

# SENATE BILL REPORT

## SB 5098

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As of January 24, 2011

**Title:** An act relating to exempting personal information of minors in parks and recreation programs from public inspection and copying.

**Brief Description:** Exempting personal information of minors in parks and recreation programs from public inspection and copying.

**Sponsors:** Senators Carrell and Chase.

**Brief History:**

**Committee Activity:** Government Operations, Tribal Relations & Elections: 1/24/11.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

**Staff:** Sharon Swanson (786-7447)

**Background:** The Public Records Act (PRA) requires that all state and local government agencies make all public records available for public inspection and copying unless they fall within certain statutory exemptions. The provisions requiring public records disclosure must be interpreted liberally while the exemptions are interpreted narrowly to effectuate the general policy favoring disclosure.

**Summary of Bill:** The personal information of persons under 18 years of age in a parks and recreation program is exempt from public inspection and copying under the Public Records Act.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

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

**Staff Summary of Public Testimony:** PRO: The concern behind this bill is that a city, running a parks and recreation program, has no authority to withhold personal information

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about a person under the age of 18 who participates in the parks and recreation program. The city can contact the parents but that may take time and can be inefficient. Parents then must seek an injunction to stop a noncustodial parent or a stalker from getting access to their children's personal information, including home address. Allowing the information to be exempt from disclosure protects the city and, more importantly, the children.

CON: If we start enumerating everyone who comes under this provision of law then we will need to enumerate all of them. This bill is unnecessary. Current law exempts personal information in any file maintained for students in public schools, patients or clients of public institutions. The current law covers the situation that this bill is attempting to address. Persons receiving services from a city park program are receiving services from a public institution and this qualifies.

**Persons Testifying:** PRO: Senator Carrell, prime sponsor; Rick Rosenblandt, City of Firecrest.

CON: Rowland Thompson, Allied Daily Newspapers; Greg Overstreet, Allied Law Group.