

SENATE BILL REPORT

SB 5432

As Reported by Senate Committee On:
State Government & Elections, February 3, 2023

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

Brief Description: Concerning the privacy of lottery players.

Sponsors: Senators Hunt, Kuderer, Shewmake, Stanford, Van De Wege and Wilson, C.; by request of Lottery Commission.

Brief History:

Committee Activity: State Government & Elections: 1/27/23, 2/03/23 [DP].

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 information, or designate certain information as confidential. The provisions requiring

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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: 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.

Staff Summary of Public Testimony: PRO: With a growing number of public records requests, we need to be diligent about protecting our residents' personal information. Lottery winners can be targeted for scams. We collect significant amounts of information about our winners, including banking information for players collecting prizes over a span of multiple years. Exemptions in current law are scattered, unclear, and subject to interpretation. This will make exemptions easy to apply, removing uncertainty and risk while maintaining current practices, and not making operations any less transparent.

Persons Testifying: PRO: Senator Sam Hunt, Prime Sponsor; Kristi Weeks, Washington's

Lottery.

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