

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1647

54th Legislature
1996 Regular Session

Passed by the House January 26, 1996
Yeas 96 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate February 28, 1996
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1647** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1647

Passed Legislature - 1996 Regular Session

State of Washington

54th Legislature

1995 Regular Session

By Representatives Goldsmith, Romero and Lisk; by request of Employment Security Department

Read first time 02/02/95. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to the authority of the employment security
2 department to share data; amending RCW 50.13.080; creating new
3 sections; prescribing penalties; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that the employment
6 security department needs to protect confidential data while improving
7 services to the public. It is the intent of the legislature that the
8 department provide confidential data to persons or organizations for
9 very limited purposes under contract, when a determination is made that
10 the quality and efficiencies of services consistent with Title 50 RCW
11 will be improved.

12 **Sec. 2.** RCW 50.13.080 and 1977 ex.s. c 153 s 8 are each amended to
13 read as follows:

14 (1) The employment security department shall have the right to
15 disclose information or records deemed private and confidential under
16 this chapter to any ((private)) person or organization when such
17 disclosure is necessary to permit ((private)) contracting parties to
18 assist in the operation and management of the department in instances

1 where certain departmental functions may be delegated to ((private))
2 parties to increase the department's efficiency or quality of service
3 to the public. The ((private)) persons or organizations shall use the
4 information or records solely for the purpose for which the information
5 was disclosed and shall be bound by the same rules of privacy and
6 confidentiality as employment security department employees. ((Nothing
7 in)) This subsection shall not be construed as giving authority to the
8 department to give, sell, or provide access to any confidential data
9 for any commercial purpose, nor shall this section ((shall)) be
10 construed as limiting or restricting the effect of RCW 42.17.260((+5))
11 (9).

12 (2) The misuse or unauthorized release of records or information
13 deemed private and confidential under this chapter by any ((private))
14 person or organization to which access is permitted by this section
15 shall subject the person or organization to a civil penalty of five
16 ((hundred)) thousand dollars and other applicable sanctions under state
17 and federal law. Suit to enforce this section shall be brought by the
18 attorney general and the amount of any penalties collected shall be
19 paid into the employment security department administrative contingency
20 fund. The attorney general may recover reasonable attorneys' fees for
21 any action brought to enforce this section.

22 NEW SECTION. Sec. 3. If any part of this act is found to be in
23 conflict with federal requirements that are a prescribed condition to
24 the allocation of federal funds to the state or the eligibility of
25 employers in this state for federal unemployment tax credits, the
26 conflicting part of this act is hereby declared to be inoperative
27 solely to the extent of the conflict, and such finding or determination
28 shall not affect the operation of the remainder of this act. The rules
29 under this act shall meet federal requirements that are a necessary
30 condition to the receipt of federal funds by the state or the granting
31 of federal unemployment tax credits to employers in this state.

32 NEW SECTION. Sec. 4. This act shall take effect July 1, 1996.

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