

# SENATE BILL REPORT

## SB 5327

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As Reported By Senate Committee On:  
Ways & Means, February 1, 2006

**Title:** An act relating to creating an office of privacy protection.

**Brief Description:** Creating an office of privacy protection.

**Sponsors:** Senators Fairley and Kohl-Welles.

**Brief History:**

**Committee Activity:** Financial Institutions, Housing & Consumer Protection: 1/26/05, 2/3/05, 2/10/05, 2/1/06 [DPS-WM, DNP, w/oRec].  
Ways & Means: 2/21/05, 2/22/05 [DP, DNP].  
Passed Senate: 3/8/05, 27-21.

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### SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, HOUSING & CONSUMER PROTECTION

**Majority Report:** That Substitute Senate Bill No. 5327 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Finkbeiner, Franklin, and Schmidt.

**Minority Report:** Do not pass.

Signed by Senators Benton, Ranking Minority Member and Keiser.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Brandland.

**Staff:** Joanne Conrad (786-7472)

**Background:** Due to increased concern regarding identity theft, online privacy, medical patient record privacy, misuse of social security numbers, and other consumer protection issues, the state of California in 2001 established an Office of Privacy Protection, within the California Department of Consumer Affairs.

The office acts as a clearinghouse by providing multi-lingual information to consumers regarding privacy issues, using a substantive website and a toll-free information hotline. The office assists persons with identity theft and other privacy-related concerns, coordinates with local, state and federal law enforcement on identity theft investigations, and recommends policies and practices to protect privacy rights.

**Summary of Substitute Bill:** An Office of Privacy Protection is established in the Attorney General's Office. The Office provides privacy information and performs the same types of services to consumers in Washington State as California's office does in that state. These services include: educating and informing the public, promoting arbitration and mediation,

facilitating fair information practices, receiving complaints, assisting in investigation, and training law enforcement agencies regarding identity theft and privacy crimes.

**Substitute Bill Compared to Original Bill:** The effective date is now January 1, 2007.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** January 1, 2007.

**Testimony For:** Steve Larsen, OAG, provided information on the unmet needs of ID theft victims, and fiscal information based upon the California model. Please note the AG has not taken an official position on this bill.

**Testimony Against:** None.

**Testimony Other:** Concerns are expressed regarding whether the AG's office is already doing an adequate job of privacy protection, and whether an Office of Privacy Protection could possibly place burdens on retailers.

**Who Testified:** PRO: Steve Larsen, OAG.

OTHER: Mark Johnson, WA Retailers.