

HOUSE BILL REPORT

HB 2453

As Reported by House Committee On:
State Government

Title: An act relating to exemptions from public inspection.

Brief Description: Protecting veterans' records.

Sponsors: Representatives Bush, Haigh, Schmidt, Simpson, Conway, Reardon, Mielke, Wood, Talcott, Miloscia, Cairnes, McIntire, Campbell, Orcutt, Pflug, Cooper, Nixon, Jackley, Ahern, Rockefeller, Van Luven, Esser, Ogden and Woods.

Brief History:

Committee Activity:

State Government: 1/31/02, 2/8/02 [DPS].

Brief Summary of Substitute Bill

- Exempts veteran discharge papers from public records disclosure provided that the veteran complete a form specifically requesting this exemption.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Romero, Chair; Miloscia, Vice Chair; McDermott, Schindler, Schmidt and Upthegrove.

Staff: Marsha Reilly (786-7135).

Background:

Each state and local agency is required under the Open Public Records Act to make all public records available for public inspection and copying unless the record is exempted from disclosure. Examples of records exempted in statute include:

- personal information on students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients;
- information revealing the identity of persons who are witnesses to or victims of crime;

- test questions, scoring keys, and other examination data used to administer a licence, employment, or academic examination;
- financial and valuable trade information; and
- credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial account numbers supplied to an agency for the purpose of electronic transfer of funds.

Summary of Substitute Bill:

The discharge papers of a veteran of the Armed Forces of the United States filed at county auditor offices are exempted from release to the public provided that the veteran files a "request for exemption from public disclosure of discharge papers" with the county auditor. Exempted discharge papers may only be released to the veteran filing the papers or to persons that the veteran has designated, in writing, to receive the papers.

The Washington State Department of Veterans Affairs, in consultation with the Washington State Association of County Auditors will develop and distribute to county auditors the exemption form.

Substitute Bill Compared to Original Bill:

Veterans must complete a form entitled "Request for Exemption from Public Disclosure of Discharge Papers," and file the form with the appropriate county auditor for an exemption. The Washington State Department of Veterans Affairs, in consultation with the Washington State Association of County Auditors, will develop and distribute the form to county auditors.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: There are people who would take advantage of those who have been discharged from the service and this bill will protect our veterans who gave service to their country from identity theft.

Veterans are advised to file their discharge papers, or "DD214", with their county courthouse as a precaution in case the documents are lost. Discharge papers contain the name, social security number, and date of birth of the veteran. However, these documents are available to anyone who requests a copy under public disclosure laws.

There have already been cases of identity theft and so we urge you to act precipitously in order to prevent more occurrences.

Testimony Against: None.

Testified: Representative Bush, prime sponsor; Dave Harris and Keith Sherman, Veterans' Legislative Coalition; H. Brownie Braunsteiner, Pierce County Veterans; Advisory Council; John King, Department of Veterans Affairs, and Albert W. Rasmussen, and Chosen Few, Veterans of Foreign Wars, American Legion, and Marine Corps League.