

Final Legislative Summary – 2019

by Toby Nixon

We tracked 88 bills during the session. However, after the session completed we identified seven additional bills of interest (mostly due to late introduction or amendments) so the total number of bills in the report is now 95. Of those 95, 31 bills passed and were signed into law, which is by far the greatest number passed since we started tracking bills back in 2007.

As for changes since the previous report, of greatest interest is HB 1195. This bill makes many updates to campaign finance reporting law. You may recall at the last minute on the floor of the Senate the bill was amended to prohibit the Public Disclosure Commission from moving ahead with their plans to proactively post F-1 personal finance disclosure statements on their web site. The amendment was passed at least in part because of a story told by one senator about the kidnapping in Mexico of the spouse of an elected official based somehow on the content of that official's F-1 report. That story turned out to be false in several ways. Governor Inslee vetoed that section of the bill, and the PDC has said it intends to move ahead with its plans to make it easier for citizens to access F-1 information (it will be on the web site rather than having to submit a public records request). While this did not address the primary reason WCOG opposed HB 1195, it was a better outcome than if this provision was not vetoed.

I would like to take this opportunity to thank Nancy Krier, the assistant attorney general for open government, for sharing with us her bill tracking information. We incorporated into this final report seven additional bills that she identified, six of which create new public records exemptions. Those bills are as follows:

- **SHB 1049** — Expands whistleblower protections, including exemptions from disclosure, to employees and other persons who initiate complaints about quality of care by health care providers or facilities.
- **E2SHB 1224** — Creates several new exemptions for data submitted to the Health Care Authority by pharmaceutical manufacturers and wholesalers

regarding prescription drug prices. Exemptions for such confidential proprietary financial information of regulated companies is routine.

- **SHB 1356**— Expands an existing exemption regarding the personnel with whom communications with a peer support group counselor are considered privileged.
- **SHB 1360**— Expands an existing exemption; requires that driving record abstracts received by public agencies be treated with the same confidentiality as driving record abstracts received directly from DOL.
- **SHB 1545**— Requires the Secretary of State to make records of ballots with missing or mismatched signatures publicly available rather than those records having to be sought through a public records request (not a new exemption, but a requirement for proactive posting of records).
- **SHB 1909**— Expands protections for information contained in claim files for injured workers such that employers and employer representatives, including in the public sector, are subject to civil penalties for disclosing mental health conditions to unauthorized persons.
- **SB 6025**— Creates a new exemption for information about individuals who participated in the state bump-stock buyback program.

Including the bills listed above, of the 31 bills that passed, 22 create new exemptions or expand existing exemptions, in some cases multiple exemptions in a single bill. One bill narrows an existing exemption (applications for appointment to fill a vacancy in public office, which was a recommendation of the Sunshine Committee). One bill added an allowed purpose for an executive session under the Open Public Meetings Act.

Thank you all once again for your support of open government in Washington, including all the contacts made to legislators to support good bills and oppose bad ones. Even though the statistics above don't feel very positive, the fact is that we killed many bills that would have been much worse, and we could not have done that without your involvement!

WCOG Bill Status Report June 3, 2019

This report shows bills in the Washington State Legislature tracked by Washington Coalition for Open Government during the 2019 legislative session because they have some impact on Washington's open government laws. 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.

Summary of Bills Tracked

High Priority Bills

Bill #	Short Description	Status	Sponsor	Position	Dead
<u>SHB 1195</u> (SB 5112)	Concerning the efficient administration of campaign finance and public disclosure reporting and enforcement.	C 428 L 19	Hudgins	Oppose	No
<u>ESHB 1667</u> (SB 5667)	Concerning public records request administration.	C 372 L 19	Springer	Support	No
<u>ESHB 1692</u>	Protecting information concerning agency employees who have filed a claim of harassment or stalking.	C 373 L 19	Jenkins	Oppose	No

Medium Priority Bills

Bill #	Short Description	Status	Sponsor	Position	Dead
<u>SHB 1049</u> (SB 5401)	Concerning health care provider and health care facility whistleblower protections.	C 62 L 19	Macri	Neutral	No
<u>E2SHB 1224</u>	Concerning prescription drug cost transparency.	C 334 L 19	Robinson	Neutral	No
<u>SHB 1239</u>	Protecting the confidentiality of health care quality and peer review discussions to support effective patient safety.	C 162 L 19	Cody	Concerns	No
<u>SHB 1356</u>	Concerning privileged communication with peer support group counselors.	C 98 L 19	Lovick	Neutral	No
<u>SHB 1360</u> (SB 5725)	Concerning abstracts of driving records.	C 99 L 19	Irwin	Neutral	No
<u>HB 1537</u>	Concerning sunshine committee recommendations.	C 229 L 19	Springer	Support	No
<u>HB 1673</u>	Exempting information relating to the regulation of explosives from public disclosure.	C 125 L 19	Steele	Concerns	No

<u>EHB 2020</u> (SB 5929)	Exempting the disclosure of names in employment investigation records.	C 349 L 19	Dolan	Oppose	No
<u>EHB 2067</u>	Prohibiting the disclosure of certain individual vehicle and vessel owner information of those participating in the address confidentiality program.	C 278 L 19	Davis	Concerns	No
<u>SB 5107</u> (HB 1171)	Addressing trust institutions.	C 389 L 19	Das	Neutral	No
<u>SSB 5135</u> (SHB 1194)	Preventing toxic pollution that affects public health or the environment.	C 292 L 19	Rolfes	Concerns	No
<u>SSB 5166</u>	Providing religious accommodations for postsecondary students.	C 182 L 19	Hasegawa	Neutral	No
<u>ESB 5439</u> (HB 1400)	Concerning confidentiality of employment security department records and data.	C 81 L 19	Keiser	Concerns	No
<u>SSB 5461</u> (SHB 1595)	Concerning the sharing of information between participants in multidisciplinary coordination of child sexual abuse investigations.	C 82 L 19	Cleveland	Concerns	No
<u>2SSB 5511</u> (3SHB 1498)	Expanding affordable, resilient broadband service to enable economic development, public safety, health care, and education in Washington's communities.	C 365 L 19	Wellman	Concerns	No
<u>ESSB 5526</u> (E2SHB 1523)	Increasing the availability of quality, affordable health coverage in the individual market.	C 364 L 19	Frockt	Concerns	No
<u>SB 6025</u> (HB 2182)	Concerning bump-fire stock buy-back program records.	C 239 L 19	Honeyford	Neutral	No

Low Priority Bills

Bill #	Short Description	Status	Sponsor	Position	Dead
<u>SHB 1295</u>	Concerning public works contracting procedures.	C 212 L 19	Tharinger	Neutral	No
<u>SHB 1302</u>	Creating a self-exclusion program for persons with a gambling problem or gambling disorder.	C 213 L 19	Kloba	Neutral	No

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<u>ESHB</u> <u>1379</u>	Concerning disclosure of contributions from political committees to other political committees.	C 261 L 19	Pellicciotti	Support	No
<u>HB 1385</u> (SB 5455)	Exempting United States food and drug administration nonpublic information from disclosure under the state public disclosure act.	C 337 L 19	Springer	Neutral	No
<u>SHB</u> <u>1399</u> (SSB 5449)	Concerning paid family and medical leave.	C 13 L 19	Robinson	Neutral	No
<u>HB 1505</u>	Concerning confidential information of child victims of sexual assault.	C 300 L 19	Klippert	Neutral	No
<u>SHB 1545</u>	Concerning curing ballots to assure that votes are counted.	C 167 L 19	Mead	Support	No
<u>SHB</u> <u>1909</u> (SSB 5844)	Concerning the confidentiality of industrial insurance claim records.	C 34 L 19	Graham	Neutral	No
<u>ESSB 5027</u>	Concerning extreme risk protection orders.	C 246 L 19	Frockt	Concerns	No
<u>ESSB</u> <u>5332</u> (HB 1550)	Concerning vital statistics.	C 148 L 19	Pedersen	Neutral	No

Monitoring Bills

Bill #	Short Description	Status	Sponsor	Position	Dead
<u>SHB</u> <u>1071</u> (2SSB 5064)	Protecting personal information.	C 241 L 19	Kloba	Neutral	No

Dead Bills

Bill #	Short Description	Status	Sponsor	Position	Dead
<u>HB 1108</u> (SB 5154)	Making 2017-2019 biennium second supplemental operating appropriations.	H Approps	Ormsby	Concerns	Yes

<u>HB 1171</u> (SB 5107)	Addressing trust institutions.	H Rules R	Walen	Concerns	Yes
<u>SHB 1179</u>	Concerning the revised uniform unclaimed property act.	H Approps	Tarleton	Concerns	Yes
<u>SHB 1191</u> (SB 5554)	Concerning school notifications.	H Rules R	Goodman	Concerns	Yes
<u>SHB 1194</u> (SSB 5135)	Preventing toxic pollution that affects public health or the environment.	H Approps	Doglio	Concerns	Yes
<u>SHB 1389</u> (SB 5472)	Concerning reporting requirements for common carriers who transport liquor into the state.	H Approps	Morgan	Concerns	Yes
<u>HB 1400</u> (ESB 5439)	Concerning confidentiality of employment security department records and data.	H Rules R	Sells	Concerns	Yes
<u>2SHB 1422</u> (SSB 5338)	Concerning the protection of vulnerable adults.		Valdez	Concerns	Yes
<u>3SHB 1498</u> (2SSB 5511)	Expanding affordable, resilient broadband service to enable economic development, public safety, health care, and education in Washington's communities.	H Rules 3C	Hudgins	Concerns	Yes
<u>E2SHB 1523</u> (ESSB 5526)	Increasing the availability of quality, affordable health coverage in the individual market.	H Rules 3C	Cody	Concerns	Yes
<u>SHB 1538</u>	Concerning sunshine committee recommendations.	H Rules R	Springer	Support	Yes
<u>HB 1550</u> (ESSB 5332)	Concerning vital statistics.	H HC/Wellness	Jenkins	Neutral	Yes
<u>HB 1562</u> (SB 5601)	Concerning health care benefit management.	H HC/Wellness	Stonier	Concerns	Yes

<u>SHB 1592</u> (SSB 5704)	Establishing the Washington children's educational savings account program.	H Approps	Kilduff	Concerns	Yes
<u>SHB 1645</u> (2SSB 5533)	Concerning certificates of parental improvement.	H Approps	Ortiz-Self	Concerns	Yes
<u>SHB 1652</u>	Concerning paint stewardship.	C 344 L 19	Peterson	Neutral	Yes
<u>HB 1693</u>	Establishing a system for setting rates for health care services.	H HC/Wellness	Jenkins	Concerns	Yes
<u>HB 1774</u>	Concerning extreme risk protection orders.	H Civil R & Judi	Jenkins	Concerns	Yes
<u>SHB 1782</u>	Concerning public meetings of advisory groups established by local governments and other agencies.	H Rules R	Pollet	Support	Yes
<u>HB 1838</u> (SB 5750)	Exempting certain licensed distillery information from public disclosure.	H Rules 3C	Walsh	Neutral	Yes
<u>2SHB 1854</u> (2SSB 5376)	Protecting consumer data.	H Rules R	Kloba	Concerns	Yes
<u>SHB 1871</u> (SB 5888)	Concerning prison safety	H Rules C	Klippert	Neutral	Yes
<u>HB 1882</u> (SB 5460)	Joining the nurse licensure compact.	H HC/Wellness	Ryu	Concerns	Yes
<u>HB 1888</u>	Protecting employee information from public disclosure.	H State Govt & T	Hudgins	Oppose	Yes
<u>HB 1911</u>	Concerning pharmacy benefit managers.	H HC/Wellness	Schmick	Concerns	Yes
<u>SHB 1974</u>	Establishing the Washington cannabis commission.	H Approps	Shewmake	Neutral	Yes
	Providing assistance to victims of government actions originating as part				

<u>HB 1978</u>	of the implementation of the growth management act by the state or local governments.	H Env & Energy	Maycumber	Neutral	Yes
<u>HB 2014</u>	Implementing recommendations from the work group on private degree-granting institutions and private vocational schools and providing other procedural protections.	H Coll & Wkf Dev	Van Werven	Concerns	Yes
<u>HB 2039</u> (SB 5926)	Concerning transportation network companies.	H Trans	Springer	Concerns	Yes
<u>HB 2105</u>	Concerning the definition of public records in regards to the legislature.	H State Govt & T	Pellicciotti	Concerns	Yes
<u>HB 2115</u>	Concerning the disclosure of public records by the legislative branch.	H State Govt & T	Walsh	Oppose	Yes
<u>HB 2143</u>	Implementing an emergency alert system.	H Hous, Com Dev	Mosbrucker	Concerns	Yes
<u>HB 2182</u> (SB 6025)	Concerning bump-fire stock buy-back program records.	H Civil R & Judi	Shea	Neutral	Yes
<u>2SSB 5064</u> (SHB 1071)	Protecting personal information.	S Rules X	Nguyen	Neutral	Yes
<u>SB 5112</u> (SHB 1195)	Concerning the efficient administration of campaign finance and public disclosure reporting and enforcement.	S State Govt/Tri	Hunt	Oppose	Yes
<u>SB 5154</u> (HB 1108)	Making 2017-2019 biennium second supplemental operating appropriations.	S Ways & Means	Rolfes	Concerns	Yes
<u>SSB 5182</u>	Concerning juvenile record sealing.	S Rules X	Kuderer	Concerns	Yes

<u>SB 5185</u>	Requiring notification to parents or guardians in cases of abortion.	S Law & Justice	Padden	Concerns	Yes
<u>SB 5221</u>	Concerning disclosure of contributions from political committees to other political committees.	S Rules 3	Palumbo	Support	Yes
<u>SB 5246</u>	Concerning sunshine committee recommendations.	S State Govt/Trib	Hunt	Support	Yes
<u>2SSB 5292</u>	Concerning prescription drug cost transparency.	S Rules 3	Keiser	Concerns	Yes
<u>SSB 5338</u> (2SHB 1422)	Concerning the protection of vulnerable adults.	S Rules 2	Darneille	Concerns	Yes
<u>2SSB 5376</u> (2SHB 1854)	Protecting consumer data.	S Rules 3	Carlyle	Concerns	Yes
<u>SSB 5416</u> (SHB 1302)	Creating a self-exclusion program for persons with a gambling problem or gambling disorder.	S Rules X	Conway	Neutral	Yes
<u>SSB 5449</u> (SHB 1399)	Concerning paid family and medical leave.	S Rules X	Keiser	Neutral	Yes
<u>SB 5455</u> (HB 1385)	Exempting United States food and drug administration nonpublic information from disclosure under the state public disclosure act.	S State Govt/Tri	Takko	Neutral	Yes
<u>SB 5460</u> (HB 1882)	Joining the nurse licensure compact.	S Health & Long	Cleveland	Concerns	Yes
<u>SB 5472</u> (SHB 1389)	Concerning reporting requirements for common carriers who transport liquor into the state.	S Labor & Commer	Saldana	Concerns	Yes
<u>2SSB 5533</u> (SHB 1645)	Concerning certificates of parental improvement.	S Rules X	Braun	Concerns	Yes
<u>SB 5554</u> (SHB 1191)	Concerning school notifications.	S EL/K-12	Wilson	Concerns	Yes

<u>SB 5601</u> (HB 1562)	Concerning health care benefit management.	S Health & Long	Rolfes	Concerns	Yes
<u>SB 5656</u>	Concerning public works contracting procedures.	S Rules X	Frockt	Neutral	Yes
<u>SB 5667</u> (ESHB 1667)	Concerning public records request administration.	S State Govt/Tri	Becker	Support	Yes
<u>SSB 5704</u> (SHB 1592)	Establishing the Washington children's educational savings account program.	S Ways & Means	Liias	Concerns	Yes
<u>SB 5721</u>	Concerning the regulation of abortion facilities.	S Health & Long	Fortunato	Concerns	Yes
<u>SB 5750</u> (HB 1838)	Exempting certain licensed distillery information from public disclosure.	S State Govt/Tri	Hunt	Neutral	Yes
<u>SB 5784</u>	Concerning records disclosure and retention obligations of the legislative branch.	S State Govt/Tri	Pedersen	Oppose	Yes
<u>SB 5787</u>	Concerning hours of availability for inspection and copying of public records.	S Rules 3	Walsh	Oppose	Yes
<u>SB 5835</u>	Creating a hotline to receive reports of potential self-harm and criminal acts.	S Law & Justice	Brown	Concerns	Yes
<u>SB 5840</u>	Requiring maintenance of minimum essential health care coverage.	S Health & Long	Cleveland	Concerns	Yes
<u>SB 5888</u> (SHB 1871)	Concerning prison safety.	S Law & Justice	Walsh	Neutral	Yes
<u>SB 5926</u> (HB 2039)	Concerning transportation network companies.	S Transportation	Hobbs	Concerns	Yes

<u>SB 5929</u> (EBH 2020)	Exempting the disclosure of names in employment investigation records.	S State Govt/Tri	Keiser	Concerns	Yes
<u>SB 5949</u>	Establishing the Washington investment trust.	S Financial Inst	Hasegawa	Concerns	Yes