

SENATE BILL REPORT

HB 2790

As Reported By Senate Committee On:
Government Operations, February 23, 1996

Title: An act relating to distribution of certain governmental lists and information.

Brief Description: Authorizing the distribution of certain governmental lists of public information to private companies for use by federal, state or local governments.

Sponsors: Representatives Dyer, Hymes, Scott, Wolfe, Honeyford, D. Schmidt and B. Thomas.

Brief History:

Committee Activity: Government Operations: 2/20/96, 2/23/96 [DPA].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Goings, Hale, Heavey, McCaslin and Winsley.

Staff: Katie Healy (786-7403)

Background: The state Public Disclosure Act deals with information public agencies must make available to the public. Certain records are exempt from public disclosure.

The Department of Licensing is authorized to provide lists of registered and legal owners of motor vehicles to: (1) manufacturers of motor vehicles regarding safety-related defects; (2) any governmental agencies of the United States and Canada, or their political subdivisions, regarding enforcement of motor vehicle or traffic laws; and (3) businesses that make loans to other persons to finance the purchase of motor vehicles.

The Department of Revenue may not give, sell, or provide access to any list of taxpayers for any commercial purpose.

Summary of Amended Bill: A state agency is authorized to furnish lists of public information to private companies that provide on-line computer data base services with data bases consisting primarily of public records. The state agency can provide information that is made available only to other federal, state, or local government agencies, including law enforcement agencies. The state agency must obtain a written agreement that the lists will be provided only to federal, state, or local government agencies solely for law enforcement or governmental purposes.

The Department of Licensing (DOL) may furnish lists of registered and legal owners of motor vehicles to private companies that provide on-line computer data base services to federal, state, and local agencies for law enforcement or government purposes. DOL must

obtain a written agreement that the lists will be provided only to persons authorized to receive the information.

The Department of Revenue (DOR) may furnish lists of taxpayer names, entity types, business addresses, mailing addresses, revenue tax registration numbers, a taxpayer's standard industrial classification code, and dates of opening and closing of a business to companies that provide on-line computer data base services. DOR must obtain a written agreement that the lists will be provided only to federal, state, or local governments solely for law enforcement or governmental purposes. The provisions of this legislation may be enforced by the Attorney General's Office under the Consumer Protection Act.

Amended Bill Compared to Original Bill: The striking amendment adds in the protection of the Consumer Protection Act. If the agreements to provide the information for governmental or law enforcement purposes only are violated, the Attorney General's Office may seek recourse pursuant to the Consumer Protection Act.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: State agencies may sell their lists. This is not a privacy issue, as no one can get information which would not be available from the state agencies. This is only for public access, not for credit information, or selling of mailing lists. This increases efficiencies and benefits the state by allowing tax discovery and recovery, location of people and assets (i.e., "deadbeat" parents), and fraud recovery. This clarifies the access of public records to law enforcement and government agencies. This is a helpful tool to collect revenues from out-of-state. The private companies pay for the lists.

Testimony Against: None.

Testified: Sharon Foster, Frank Barden, Commercial Information Systems (pro); Rick Jensen, WA State Patrol Troopers Assn. (pro); Ryan Spiller, DOR (pro).