
SENATE BILL 6091

State of Washington

62nd Legislature

2012 Regular Session

By Senator Honeyford

Read first time 01/11/12. Referred to Committee on Ways & Means.

1 AN ACT Relating to the maintenance of privacy standards by
2 eliminating the department of revenues' authorization to examine
3 medical records; and amending RCW 82.32.110.

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

5 **Sec. 1.** RCW 82.32.110 and 1989 c 373 s 27 are each amended to read
6 as follows:

7 (1) The department of revenue or its duly authorized agent may
8 examine any books, papers, records (excluding medical records), or
9 other data, or stock of merchandise bearing upon the amount of any tax
10 payable or upon the correctness of any return, or for the purpose of
11 making a return where none has been made, or in order to ascertain
12 whether a return should be made; and may require the attendance of any
13 person at a time and place fixed in a summons served by any sheriff in
14 the same manner as a subpoena is served in a civil case, or served in
15 like manner by an agent of the department of revenue.

16 (2) The persons summoned may be required to testify and produce any
17 books, papers, records (excluding medical records), or data required by
18 the department with respect to any tax, or the liability of any person
19 therefor.

1 (3) The director of the department of revenue, or any duly
2 authorized agent thereof, (~~shall have~~) has power to administer an
3 oath to the person required to testify; and any person giving false
4 testimony after the administration of such oath (~~shall be~~) is guilty
5 of perjury in the first degree.

6 (4) If any person summoned as a witness before the department, or
7 its authorized agent, fails or refuses to obey the summons, or refuses
8 to testify or answer any material questions, or to produce any book,
9 record (excluding medical records), paper, or data when required to do
10 so, the person is subject to proceedings for contempt, and the
11 department (~~shall thereupon~~) must institute contempt of court
12 proceedings in the superior court of Thurston county or of the county
13 in which such person resides.

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