity of the  
38 requestor in a manner approved by the state board of health and the  
39 department. The state registrar must limit the confidential  
40 information provided to the individual who is the subject of the

1 birth record's information, and may not include the parent's  
2 confidential information; or

3 (b) A member of the public, upon order of a court of competent  
4 jurisdiction.

5 (17) A person requesting a certification of marriage, dissolution  
6 of marriage, or dissolution of domestic partnership currently held by  
7 the department must submit an application and the applicable fee  
8 established in RCW 70.58A.560 to the state registrar.

9 (18) The state registrar may mark deceased on a birth  
10 certification when that birth record is matched to a death record  
11 under RCW 70.58A.060.

12 (19) The state or local registrar must issue an informational  
13 copy from the central vital records system to anyone. Informational  
14 copies must contain only the information allowed by rule.  
15 Informational copies of death records must not display information  
16 related to cause and manner of death.

17 (20) A person requesting an informational copy must submit an  
18 application and the applicable fee established in RCW 70.58A.560 to  
19 the state or local registrar.

20 (21) If no record is identified as matching the information  
21 provided in the application, the state or local registrar shall issue  
22 a document indicating that a search of the vital records system was  
23 made and no matching record was identified.

24 (22) All government agencies or courts to whom certifications or  
25 informational copies are issued must pay the applicable fee for  
26 certifications established in RCW 70.58A.560.

27 (23) The state or local registrar must comply with the  
28 requirements of this chapter when issuing a certification or  
29 informational copy of a vital life event.

30 (24) The department may issue, through electronic means and  
31 processes determined by the department, verifications of information  
32 contained on birth or death records filed with the department when a  
33 verification is requested by a government agency, insurance company,  
34 hospital, or any other organization in the conduct of its official  
35 duties for fraud prevention and good governance purposes as  
36 determined by the department. The department shall charge a fee for a  
37 search under this subsection.

38 (25) For the purposes of this section:

1 (a) "Qualified applicant" means a person who is eligible to  
2 receive a certification of a vital record based on the standards  
3 established by this chapter and department rule.

4 (b) "Stillbirth" means the same as fetal death as defined in RCW  
5 70.58A.010.

6 **Sec. 10.** RCW 70.58A.540 and 2019 c 148 s 22 are each amended to  
7 read as follows:

8 (1) All or part of any vital records, reports, supporting  
9 documentation, vital statistics, data, or information contained  
10 therein, including information related to sex designation changes  
11 under this chapter, are not subject to public inspection and copying  
12 under chapter 42.56 RCW.

13 (2) With the exception of certifications and informational copies  
14 issued under RCW 70.58A.530, or unless otherwise authorized by this  
15 chapter, (~~no person may permit the inspection of, disclose data or~~  
16 ~~information contained in, or copy or issue a copy of all or part of~~  
17 ~~any~~) all vital records, reports, supporting documentation, vital  
18 statistics, data, (~~or~~) and information contained therein maintained  
19 by the department are confidential and are not subject to state or  
20 federal discovery, subpoenas, or other compulsory process.

21 NEW SECTION. **Sec. 11.** This act is necessary for the immediate  
22 preservation of the public peace, health, or safety, or support of  
23 the state government and its existing public institutions, and takes  
24 effect immediately.

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