

SENATE BILL REPORT

HB 1221

As Passed Senate, April 12, 2023

Title: An act relating to the privacy of lottery players.

Brief Description: Concerning the privacy of lottery players.

Sponsors: Representatives Stearns, Kloba, Ramel, Goodman and Morgan; by request of Lottery Commission.

Brief History: Passed House: 2/28/23, 97-0.

Committee Activity: State Government & Elections: 3/10/23, 3/17/23 [DP].

Floor Activity: Passed Senate: 4/12/23, 48-0.

Brief Summary of Bill

- Exempts a lottery player's personal and financial information, except for name and city or town of residence, from public disclosure requirements without the player's written permission.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: Do pass.

Signed by Senators Hunt, Chair; Valdez, Vice Chair; Wilson, J., Ranking Member; Dozier, Fortunato, Hasegawa and Kuderer.

Staff: Samuel Brown (786-7470)

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

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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.

Personal and Financial Information. Except when disclosure is expressly required by law, credit or debit card numbers, electronic check numbers, and card expiration dates are exempt from disclosure requirements under the PRA. Additionally, the following types of bank or financial information is exempt from disclosure requirements:

- account numbers and balances;
- transactional information concerning an account;
- codes and passwords;
- social security numbers and tax identification numbers;
- numbers from driver's licenses, learner's permits, and state identification cards issued by the Department of Licensing; and
- other information held for the purpose of account access or transaction initiation.

Washington State Lottery. Lottery products are administered by Washington's Lottery (State Lottery), a public agency established in 1982. Through the administration of lottery products, the State Lottery and its contracted vendors receive a variety of information on players, such as residential address, email address, phone number, and date of birth. Most information about winners of lottery games is retained for six years after the transaction or final payment of winnings.

Summary of Bill: All personal and financial information of lottery players, except for the player's name and city or town of residence, received or maintained by the State Lottery or any contracted vendor is exempt from public disclosure requirements unless the player provides written permission.

Appropriation: None.

Fiscal Note: Available.

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

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

Staff Summary of Public Testimony: PRO: The bill is designed to help protect the privacy of people who play and win the lottery. The PRA doesn't address the Lottery specifically, so we use a mishmash of other statues to protect us and our players, leaving things open to interpretation. This codifies current practice in a clear fashion to ensure that people who want to get player information for nefarious reasons do not obtain it.

Persons Testifying: PRO: Representative Chris Stearns, Prime Sponsor; Kristi Weeks, Washington's Lottery.

Persons Signed In To Testify But Not Testifying: No one.