



WCOG Bill Status Report February 18, 2017

This report shows bills in the Washington State Legislature being tracked by Washington Coalition for Open Government because they have some impact on Washington's open government laws. Members of the Coalition are encouraged to contact their legislators regarding bills of concern to them. If you have any comments on the format or contents of this report, including the indicated WCOG positions or comments, please contact the Coalition president at president@washingtoncog.org.

Upcoming Hearings and Floor Action on Tracked Bills

Transportation (House) - HHR B, JLOB - 2/20 @ 1:30pm

- HB 1656 - Exec Session - Establishing a community aviation revitalization loan program.

Transportation (House) - HHR B, JLOB - 2/21 @ 1:30pm

- HB 1513 - Public Hearing - Concerning the collection of youth voter registration sign up information.

Transportation (House) - HHR B, JLOB - 2/22 @ 1:30pm

- HB 1513 - Exec Session - Concerning the collection of youth voter registration sign up information.

Summary of Bills Tracked

High Priority Bills

Bill #	Short Description	Status	Sponsor	Position	Dead
SHB 1160 (SB 5418)	Sunshine Committee recommendations	S State Government	Springer	Support	No
HB 1594	PRA Training, Consultation, Grants, Portal Study, Recording Fees	H Approps	McBride	Concerns	No
HB 1595	Concerning costs associated with responding to public records requests	H Rules R	Nealey	Concerns	No
SSB 5545 (HB 1951)	Requiring public employee collective bargaining sessions to be open meetings	S Ways & Means	Wilson	Support	No
SB 5584	Concerning college and university presidents	S Rules 2	Baumgartner	Oppose	No

Medium Priority Bills

Bill #	Short Description	Status	Sponsor	Position	Dead
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SHB 1043 (SB 5124)	Nonpublic personal health information held by the Insurance Commissioner	H Rules R	Robinson	Concerns	No
SHB 1097	Tribal consultation with the Governor and the Fish and Wildlife Commission regarding hunting rights and activities	H Rules R	Sawyer	Concerns	No
HB 1159 (SSB 5120)	Enhancing oversight and transparency of lobbying activity.	H Rules R	Pellicciotti	Support	No
SHB 1317 (SSB 5207)	Public disclosure of global positioning system data corresponding to residential addresses of public employees and volunteers	H Rules R	McBride	Concerns	No
HB 1337 (SB 5221)	Interstate medical licensure compact	S Health Care	Riccelli	Concerns	No
SHB 1376	Paint stewardship	H Approps	Peterson	Concerns	No
HB 1465	Exempting from public disclosure certain information regarding reports on wolf depredations	H Rules R	Short	Concerns	No
SHB 1501	Protecting law enforcement and the public from persons who illegally attempt to obtain firearms	H Approps	Hansen	Concerns	No
HB 1516	Creating a data storage system for holding and making public records available to the public.	H Approps	MacEwen	Concerns	No
HB 1646 (SB 5509)	Carbon tax	H Environment	Fitzgibbon	Concerns	No
SHB 1717	State agency collection, use, and retention of biometric identifiers	H Rules R	Smith	Concerns	No
SHB 1807 (SB 5219)	Transparency of contributions	H Rules R	Pellicciotti	Support	No
HB 1833	Financial reporting by officials, candidates, and appointees.	H Rules R	Dolan	Support	No
HB 1834	Campaign finance reporting	H Rules R	Dolan	Neutral	No
SSB 5120 (HB 1159)	Enhancing oversight and transparency of lobbying activity.	S Ways & Means	Carlyle	Support	No
SSB 5207 (SHB 1317)	Public disclosure of global positioning system data corresponding to residential addresses of public employees and volunteers	H State Govt, Ele	Kuderer	Neutral	No
SB 5221 (HB 1337)	Interstate medical licensure compact	S Rules 2G	Fain	Concerns	No
SB 5509 (HB 1646)	Carbon tax	S Energy, Enviro	Carlyle	Concerns	No
SSB 5761	Exempting certain confidential fish and shellfish harvest information from disclosure under chapter 42.56 RCW, the public records act	S Rules 2	McCoy	Concerns	No
SB 5791	Improving the accountability and efficiency of the public disclosure commission's operations and requirements	S Rules 2	Braun	Concerns	No

Low Priority Bills

Bill #	Short Description	Status	Sponsor	Position	Dead
SHB 1047	Drug Take-Back Program	H Approps	Peterson	Neutral	No
SHB 1152 (SB 5101)	Licensing agreements and consulting contracts for licensed marijuana businesses	H Rules R	Blake	Neutral	No
SHB 1232 (SB 5395)	Timing and content of disclosures by continuing care retirement communities	H Rules R	Clibborn	Neutral	No
SHB 1417	OPMA information technology security matters	H Rules R	Hudgins	Neutral	No

SHB 1491 (SSB 5152)	Concerning pediatric transitional care centers	H Rules R	Orwall	Neutral	No
HB 1513	Youth voter registration sign up information	H Trans	Bergquist	Neutral	No
HB 1656	Establishing a community aviation revitalization loan program	H Trans	Dent	Neutral	No
HB 1732 (SB 5547)	Confidentiality of educator professional growth plans	H Rules R	Springer	Neutral	No
HB 1829	Exemption from public disclosure of information regarding public and private computer and telecommunications networks	H Rules R	Hudgins	Neutral	No
HB 1835	Updating inflationary amounts in campaign finance laws.	H Rules R	Dolan	Neutral	No
SHB 2029 (SB 5801)	Providing a referral resource for those seeking information and assistance for immigration and citizenship related matters	H Rules R	Ortiz-Self	Neutral	No
HB 2097 (SB 5828)	Limiting disclosure of information about the religious affiliation of individuals	H Rules R	Stanford	Neutral	No
SB 5039	Adopting the uniform electronic legal material act.	S 2nd Reading	Pedersen	Support	No
SSB 5152 (SHB 1491)	Pediatric transitional care centers	S 2nd Reading	Fain	Neutral	No
SB 5316	Removal of provisions that are no longer necessary	H Judiciary	Fortunato	Support	No
SB 5547 (HB 1732)	Confidentiality of educator professional growth plans	S Rules 2	Rolfes	Neutral	No
SSB 5578	Release of sex offender information	S Rules 2	Pearson	Support	No
SB 5620	Transportation network companies	S Transportation	King	Neutral	No
SSB 5764	Concerning higher education records.	S Rules 2	Wellman	Neutral	No

Dead Bills

Bill #	Short Description	Status	Sponsor	Position	Dead
HB 1102	Technology-enhanced government surveillance	H Public Safety	Taylor	Concerns	Yes
HB 1104	Concerning unlawful entry onto private property.	H Judiciary	Taylor	Concerns	Yes
HB 1287	Collective bargaining	H Labor & Workpla	Chandler	Support	Yes
HB 1460	Redesigning the transfer of water rights, including the statutory process of relinquishment	H Ag & Nat Res	Buys	Concerns	Yes
HB 1471 (SB 5335)	Collecting voter registration sign up information for persons seventeen years of age during the period one year prior to attaining eighteen years of age	H State Governme	Bergquist	Concerns	Yes
HB 1948	Concerning open meetings of subgroups of a public agency governing body	H State Govt, Ele	Harmsworth	Support	Yes
HB 1951 (SSB 5545)	Requiring public employee collective bargaining sessions to be open meetings	H Labor & Workpl	Manweller	Support	Yes
HB 1956 (SB 5308)	Limiting disclosure of information about the religious affiliation of individuals	H Judiciary	Stanford	Concerns	Yes
HB 1989	Applying the open public meetings act to advisory boards and committees that provide formal advice or recommendations to their governing bodies.	H State Govt, El	Pollet	Support	Yes

SB 5101 (SHB 1152)	Licensing agreements and consulting contracts for licensed marijuana businesses.	S Com/Labor/Spor	Rivers	Neutral	Yes
SB 5110	Youth voter preregistration	S State Governme	Billig	Neutral	Yes
SB 5124 (SHB 1043)	Nonpublic personal health information held by the Insurance Commissioner	S Health Care	Rivers	Concerns	Yes
SB 5219 (SHB 1807)	Transparency of contributions	S State Governme	Billig	Support	Yes
SB 5308 (HB 1956)	Limiting disclosure of information about the religious affiliation of individuals	S Law & Justice	Palumbo	Concerns	Yes
SB 5326	Disclosure and use of personal information of employees and volunteers of law enforcement and employees and volunteers of the department of corrections	S Law & Justice	Pearson	Oppose	Yes
SB 5335 (HB 1471)	Collecting voter registration sign up information for persons seventeen years of age during the period one year prior to attaining eighteen years of age	S State Governme	Fain	Concerns	Yes
SB 5418 (SHB 1160)	Enacting recommendations of the sunshine committee.	S State Governmen	Chase	Support	Yes
SB 5419	Paint stewardship	S Energy, Enviro	Chase	Concerns	Yes
SB 5464 (HB 2059)	Establishing the Washington investment trust	S Fin Inst/Ins	Hasegawa	Concerns	Yes
SB 5687	Concerning the public disclosure of guardianship training curriculum and materials	S Health Care	Rivers	Concerns	Yes
SB 5710	Concerning penalties awarded for violations of the public records act	S State Governmen	Kuderer	Oppose	Yes
SB 5737	Enhancing oversight and transparency of lobbying activity	S State Governmen	Rivers	Support	Yes
SB 5784	Exempting materials of certain volunteers from public inspection and copying.	S State Governmen	Kuderer	Concerns	Yes
SB 5801 (SHB 2029)	Providing a referral resource for those seeking information and assistance for immigration and citizenship related matters	S Law & Justice	Salda?a	Neutral	Yes
SB 5828 (HB 2097)	Limiting disclosure of information about the religious affiliation of individuals.	S Law & Justice	Palumbo	Neutral	Yes

Detailed Information on Bills Tracked

High Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
SHB 1160 (SB 5418)	Sunshine committee <i>Comments:</i> Implements the unanimously-supported recommendations of the Sunshine Committee for 2016. (WCOG PRIORITY)	S State Governmen Springer	Support
HB 1594	Public records admin. <i>Comments:</i> Expands training for public records officers on electronic documents. Requires AGO to identify PRA best practices. Restores archives grant program for local agencies. Studies implementing a statewide open records portal. Requires a surcharge of one dollar per document	H Approps McBride	Concerns

recorded to fund grant program. Concerns include the extent to which the portal study is needed, using the AG for consultation when they represent agencies, and the lack of model ordinances for agencies.

HB 1595	Public records request costs	H Rules R	Nealey	Concerns
	<i>Comments:</i> Establishes default copying charges for electronic records. Allows agencies to charge a flat \$5 fee per records request instead of other fees. Requires PRA requests to be for "an identifiable record". Disallows requests for all or substantially all of an agency's records. Allows agencies to deny multiple "bot" requests that arrive on the same day. Allows "customized service charges" for requests that require extraordinary work to be done to extract the desired records. Concerns include whether the proposed default charges are reasonably calculated to reimburse agencies for actual costs associated with copying records.			
SSB 5545 (HB 1951)	Public emp. bargaining/PRA	S Ways & Means	Wilson	Support
	<i>Comments:</i> Requires public employee collective bargaining sessions involving contract negotiations to be open to the public. Agencies may choose to videotape sessions instead of opening them to in-person observation if the recordings are made available online within 24 hours.			
SB 5584	College & univ. presidents	S Rules 2	Baumgartner	Oppose
	<i>Comments:</i> Exempts from the OPMA and disclosure under the PRA all meetings and records regarding selection of state colleges and universities. Requires such presidents to be confirmed by the senate.			

Medium Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
SHB 1043 (SB 5124)	H Rules R	Robinson	Concerns
	<i>Comments:</i> Creates a new PRA exemption for all personally-identifying health care information that comes into the possession of the Insurance Commissioner. This is likely reasonable in view of HIPPA. However, the bill does not link to the new exemption from the PRA, which makes it hard to find.		
SHB 1097	H Rules R	Sawyer	Concerns
	<i>Comments:</i> Authorizes tribes to request a meeting with the governor and the fish and wildlife commission regarding a specific fish and wildlife department policy, rule, or action that affects tribal hunting rights, and allows such meetings to be closed to the public (exempt from the OPMA). It also does not amend the OPMA to add the exception. The meetings should be open to the public if a quorum of the Commission is involved. If there are legitimate reasons for these to be closed meetings, it should be done by adding the meeting to RCW 42.30.110(1) or RCW 42.30.140.		
HB 1159 (SSB 5120)	H Rules R	Pellicciotti	Support
	<i>Comments:</i> Addresses the postemployment of former state officers and state employees.		
	H Rules R	McBride	Concerns
	GPS data disclosure		

[SHB 1317](#)
(SSB 5207)

Comments: Exempts global positioning system data that would indicate the location of the residence of a public employee or volunteer. Will be extremely expensive and cumbersome to implement since it applies to employees and volunteers of ANY agency, not just the agency from which the data is requested.

[HB 1337](#)
(SB 5221)

Medical licensure compact

S Health Care

Riccelli

Concerns

Comments: Creates a new PRA exemption for "Information distributed to any Washington health profession board or commission by an interstate health professions licensure compact or member boards". It is unclear that the exemption needs to be this broad.

[SHB 1376](#)

Paint stewardship

H Approps

Peterson

Concerns

Comments: Exempts from disclosure records filed with the department of ecology under this act that a court has determined are confidential valuable commercial information. The new exemption is probably not necessary since there is already a broad exemption for confidential trade secret information. There is also no need to replicate procedural information.

[HB 1465](#)

Wolf depredation/public recs

H Rules R

Short

Concerns

Comments: Exempts the following from public disclosure under the public records act: (1) Private information regarding damage prevention cooperative agreements and nonlethal preventative measures deployed to minimize wolf interactions with pets and livestock; and (2) Information regarding a reported depredation by wolves on pets or livestock. Concerns are that it exempts specific information about actions taken by public employees.

[SHB 1501](#)

Attempts to obtain firearms

H Approps

Hansen

Concerns

Comments: Requires a firearms dealer to report information to the Washington state patrol when the dealer denies an application for the purchase or transfer of a firearm as the result of a background check. Requires the Washington state patrol to: (1) Maintain a database that consists of the information received from a firearms dealer; and (2) Investigate denied firearm purchase or transfer applications. Requires the Washington association of sheriffs and police chiefs to create and operate a statewide automated protected person notification system. Creates two new PRA exemptions for these databases, but does not cross-reference them from 42.56.

[HB 1516](#)

Public records storage sys.

H Approps

MacEwen

Concerns

Comments: Requires the director of the consolidated technology services agency to: (1) Establish an internet-based data storage system with the ability to collect and store the electronic records of all local public agencies; and (2) Provide the records for inspection and copying through a searchable central portal on a state web site. Requires each local public agency of the state to transmit all of its public records that are in a digital format to the data storage system. Concerns are that this may duplicate the Digital Archives provided by the state archivist; that it applies to "all" electronic records which may be difficult to implement given the transitory nature of so many records; and it does not clearly indicate which agency is responsible for review and redaction for records exemptions and responsible for wrongly withheld records.

[HB 1646](#)
(SB 5509)

Carbon tax

H
Environment

Fitzgibbon

Concerns

Comments: Creates a carbon tax. Section 209 creates a new PRA exemption for confidential proprietary information submitted by energy intensive and trade exposed facilities, which is a reasonable exemption, but it does not cross-reference the new exemption from the PRA (42.56.270).

[SHB 1717](#)

Biometric identifiers

H Rules R

Smith

Concerns

Comments: Prohibits state agencies from collecting, capturing, purchasing, or otherwise obtaining a biometric identifier unless certain conditions are met. Sec. 2(5) creates a new PRA exemption for biometric identifiers, but does not cross-reference it from the PRA itself.

<u>SHB 1807</u> (SB 5219)	Campaign finance disclosure <i>Comments:</i> Requires the disclosure of contributions and expenditures by nonprofit organizations that participate significantly in elections.	H Rules R	Pellicciotti	Support
<u>HB 1833</u>	Financial reporting <i>Comments:</i> Expands and clarifies reporting of personal financial affairs (PDC F-1 statements). Adjusts reporting thresholds. Adds more categories of value. Codifies exemption of reporting residence address for judges, prosecutors, and sheriffs.	H Rules R	Dolan	Support
<u>HB 1834</u>	Campaign finance reporting <i>Comments:</i> Eliminates special 21-day and 7-day pre-election reports. Increases threshold for last-minute contribution reports from \$1000 (aggregate) to \$10,000 (per contribution). Eliminates PDC daily summary of LMC reports. Eliminates the special cap on contributions during the last 21 days of a campaign.	H Rules R	Dolan	Neutral
<u>SSB 5120</u> (HB 1159)	Lobbying activity <i>Comments:</i>	S Ways & Means	Carlyle	Support
<u>SSB 5207</u> (SHB 1317)	GPS data disclosure <i>Comments:</i> Exempts global positioning system data that would indicate the location of the residence of a public employee or volunteer. Will be extremely expensive and cumbersome to implement since it applies to employees and volunteers of ANY agency, not just the agency from which the data is requested. Concerns were addressed in the substitute bill.	H State Govt, Ele	Kuderer	Neutral
<u>SB 5221</u> (HB 1337)	Medical licensure compact <i>Comments:</i> Creates a new PRA exemption for "Information distributed to any Washington health profession board or commission by an interstate health professions licensure compact or member boards". It is unclear that the exemption needs to be this broad.	S Rules 2G	Fain	Concerns
<u>SB 5509</u> (HB 1646)	Carbon tax <i>Comments:</i> Creates a carbon tax. Section 209 creates a new PRA exemption for confidential proprietary information submitted by energy intensive and trade exposed facilities, which is a reasonable exemption, but it does not cross-reference the new exemption from the PRA (42.56.270).	S Energy, Enviro	Carlyle	Concerns
<u>SSB 5761</u>	Fish & shellfish enforcement <i>Comments:</i> Exempts the following from disclosure under the public records act: Confidential fish or shellfish harvest information shared with the department of fish and wildlife by a tribe, including fisher name and signature, harvest weight, value, and tax information.	S Rules 2	McCoy	Concerns
<u>SB 5791</u>	Public disclosure commission	S Rules 2	Braun	Concerns

Comments: Changes the PDC appointment process so that four members are appointed by the legislative political caucuses and they select the fifth member as chair. Revises the process for reporting large contributions late in a campaign.

Low Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<p>Medication disposal system</p> <p><u>SHB 1047</u></p> <p><i>Comments:</i> Establishes a drug take-back program for secure collection and disposal of unwanted medications. Exempts from disclosure proprietary information submitted to the Department of Health under the act. This is a reasonable exemption consistent with similar exemptions for proprietary business information.</p>	H Approps	Peterson	Neutral
<p>Marijuana business contracts</p> <p><u>SHB 1152</u> (SB 5101)</p> <p><i>Comments:</i> Authorizes a licensed marijuana business to enter into a licensing agreement or consulting contract. Exempts from disclosure trade secrets, technology, proprietary information, and financial considerations contained in such agreements or contracts, entered into by a licensed marijuana business, that may be submitted to or obtained by the state liquor and cannabis board. This is a reasonable exemption consistent with other exemptions for confidential proprietary business information.</p>	H Rules R	Blake	Neutral
<p>Retirement comm. disclosures</p> <p><u>SHB 1232</u> (SB 5395)</p> <p><i>Comments:</i> Addresses continuing care retirement communities with regard to the timing and content of disclosures. Eliminates the existing PRA exemption for registration information submitted for such communities.</p>	H Rules R	Clibborn	Neutral
<p>OPMA/IT security matters</p> <p><u>SHB 1417</u></p> <p><i>Comments:</i> Allows a governing body to hold an executive session during a regular or special meeting to consider information regarding: (1) Infrastructure and security of computer and telecommunications networks; (2) Security and service recovery plans; and (3) Security risk assessments and security test results.</p>	H Rules R	Hudgins	Neutral
<p>Pediatric transitional care</p> <p><u>SHB 1491</u> (SSB 5152)</p> <p><i>Comments:</i> Creates a pediatric transitional care center license. Creates a new exemption in 42.56.360 for quality of care data submitted to the department of health</p>	H Rules R	Orwall	Neutral
<p>Youth voter reg. info.</p> <p><u>HB 1513</u></p> <p><i>Comments:</i> Permits a person to sign up to vote at the department of licensing if he or she is sixteen or seventeen years of age. Exempts Information provided for voter sign up from disclosure. The new exemption is properly placed in 42.56.230.</p>	H Trans	Bergquist	Neutral
<p>Aviation revival. loan prg</p> <p><u>HB 1656</u></p> <p><i>Comments:</i> Creates an airport infrastructure loan program for local and small airports to acquire loans to fund capital projects. Exempts from PRA disclosure any confidential financial or commercial information submitted by loan applicants.</p>	H Trans	Dent	Neutral
<p>Educator professional growth</p>	H Rules R	Springer	Neutral

[HB 1732](#)
(SB 5547)

Comments: Exempts from PRA disclosure professional growth plans in educator license renewals submitted through the eCert system in the office of the superintendent of public instruction.

[HB 1829](#)

Disclosure/computer networks

H Rules R

Hudgins

Neutral

Comments: Expands the existing PRA exemption from disclosure for network security information (RCW 42.56.420(4)) to also include information on private networks that is in the possession of agencies.

[HB 1835](#)

Campaign finance/inflation

H Rules R

Dolan

Neutral

Comments: Updates several limits and thresholds for inflation.

[SHB 2029](#)
(SB 5801)

Immigration resources

H Rules R

Ortiz-Self

Neutral

Comments: Requires the human rights commission, in consultation with relevant state agencies, and individuals or groups having experience and knowledge of immigration law and the provision of immigration and citizenship related assistance, including those with experience providing culturally appropriate services to populations that have traditionally been underserved or unserved, to establish a toll-free telephone hotline and a web site to refer callers and users to sources of information and assistance for immigration and citizenship related matters. Exempts the following personal information from public inspection and copying under the public records act: Information revealing the identity of a person or entity requesting immigration and citizenship related information or assistance via the hotline or web site.

[HB 2097](#)
(SB 5828)

Religious affiliation discl.

H Rules R

Stanford

Neutral

Comments: Exempts from disclosure information that indicates the religious affiliation of individuals. Prohibits employers from collecting information about religious affiliation except to provide accommodations to employees. Prohibits state and local agencies from assisting in compilation of a database of individual religious affiliations.

[SB 5039](#)

Electronic legal material

S 2nd Reading

Pedersen

Support

Comments: Establishes the uniform electronic legal material act, which requires that when an electronic copy of a legal record is the official copy, there must be a way to authenticate it, and it must be available permanently.

[SSB 5152](#)
(SHB 1491)

Pediatric transitional care

S 2nd Reading

Fain

Neutral

Comments: Creates a pediatric transitional care center licensing program. Requires PTCCs to submit quality of care information to Dept. of Health, and exempts the submitted information from disclosure. This is consistent with exemptions for other health care quality information submitted to the Dept. of Health (intended to encourage full disclosure of potentially damaging information to promote quality improvement),

[SB 5316](#)

RCW provisions not needed

H Judiciary

Fortunato

Support

Comments: Repeals, amends, recodifies, and/or decodifies certain provisions that are no longer necessary for continued publication in the Revised Code of Washington. Removes three sections in RCW 42.56 that are no longer needed.

[SB 5547](#)
(HB 1732)

Educator professional growth

S Rules 2

Rolfes

Neutral

Comments: Exempts from PRA disclosure professional growth plans in educator license renewals submitted through the eCert system in the office of the superintendent of public instruction.

[SSB 5578](#)

Sex offender information

S Rules 2

Pearson

Support

Comments: Requires local law enforcement agencies to, for offenders classified as risk level I, share information with an individual who requests the information. Existing language says they "may" release such information; this is changed to a "shall".

Transp. network companies

S
Transportation King Neutral

[SB 5620](#)

Comments: Regulates "transportation network companies" such as Uber and Lyft. Declares they are not taxi or for-hire services, and that drivers are independent contractors. Sets minimum requirements for drivers including background checks and insurance, and minimum requirements for vehicles. Establishes several other requirements. Collects a ten cent per trip fee to fund the regulatory program. Preempts all local regulation of such companies. Sec. 18 creates a new PRA exemption for confidential financial and proprietary information provided to DOL or municipalities in conjunction with registrations under the act.

Higher education records

S Rules 2 Wellman Neutral

[SSB 5764](#)

Comments: Requires the registrar of a private college or university that participates in the state need grant program and an institution of higher education or other employee, office, or department of the institution responsible for maintaining student academic records, to include a prominent notation on the academic transcript of a student who has been suspended for, has been permanently dismissed for, or withdraws from the institution while under investigation for, an offense involving sexual violence, stating that the student was suspended, dismissed, or withdrawn from the institution while under investigation for an offense involving sexual violence. Exempts the following from public inspection and copying under the public records act: Survivor communications with, and survivor records maintained by, campus-affiliated advocates.

Dead Bills

Bill Details

Status

Sponsor

Position

Govt surveillance technology

H Public Safety Taylor Concerns

[HB 1102](#)
(Dead)

Comments: Agencies may obtain and use "extraordinary sensing devices" under specific circumstances. Prohibits disclosure of information obtained using such devices unless it was collected under a search warrant and there is probable cause that the information is evidence of criminal activity. Information must be destroyed within 30 days or less if it is not evidence of criminal activity. However, early destruction of information also destroys evidence of inappropriate use of devices, making it harder for watchdogs to detect improper behavior by law enforcement agencies.

Unlawful entry/private prop.

H Judiciary Taylor Concerns

[HB 1104](#)
(Dead)

Comments: Establishes the following crimes: Trespassing to unlawfully collect resource data from private land; unlawfully collecting resource data if he or she enters onto private land and collects resource data from private land; and trespassing to access adjacent or proximate land. Requires that resource data illegally collected must be destroyed. WCOG generally does not support destruction of evidence of government misconduct.

Collective bargaining

H Labor & Workpla Chandler Support

[HB 1287](#)
(Dead)

Comments: Makes contract negotiations under collective bargaining open to the public. Eliminates the exemption under the OPMA RCW 42.30.140. (WCOG PRIORITY)

Transfer of water rights

H Ag & Nat Res Buys Concerns

<u>HB 1460</u> (Dead)				<i>Comments:</i> Creates a new PRA exemption for "annual consumptive water use data". The new exemption is placed in a new section of 42.56, which is unnecessary; the new exemption could be added to 42.56.380, 42.56.270, or some other existing section.
<u>HB 1471</u> (Dead) (SB 5335)	17 year olds/voter reg info	H State Governme	Bergquist	Concerns <i>Comments:</i> Exempts from disclosure Information contained in voter preregistration records. Concerns are that the exemption is added to 42.56.250 which is on "Employment and Licensing"; would be more appropriate to add to 42.56.230 on "Personal information".
<u>HB 1948</u> (Dead)	OPMA/subgroups	H State Govt, Ele	Harmsworth	Support <i>Comments:</i> Requires a subcommittee, task force, advisory group, or other work group, created by an action of a governing body, to: (1) Make a meeting open to the public if it relates to a decision to make a policy or fiscal recommendation to a governing body; and (2) Provide notice of the purpose of the meeting online at least twenty-four hours in advance of the start time of the meeting.
<u>HB 1951</u> (Dead) (SSB 5545)	Public emp. bargaining/OPMA	H Labor & Workpl	Manweller	Support <i>Comments:</i> Requires public employee collective bargaining sessions involving contract negotiations to be open to the public. Agencies may choose to videotape sessions instead of opening them to in-person observation if the recordings are made available online within 24 hours.
<u>HB 1956</u> (Dead) (SB 5308)	Religious affiliation discl.	H Judiciary	Stanford	Concerns <i>Comments:</i> Prohibits an agency from providing or disclosing to federal authorities personal information regarding the religious affiliation of an individual that is requested for the purpose of compiling a database of individuals based solely on religious affiliation. This could be considered a PRA exemption, since it would be impossible to implement as worded because any individual could request the same records.
<u>HB 1989</u> (Dead)	OPMA/advisory boards	H State Govt, El	Pollet	Support <i>Comments:</i> Subjects the following to the requirements of the open public meetings act: An advisory board, committee, or other entity established by a public agency to provide formal advice or recommendations to the agency.
<u>SB 5101</u> (Dead) (SHB 1152)	Marijuana business contracts	S Com/Labor/Spor	Rivers	Neutral <i>Comments:</i> Authorizes a licensed marijuana business to enter into a licensing agreement or consulting contract. Exempts from disclosure trade secrets, technology, proprietary information, and financial considerations contained in such agreements or contracts, entered into by a licensed marijuana business, that may be submitted to or obtained by the state liquor and cannabis board. This is a reasonable exemption consistent with other exemptions for confidential proprietary business information.
<u>SB 5110</u> (Dead)	Youth voter registration	S State Governme	Billig	Neutral <i>Comments:</i> Allows 16 and 18 year-olds to preregister to vote; the preregistration automatically becomes a regular registration when the person will by 18 by the next election. Exempts from voter preregistration records from disclosure in their entirety. This is consistent with processing of adult voter registration forms, which are not subject to disclosure in their entirety; only certain information is available after the voter is officially registered.

<u>SB 5124</u> (Dead) (SHB 1043)	Personal health information <i>Comments:</i> Creates a new PRA exemption for all personally-identifying health care information that comes into the possession of the Insurance Commissioner. This is likely reasonable in view of HIPPA. However, the bill does not link to the new exemption from the PRA, which makes it hard to find.	S Health Care	Rivers	Concerns
<u>SB 5219</u> (Dead) (SHB 1807)	Campaign finance disclosure <i>Comments:</i> Requires the disclosure of contributions and expenditures by nonprofit organizations that participate significantly in elections.	S State Governme	Billig	Support
<u>SB 5308</u> (Dead) (HB 1956)	Religious affiliation discl. <i>Comments:</i> Prohibits an agency from providing or disclosing to federal authorities personal information regarding the religious affiliation of an individual that is requested for the purpose of compiling a database of individuals based solely on religious affiliation. This could be considered a PRA exemption, since it would be impossible to implement as worded because any individual could request the same records.	S Law & Justice	Palumbo	Concerns
<u>SB 5326</u> (Dead)	Law enf. & corr. information <i>Comments:</i> Requires the requester of records on employees and volunteers of law enforcement and the department of corrections to swear under oath that the records will not be used to "harass, stalk, threaten, or intimidate any person". Requesters should not have to take any oath to obtain public records,	S Law & Justice	Pearson	Oppose
<u>SB 5335</u> (Dead) (HB 1471)	17 year olds/voter reg info <i>Comments:</i> Exempts from disclosure Information contained in voter preregistration records. Concerns are that the exemption is added to 42.56.250 which is on "Employment and Licensing"; would be more appropriate to add to 42.56.230 on "Personal information".	S State Governme	Fain	Concerns
<u>SB 5418</u> (Dead) (SHB 1160)	Sunshine committee <i>Comments:</i> Addresses the recommendations of the sunshine committee with regard to the public records act.	S State Governmen	Chase	Support
<u>SB 5419</u> (Dead)	Paint stewardship <i>Comments:</i> Exempts from disclosure records filed with the department of ecology under this act that a court has determined are confidential valuable commercial information. The new exemption is probably not necessary since there is already a broad exemption for confidential trade secret information. There is also no need to replicate procedural information.	S Energy, Enviro	Chase	Concerns
<u>SB 5464</u> (Dead) (HB 2059)	Washington investment trust <i>Comments:</i> Creates a state "investment trust", which is effectively a state bank. Exempts from disclosure "Examination reports and information obtained by the department of financial institutions". Such reports on the performance of a state-run institution should not be exempt from disclosure.	S Fin Inst/Ins	Hasegawa	Concerns
<u>SB 5687</u> (Dead)	Guardianship curriculum <i>Comments:</i> Reiterates that training curriculum and materials for a certified professional guardianship course or program of a public agency. CONCERN is that this doesn't need to be a separate PRA section and is redundant, since the material should already be considered disclosable.	S Health Care	Rivers	Concerns

<u>SB 5710</u> (Dead)	Public records act penalties	S State Governmen	Kuderer	Oppose
	<i>Comments:</i> Allows a maximum penalty of five thousand dollars if the court determines that an agency acted in good faith in denying a person the right to inspect or copy a record or the right to receive a response to a public record request within a reasonable amount of time.			
<u>SB 5737</u> (Dead)	Lobbying activity	S State Governmen	Rivers	Support
	<i>Comments:</i> Requires lobbyists reports to be filed electronically. Requires government agency lobbyists to register and file reports the same as other lobbyists. Prohibits certain former state officers and state employees from receiving compensation from certain sources within one year after leaving state office or employment.			
<u>SB 5784</u> (Dead)	Materials of volunteers/PRA	S State Governmen	Kuderer	Concerns
	<i>Comments:</i> Exempts information of certain volunteers from disclosure under the public records act. Concerns include the scope of the definition of volunteer and the context in which the records came into possession of the volunteer (e.g., being a self-identified volunteer should not by itself confer a blanket exemption from records disclosure).			
<u>SB 5801</u> (Dead) (SHB 2029)	Immigration resources	S Law & Justice	Salda?a	Neutral
	<i>Comments:</i> Requires the human rights commission, in consultation with relevant state agencies, and individuals or groups having experience and knowledge of immigration law and the provision of immigration and citizenship related assistance, including those with experience providing culturally appropriate services to populations that have traditionally been underserved or unserved, to establish a toll-free telephone hotline and a web site to refer callers and users to sources of information and assistance for immigration and citizenship related matters. Exempts the following personal information from public inspection and copying under the public records act: Information revealing the identity of a person or entity requesting immigration and citizenship related information or assistance via the hotline or web site.			
<u>SB 5828</u> (Dead) (HB 2097)	Religious affiliation discl.	S Law & Justice	Palumbo	Neutral
	<i>Comments:</i> Exempts from disclosure information that indicates the religious affiliation of individuals. Prohibits employers from collecting information about religious affiliation except to provide accommodations to employees. Prohibits state and local agencies from assisting in compilation of a database of individual religious affiliations.			

Dead Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<u>HB 1102</u> (Dead)	H Public Safety	Taylor	Concerns
	<i>Comments:</i> Agencies may obtain and use "extraordinary sensing devices" under specific circumstances. Prohibits disclosure of information obtained using such devices unless it was collected under a search warrant and there is probable cause that the information is evidence of criminal activity. Information must be destroyed within 30 days or less if it is not evidence of criminal activity. However, early destruction of information also destroys evidence of inappropriate use of devices, making it harder for watchdogs to detect improper behavior by law enforcement agencies.		

<u>HB 1104</u> (Dead)	Unlawful entry/private prop. <i>Comments:</i> Establishes the following crimes: Trespassing to unlawfully collect resource data from private land; unlawfully collecting resource data if he or she enters onto private land and collects resource data from private land; and trespassing to access adjacent or proximate land. Requires that resource data illegally collected must be destroyed. WCOG generally does not support destruction of evidence of government misconduct.	H Judiciary	Taylor	Concerns
<u>HB 1287</u> (Dead)	Collective bargaining <i>Comments:</i> Makes contract negotiations under collective bargaining open to the public. Eliminates the exemption under the OPMA RCW 42.30.140. (WCOG PRIORITY)	H Labor & Workpla	Chandler	Support
<u>HB 1460</u> (Dead)	Transfer of water rights <i>Comments:</i> Creates a new PRA exemption for "annual consumptive water use data". The new exemption is placed in a new section of 42.56, which is unnecessary; the new exemption could be added to 42.56.380, 42.56.270, or some other existing section.	H Ag & Nat Res	Buys	Concerns
<u>HB 1471</u> (Dead) (SB 5335)	17 year olds/voter reg info <i>Comments:</i> Exempts from disclosure Information contained in voter preregistration records. Concerns are that the exemption is added to 42.56.250 which is on "Employment and Licensing"; would be more appropriate to add to 42.56.230 on "Personal information".	H State Governme	Bergquist	Concerns
<u>HB 1948</u> (Dead)	OPMA/subgroups <i>Comments:</i> Requires a subcommittee, task force, advisory group, or other work group, created by an action of a governing body, to: (1) Make a meeting open to the public if it relates to a decision to make a policy or fiscal recommendation to a governing body; and (2) Provide notice of the purpose of the meeting online at least twenty-four hours in advance of the start time of the meeting.	H State Govt, Ele	Harmsworth	Support
<u>HB 1951</u> (Dead) (SSB 5545)	Public emp. bargaining/OPMA <i>Comments:</i> Requires public employee collective bargaining sessions involving contract negotiations to be open to the public. Agencies may choose to videotape sessions instead of opening them to in-person observation if the recordings are made available online within 24 hours.	H Labor & Workpl	Manweller	Support
<u>HB 1956</u> (Dead) (SB 5308)	Religious affiliation discl. <i>Comments:</i> Prohibits an agency from providing or disclosing to federal authorities personal information regarding the religious affiliation of an individual that is requested for the purpose of compiling a database of individuals based solely on religious affiliation. This could be considered a PRA exemption, since it would be impossible to implement as worded because any individual could request the same records.	H Judiciary	Stanford	Concerns
<u>HB 1989</u> (Dead)	OPMA/advisory boards <i>Comments:</i> Subjects the following to the requirements of the open public meetings act: An advisory board, committee, or other entity established by a public agency to provide formal advice or recommendations to the agency.	H State Govt, El	Pollet	Support
	Marijuana business contracts	S Com/Labor/Spor	Rivers	Neutral

<u>SB 5101</u> (Dead) (SHB 1152)	<i>Comments:</i> Authorizes a licensed marijuana business to enter into a licensing agreement or consulting contract. Exempts from disclosure trade secrets, technology, proprietary information, and financial considerations contained in such agreements or contracts, entered into by a licensed marijuana business, that may be submitted to or obtained by the state liquor and cannabis board. This is a reasonable exemption consistent with other exemptions for confidential proprietary business information.	S State Governme	Billig	Neutral
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<u>SB 5326</u> (Dead)	<i>Comments:</i> Requires the requester of records on employees and volunteers of law enforcement and the department of corrections to swear under oath that the records will not be used to "harass, stalk, threaten, or intimidate any person". Requesters should not have to take any oath to obtain public records,	S Law & Justice	Pearson	Oppose
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<u>SB 5828</u> (Dead) (HB 2097)	Religious affiliation discl. <i>Comments:</i> Exempts from disclosure information that indicates the religious affiliation of individuals. Prohibits employers from collecting information about religious affiliation except to provide accommodations to employees. Prohibits state and local agencies from assisting in compilation of a database of individual religious affiliations.	S Law & Justice	Palumbo	Neutral
