

FINAL BILL REPORT

SSB 6439

C 335 L 02
Synopsis as Enacted

Brief Description: Protecting certain domestic security records.

Sponsors: Senate Committee on State & Local Government (originally sponsored by Senators Gardner, Haugen, McCaslin and Winsley; by request of Governor Locke and Attorney General).

Senate Committee on State & Local Government
House Select Committee on Community Security
House Committee on Appropriations

Background: It has been argued that the events of September 11, 2001, have focused our nation's attention on the importance of preparedness in preventing, investigating, and prosecuting acts of terrorism. To further that effort, some have argued that certain records should be exempt from public inspection and copying.

Summary: The following records are exempt from public inspection and copying: those portions of records assembled, prepared, or maintained to prevent mitigate, or respond to criminal terrorist acts, which are acts that significantly disrupt the conduct of government or of the general civilian population of the state or the United States and that manifest an extreme indifference to human life, the public disclosure of which would have a substantial likelihood of threatening public safety, containing: (1) specific and unique vulnerability assessments or specific and unique response or deployment plans, including compiled underlying data collected in preparation of or essential to the assessments, or the response or deployment plans; (2) records not subject to public disclosure under federal law that are shared by federal or international agencies, and information prepared from national security briefings provided to state or local government officials related to domestic preparedness for act of terrorism.

Also exempt from public inspection and copying is information regarding the infrastructure and security of computer and telecommunications networks, consisting of security passwords, security access codes and programs, access codes for secure software applications, security and service recovery plans, security risk assessments, and security test results to the extent that they identify system vulnerabilities.

The Joint Legislative Audit and Review Committee must review the effect of the exemptions on state agency performance in responding to requests for disclosure and report its findings to the Legislature no later than November 30, 2004.

Votes on Final Passage:

Senate	44	4
House	94	1 (House amended)

House 92 3 (House reconsidered)
Senate (Senate refused to concur)
House (House refused to recede)
Senate 38 11 (Senate concurred)

Effective: June 13, 2002