

# HOUSE BILL REPORT

## HB 1829

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### As Passed Legislature

**Title:** An act relating to the exemption from public disclosure of information regarding public and private computer and telecommunications networks.

**Brief Description:** Concerning the exemption from public disclosure of information regarding public and private computer and telecommunications networks.

**Sponsors:** Representatives Hudgins, Johnson, Goodman, Klippert, Smith, Dolan, Haler, Koster, Volz, Kraft, Irwin, Stanford, Tarleton, Muri, Ormsby and McBride.

#### **Brief History:**

##### **Committee Activity:**

State Government, Elections & Information Technology: 2/7/17, 2/8/17 [DP].

##### **Floor Activity:**

Passed House: 3/2/17, 98-0.

Passed Senate: 4/11/17, 49-0.

Passed Legislature.

#### **Brief Summary of Bill**

- Specifies that certain information regarding public and private computer and telecommunication networks is exempt from disclosure under the Public Records Act.

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### HOUSE COMMITTEE ON STATE GOVERNMENT, ELECTIONS & INFORMATION TECHNOLOGY

**Majority Report:** Do pass. Signed by 9 members: Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton, Gregerson, Irwin, Kraft and Pellicciotti.

**Staff:** Megan Palchak (786-7105).

#### **Background:**

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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.*

Under the Public Records Act (PRA), all state and local agencies must make public records available for public inspection and copying, unless a record falls within specific exemptions set forth in the PRA or other laws prohibiting the disclosure of specific information or records. For the purposes of the PRA, public records are any written information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. Provisions under the PRA requiring disclosure must be interpreted liberally, and exemptions must be narrowly construed to effectuate a general policy favoring disclosure.

Exemptions from disclosure under the PRA include records containing information regarding public safety and security. For example, information regarding the infrastructure and security of computer and telecommunications networks is exempt from public inspection and copying. Such information includes certain passwords, access codes, recovery plans, risk assessments, test results, and other information that, if released, may increase risk to agency security, information technology infrastructure, or assets.

**Summary of Bill:**

The Public Records Act (PRA) exemption regarding infrastructure and security of computer and telecommunication networks is modified. Information regarding both public and private networks is exempt from disclosure.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) Much critical infrastructure is privately owned. This bill will help public utilities and others work with the private sector in confidence.

(Opposed) None.

**Persons Testifying:** Ken Borchers, Washington Air National Guard; and Dave Arbaugh, Snohomish County Public Utility District.

**Persons Signed In To Testify But Not Testifying:** None.