

SENATE BILL REPORT

HB 1203

As of March 28, 2013

Title: An act relating to exempting from public inspection and copying personal information relating to children.

Brief Description: Exempting personal information relating to children from public inspection and copying.

Sponsors: Representatives Farrell, Lytton, Kagi, Freeman, Walsh, Ryu, Reykdal, Morrell, Jinkins, Bergquist and Ormsby; by request of Department of Early Learning.

Brief History: Passed House: 2/18/13, 96-0.

Committee Activity: Human Services & Corrections: 3/14/13.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Joan Miller (786-7784)

Background: The Public Records Act requires state and local government agencies to make all public records available for public inspection and copying unless the records fall within a statutory exemption. In Washington, there is a general policy favoring disclosure.

Prior to July 1, 2006, the Department of Early Learning (DEL) existed within the Department of Social and Health Services (DSHS). During that time, personal information contained in child care and early learning records was protected under DSHS statutes regarding confidential records. When DEL became an independent agency, the confidentiality protections afforded to individuals whose personal information is documented in child care and early learning records became obsolete.

Summary of Bill: Personal information contained in DEL records for a child enrolled in licensed child care is not available for public examination or copying. The list of examples describing what constitutes personal information is deleted.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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

Staff Summary of Public Testimony: PRO: This is a simple bill that closes a loophole. Private and nonprofit providers are already exempt from public records requests, and this bill just makes sure that public providers are also exempt. This bill is about children's privacy and giving DEL the ability to redact children's names and identifying information in public records. We just want to make sure that our children's and families' information is kept private. Most newspapers do not publish identifying information about children, and therefore, the Allied Daily Newspapers of Washington supports this bill.

Persons Testifying: PRO: Representative Farrell, prime sponsor; Amy Blondin, DEL; Rowland Thompson, Allied Daily Newspapers of WA.