

HOUSE OF REPRESENTATIVES

Olympia Washington

Bill Analysis

Bill No. SSB 6251
(See ESHB 2483)

Exempting Computer Software/Public Disclosure
Brief title

Hrg. Date: 2/20/98

Senator Horn/Sheldon,
Sponsor

Staff Carolee Dineen
Comm. on Govt. Admin.
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BACKGROUND:

Information held by a public agency is generally subject to public disclosure. Numerous exemptions to the public disclosure requirements are codified in statute. Some of these exemptions relate to records containing personal information and proprietary business information. State and local agencies are required to make records not included within a statutory exemption available for public inspection and copying.

Summary of Bill:

A new exemption for computer software is added to the public disclosure requirements. An intense section specifies the new exemption is designed to protect taxpayer investments in software development and to encourage public-private cooperation with respect to software development.

Computer software owned by state and local agencies is exempt from public inspection and copying. The exemption applies to computer software (a) wholly owned by a state or local agency; and (b) owned by a state or local agency in conjunction with a private entity.

For purposes of the exemption, "computer software" is defined as the programming source code or object code necessary for the operation of a computer program. Records accessible through the computer program are not included within the exemption and are subject to public disclosure unless otherwise exempt.

Comparison with House Companion Bill The public disclosure exemption created in ESHB 2483 applies only to computer software owned wholly or in part by state agencies.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of session in which bill passed.