

# SENATE BILL REPORT

## SB 5396

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As Reported by Senate Committee On:  
Government Operations & Security, February 10, 2015

**Title:** An act relating to exempting information of guardians or family members of children enrolled in child care, early learning, parks and recreation, after-school, and youth development programs.

**Brief Description:** Exempting information of guardians or family members of children enrolled in child care, early learning, parks and recreation, after-school, and youth development programs.

**Sponsors:** Senators Roach, Liias, Benton, McCoy, Dammeier and Chase.

**Brief History:**

**Committee Activity:** Government Operations & Security: 1/29/15, 2/10/15 [DP].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member; Habib and McCoy.

**Staff:** Samuel Brown (786-7470)

**Background:** The Public Records Act (PRA), enacted in 1972 as part of Initiative 276, requires that all state and local government agencies make all public records available for public inspection and copying unless certain statutory exemptions apply. The provisions requiring public records disclosure must be interpreted liberally while the exemptions are interpreted narrowly to effectuate the general policy favoring disclosure.

The personal information of a child enrolled in licensed child care or a public or nonprofit program serving children, such as early learning or child care services, parks and recreation programs, youth development programs, and after-school programs is exempt from public disclosure and copying. Emergency contact information of children enrolled in such programs may be provided to appropriate medical personnel and authorities during emergency situations for the purpose of treating the child.

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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.*

**Summary of Bill:** The personal information of family members or guardians of a child enrolled in a licensed child care program or a public or nonprofit children's program is exempt from public disclosure and copying if disclosure of the family member or guardian's information would result in disclosure of the child's personal information and:

- the family member or guardian has the same last name as the child; or
- the family member or guardian resides at the same address as the child.

**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: This is closing a very small loophole in a bill previously enacted based on stalking and custody incidents to protect the identities of children when enrolled in these types of programs for their safety and protection. However, the bill left out the identities of parents and guardians where that could lead to the child's identity. We believe it was the Legislature's intention to protect the children enrolled in these programs. Two summers ago, three ten-year-old girls were involved in an incident with a 15-year-old camp counselor. When responding to a public records request from news media, we uncovered emails, which were not responsive to the request and not disclosed, that had parent and guardian names and phone numbers and would have led to the children involved.

**Persons Testifying:** PRO: Doug Levy, Carol Etgen, city of Fife.