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## State Government Committee

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### HB 1349

**Brief Description:** Concerning requesting public records for the purpose of obtaining exempted information relating to employment and licensing.

**Sponsors:** Representative S. Hunt.

#### Brief Summary of Bill

- Prohibits a party from using the identity of an agency employee or volunteer to obtain personal information about such person that is exempted from disclosure under the Public Records Act.
- Creates a penalty of \$500 per item of exempted employee or volunteer personal information obtained in violation of this act.

**Hearing Date:** 2/12/15

**Staff:** Sean Flynn (786-7124).

#### Background:

The Public Records Act (PRA) requires state and local agencies to make their written records available to the public for inspection and copying upon request, unless the information fits into one of the various specific exemptions. The stated policy of the PRA favors disclosure and requires narrow application of the listed exemptions.

One exemption prohibits agencies from providing access to lists of persons that are requested for commercial purposes, unless otherwise specifically authorized by law. However, agencies must provide lists of licensees and applicants for professional licenses to the professional associations and educational organizations recognized by the respective licensing board.

Another exemption exists for certain employment and licensing information from public disclosure, including:

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- test question and scoring keys for licensing, academic, or employment examinations;
- materials submitted in applications for public employment;
- certain personal information in public employee personnel records and volunteer rosters;
- identifying information of an employee seeking advice or involving an ongoing investigation regarding discriminatory practices; and
- other specific exemptions regarding particular agencies.

The exempted personal information in employee personnel files and volunteer rosters includes residential addresses and telephone numbers, cell phone numbers, electronic mail addresses, social security numbers, driver's license and Identocard numbers, emergency contact information, and similar personal information of an employee's and volunteer's dependents.

**Summary of Bill:**

Anyone obtaining the identity of agency employees or volunteers may not use that information to obtain information under the employment and licensing exemption. An aggrieved party of such a violation may recover \$500 per item of exempt information improperly obtained, plus reasonable costs and attorneys' fees.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.