

SENATE BILL REPORT

SB 5198

As Passed Senate, February 25, 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: Senators Darneille, Dammeier, Harper, Billig and Roach; by request of Department of Early Learning.

Brief History:

Committee Activity: Human Services & Corrections: 2/05/13, 2/07/13 [DP].
Passed Senate: 2/25/13, 46-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Carrell, Chair; Pearson, Vice Chair; Darneille, Ranking Member; Baumgartner, Hargrove, Harper and Padden.

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.

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.

Appropriation: None.

Fiscal Note: Available.

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: Right now, DEL can redact children's names from records if the children are enrolled in a public or nonprofit program. We want to have the same ability for children who are in private licensed child care facilities, which is about 98 percent of the public records requests made to DEL.

Persons Testifying: PRO: Amy Blondin, DEL.