

HOUSE BILL REPORT

SSB 5207

As Reported by House Committee On:
State Government, Elections & Information Technology

Title: An act relating to the public disclosure of global positioning system data corresponding to residential addresses of public employees and volunteers.

Brief Description: Concerning the public disclosure of global positioning system data corresponding to residential addresses of public employees and volunteers.

Sponsors: Senate Committee on State Government (originally sponsored by Senators Kuderer, Miloscia, Frockt, Zeiger, Hobbs, Keiser, Chase and Hunt; by request of Department of Enterprise Services).

Brief History:

Committee Activity:

State Government, Elections & Information Technology: 3/14/17, 3/22/17 [DP].

Brief Summary of Substitute Bill

- Exempts global positioning data from public disclosure to the extent it indicates the residence of the public employee or volunteer using the global positioning system device.

HOUSE COMMITTEE ON STATE GOVERNMENT, ELECTIONS & INFORMATION TECHNOLOGY

Majority Report: Do pass. Signed by 8 members: Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Appleton, Gregerson, Irwin, Kraft and Pellicciotti.

Minority Report: Do not pass. Signed by 1 member: Representative Volz, Assistant Ranking Minority Member.

Staff: Sean Flynn (786-7124).

Background:

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.

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.

Public Employee Records. There are several exemptions related to the personal information of public workers. One category exempts private information of public employees, appointees, and elected officials to the extent that disclosure would be highly offensive to a reasonable person and is not of legitimate public concern.

Another exemption category protects certain personal information in public employee personnel records from disclosure. Such information includes, residential and email addresses, telephone numbers, social security and driver's license numbers, and emergency contact information.

Other exemptions protect the personal information of certain groups of public workers and other individuals. For example, global positioning system (GPS) data is exempt from disclosure to the extent it could reveal the residence of a criminal justice agency employee.

Summary of Bill:

Global positioning system data from a device used by a public employee or volunteer is exempt from disclosure to the extent it would indicate the residence of the public employee or volunteer.

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) The privacy of employee's personal residence is already protected. This is not an expansion of exempted information, but ensures the protection from disclosure for private location information included in GPS data that should already be protected.

(Opposed) The protections in the bill are too narrow and do not protect privacy interests because the GPS devices will still reveal sensitive information that is not exempt from disclosure. The exemption should protect all location-based privacy data collected from individual vehicle use.

Persons Testifying: (In support) Harold Goldes, Department of Enterprise Services.

(Opposed) Elisabeth Smith, American Civil Liberties Union of Washington.

Persons Signed In To Testify But Not Testifying: None.