

SENATE BILL REPORT

SB 6431

As of January 30, 2020

Title: An act relating to exempting personal demographic details of state employees from public disclosure.

Brief Description: Exempting personal demographic details of state employees from public disclosure.

Sponsors: Senators Hunt and Das; by request of Office of Financial Management.

Brief History:

Committee Activity: State Government, Tribal Relations & Elections: 1/31/20.

Brief Summary of Bill

- Exempts race or ethnicity, sexual orientation, national origin, or disability status information voluntarily submitted to state agencies which is not in deidentified or aggregated format from public disclosure requirements.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Staff: Samuel Brown (786-7470)

Background: Public Records Act. The Public Records Act (PRA), enacted in 1972 as part of Initiative 276, requires that all state and local government agencies and educational institutions 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.

Employment and Licensing Records. Various types of public employee personal information are exempt from the PRA's disclosure requirements. This category of exemptions covers residential and email addresses, telephone numbers, social security and driver's license

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numbers, and emergency contact information of public employees and their dependents. Other records exempted from the disclosure requirements include applications for public employment, information concerning employees seeking informal advice regarding a possible workplace discrimination claim, and records compiled by an agency during an active investigation into an allegation of discrimination or harassment.

Summary of Bill: Information voluntarily submitted to a state agency or higher education institution that identifies an individual's race or ethnicity, sexual orientation, national origin, or disability status is exempt from the PRA's disclosure requirements. The exemption does not apply to deidentified or aggregated information.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.