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## State Government Committee

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### HB 2663

**Brief Description:** Implementing sunshine committee recommendations to repeal obsolete exemptions to public disclosure provisions.

**Sponsors:** Representatives Springer and Kilduff.

#### Brief Summary of Bill

- Eliminates the exemption from public disclosure under the Public Records Act for certain records of defunct and inactive programs and reports.
- Repeals the prohibition on disclosure of records related to the purchase of alcohol by an individual.

**Hearing Date:** 1/28/16

**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 in the PRA, or otherwise provided in law. The stated policy of the PRA favors disclosure and requires narrow application of the listed exemptions.

Records of several defunct programs or reports with no ongoing activity are exempt from disclosure, including:

- railroad company contracts filed prior to 1991 with the Utilities and Transportation Commission;
- personal information filed with the Bureau of Statistics in the Office of the Secretary of State; and

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*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.*

- data collected by the Department of Social and Health Services for a 2004 report on the payment system for licensed boarding homes, except as compiled and reported to the Legislature.

Apart from the PRA, in 1933 the Legislature protected the confidentiality of all records showing the purchase of liquor by any individual and made the disclosure of such information a misdemeanor crime. The prohibition applied to the predecessor board of the Liquor and Cannabis Board.

**Summary of Bill:**

The exemption from public disclosure of records of certain defunct programs and reports is repealed, including: railroad company contracts filed prior to 1991 with the Utilities and Transportation Commission; personal information filed with the Bureau of Statistics; and data collected by the Department of Social and Health Services for a 2004 report on the payment system for licensed boarding homes. The prohibition from disclosure of records related to the purchase of alcohol by an individual is repealed.

**Appropriation:** None.

**Fiscal Note:** Available.

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