
State Government Committee

HB 3046

Brief Description: Protecting public employee personal information.

Sponsors: Representatives Carrell, Armstrong, Haigh, Miloscia, Nixon, Kirby and Bush.

Brief Summary of Bill

- Exempts from public disclosure the social security numbers and emergency contact information of public agency employees and volunteers, as well as the names, dates of birth, residential addresses, residential telephone numbers, social security numbers, and emergency contact information of dependents of those employees and volunteers.

Hearing Date: 2/5/04

Staff: Katie Blinn (786-7114).

Background:

The Public Disclosure Act (PDA) requires agencies to make available for public inspection and copying all public records unless the information falls within a specific exemption. The exemptions to the PDA are narrowly construed to promote a public policy of keeping the public informed. Exemptions are specific, and generally focus on personal privacy, personal safety, or vital governmental interests. Current exemptions include:

- Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy;
- The residential addresses and residential telephone numbers of employees or volunteers of a public agency which are held by any public agency in personnel records, public employment related records, volunteer rosters, or mailing lists of employees or volunteers; and
- Applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

A person's right to privacy is only violated if disclosure of the requested information would be considered highly offensive to a reasonable person, *and* the information is not of legitimate concern to the public. This privacy provision does not create an additional "privacy" exemption, but simply clarifies the extent of those exemptions, such as the first one listed above, that include a privacy provision.

Summary of Bill:

The current exemption that exempts the residential addresses and phone numbers of public employees and volunteers is expanded to include:

- the social security numbers and emergency contact information of employees and volunteers; and
- the names, dates of birth, residential addresses, residential telephone numbers, social security numbers, and emergency contact information of dependents of employees and volunteers.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.