

# SENATE BILL REPORT

## SB 5678

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As of February 9, 2015

**Title:** An act relating to requesting public records for the purpose of obtaining exempted information relating to employment and licensing.

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

**Sponsors:** Senators Pearson, Roach, Schoesler and Hobbs.

**Brief History:**

**Committee Activity:** Government Operations & Security: 2/10/15.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

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

**Background:** The Public Records Act, 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.

Certain employment and licensing information contained in the files of a public agency is exempt from public inspection and copying under the PRA, including the following:

- examination data used to administer a license, employment, or academic examination;
- applications for public employment including names of applicants, resumes, and other related materials submitted with respect to the applicant; and
- the residential addresses, phone numbers, email addresses, social security numbers, and emergency contact information of employees or volunteers of a public agency.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (Proposed Substitute):** The identity of employees or volunteers of a public agency may not be obtained through a public records request for the purpose of obtaining employment or licensing information about the employee or volunteer that is exempt from public disclosure. An aggrieved party must recover \$500 for each item of exempt employment or licensing information obtained resulting from disclosure of the

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employee or volunteer's identity in response to a public records request, plus costs and reasonable attorneys' fees.

Requesters obtaining the identity of employees or volunteers of a public agency through a public records request must swear an oath not to use that information for the purpose of obtaining information exempt from public disclosure for commercial purposes.

**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.