

HOUSE BILL REPORT

ESHB 2029

As Reported by House Committee On: Judiciary

Title: An act relating to providing a referral resource for those seeking information and assistance for immigration and citizenship related matters.

Brief Description: Providing a referral resource for those seeking information and assistance for immigration and citizenship related matters.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Ortiz-Self, Ryu, Santos, Tarleton, Fey, Farrell, McBride, Wylie, Peterson, Kloba, Gregerson, Clibborn, Jinkins, Kagi, Bergquist, Ormsby, Hudgins, Stanford, Tharinger and Macri).

Brief History:

Committee Activity:

Judiciary: 2/14/18, 2/16/18 [DPS], 1/18/18 [DP2S].

Brief Summary of Second Substitute Bill

- Directs the Human Rights Commission, in consultation with others, to establish a toll-free telephone hotline and website with the capacity to refer callers and users to sources of information and assistance for victims of hate crimes or harassment due to their actual or perceived immigration, national origin, or citizenship related status.
- Provides that all information revealing the identity of persons or entities requesting information is exempt from public disclosure.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 11 members: Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Goodman, Haler, Hansen, Kirby, Muri, Orwall and Valdez.

Minority Report: Do not pass. Signed by 2 members: Representatives Klippert and Shea.

Staff: Cece Clynch (786-7195).

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.

Background:

Human Rights Commission.

The Washington State Human Rights Commission (Commission) consists of five members appointed by the Governor with the advice and consent of the Senate. The Commission is granted, under the Washington Law Against Discrimination (WLAD), powers with respect to the elimination and prevention of discrimination against certain protected classes, including national origin, in: employment; credit and insurance transactions; places of public resort, accommodation, or amusement; and real property transactions. Complaints of discrimination under the WLAD may be filed with the Commission.

The Commission is also charged, among other things, with:

- issuing publications and research as in its judgment will tend to promote good will and minimize or eliminate discrimination on the basis of a protected class;
- making technical studies as are appropriate to effectuate the purposes and policies of the WLAD and publishing and distributing these reports; and
- fostering good relations between minority and majority population groups of the state through seminars, conferences, educational programs, and other intergroup relations activities.

Citizenship and Immigration.

The federal government has jurisdiction over the terms and conditions for immigrants to reside in the United States (U.S.). Noncitizen immigrants living permanently in the U.S. have "immigrant status," and noncitizens who enter or stay in the U.S. on a temporary basis have "nonimmigrant status." Naturalization is the way that a person not born in the U.S. voluntarily becomes a U.S. citizen.

Public Records Act.

The Public Records Act (PRA) requires state and local agencies to make all public records available for public inspection and copying, unless a record falls within an exemption in the PRA or another statute that exempts or prohibits disclosure of specific information or records. To the extent required to prevent an unreasonable invasion of personal privacy interests, an agency must delete identifying details when it makes a public record available. A person's right to privacy is violated only if disclosure would be highly offensive to a reasonable person and is not of legitimate concern to the public. The PRA is liberally construed and its exemptions narrowly construed. If the PRA conflicts with any other law, the provisions of the PRA govern.

Summary of Second Substitute Bill:

The Human Rights Commission (Commission) must establish a toll-free telephone hotline and a website with the capacity to refer callers and users to sources of information and assistance for victims of hate crimes or harassment due to their actual or perceived immigration, national origin, or citizenship-related status. In doing so, the Commission must consult with relevant state agencies and individuals or groups having experience and knowledge of immigration law and the provision of immigration and citizenship-related

assistance, including those with experience providing culturally appropriate services to populations that have traditionally been underserved or unserved. Before including a source on the website, the Commission must ask the source whether it wants to be included, and adhere to that preference.

An exemption is made in the Public Records Act for all information revealing the identity of any person or entity requesting information or assistance via the Commission's hotline or website. Identifying information includes the person's or entity's name, address, phone number or other contact information, location, national origin or religion, and immigration or citizenship status.

Beginning December 1, 2018, and annually thereafter, the Commission must report to the Legislature and the Governor regarding: the name of every source to which a caller or user was referred; the total number of calls and inquiries; and the total number of referrals to all sources combined.

Second Substitute Bill Compared to Engrossed Substitute Bill:

The date on which the Commission report is due is changed from December 1, 2017, to December 1, 2018.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

See House Bill Report in the 2017 Legislative Session.

Persons Testifying:

See House Bill Report in the 2017 Legislative Session.

Persons Signed In To Testify But Not Testifying:

See House Bill Report in the 2017 Legislative Session.