

FINAL BILL REPORT

SB 6025

C 239 L 19
Synopsis as Enacted

Brief Description: Concerning bump-fire stock buy-back program records.

Sponsors: Senators Honeyford, Takko, Padden, Hobbs, Schoesler, Becker, Fortunato, Wilson, L., King, Zeiger, Short, Ericksen, Wagoner, Brown, Holy, Warnick, Braun, Sheldon and Conway.

Background: Public Records Act (PRA). The 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. Over 500 specific references in the PRA or other statutes remove certain information from application of the PRA, provide exceptions to the public disclosure and copying of certain information, or designate certain information as confidential. The provisions requiring public records disclosure must be interpreted liberally while the exemptions are interpreted narrowly to effectuate the general policy favoring disclosure.

Certain types of personal information are exempt from the PRA's public disclosure requirements. A general category of exemptions for personal information includes childcare enrollment, public employees and officials, tax assessments, personal financial information, driver's license records, vehicle license information associated with certain agency conducting investigations, 911 emergency systems data, selective service declination, and claims to the Board of Industrial Insurance Appeals.

Bump-Fire Stock Buy-Back Program. A bump-fire stock is defined as a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable with the semiautomatic firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger. As of July 1, 2018, it is unlawful for any person to manufacture or sell any bump-fire stock. By July 1, 2019, it will be unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in their possession or control a bump-fire stock or to assemble or repair any bump-fire stock.

A buy-back program was established in the Washington State Patrol (WSP) to allow a person possessing a bump-fire stock to relinquish up to five devices in exchange for \$150 per device. In March 2019, 1000 bump-fire stock devices were relinquished to WSP by 324

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individuals. Subsequently, WSP received two requests for public records regarding participants in the bump-fire stock buy-back program. A temporary restraining order enjoined disclosure in both cases. A federal lawsuit was filed on April 26, 2019, to permanently enjoin disclosure of participants in the bump-fire stock buy-back program.

Summary: The names, addresses, and any personal information of individuals who participated in the bump-fire stock buy-back program are exempt from public disclosure requirements. This exemption applies to any request for which disclosure of records has not already occurred.

Votes on Final Passage:

Senate	39	7	
House	97	1	(House amended)
Senate	44	4	(Senate concurred)

Effective: April 30, 2019
July 1, 2019 (Section 2)