



Administrative Policy and Procedure City of Bonney Lake, Washington

SUBJECT: Disclosure Of Public Records		
Policy No. 100.305	Pages: 47	Developed By: S. Schaneman
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1 PURPOSE

The purpose of this chapter is to establish the procedures the City of Bonney Lake will follow to provide full access to public records. These guidelines establish processes for persons wishing to request access to public records of the city, and for the staff processing the records. These processes allow the City of Bonney Lake staff to efficiently assist members of the public in obtaining such access.

2 ORGANIZATIONS AFFECTED

All departments of the City of Bonney Lake are affected except for the Municipal Court.

3 REFERENCES

Public Records Act – [Revised Code of Washington Chapter 42.56](#);
 Public Records Act-Model Rules – [Washington Administrative Code Chapter 44-14](#);
 Bonney Lake Resolutions 792, 2770, and 2774;
[Washington State Local Government Common Records Retention Schedule](#) (CORE).

4 DEFINITIONS

- 4.1 City.** City means, for purposes of this policy, the City of Bonney Lake and all of its departments except for the Municipal Court.
- 4.2 Department Records Coordinator.** Department Records Coordinator is the person(s) responsible for coordinating, retrieving, and copying records for disclosure requests in each department.
- 4.3 Public Record.** Public Records includes any documents containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the city regardless of physical form or characteristics. This definition does not include records that are not otherwise required to be retained by the city and are held by volunteers who do not serve in an administrative capacity, have not been appointed by the city to a board, commission, or internship, and do not have a supervisory role or delegated city authority.
- 4.4 Police Records Designee.** Police Records Designee is the person responsible for compliance with the Public Records Act for records of the Police Department.

- 4.5 Public Records Officer.** Public Records Officer is the designated employee with overall responsibility for compliance with the Public Records Act for the City.
- 4.6 Routine Requests.** Routine Requests are for records readily at hand, which are not subject to exclusion or exemption, and which can normally be presented for review, and provided easily to the requester.
- 4.7 Writing.** Writing means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.
- 4.8 Fulllest Assistance.** Fulllest assistance means devoting sufficient staff time to processing records requests, consistent with the act's requirement that fulfilling requests should not be an "excessive interference" with the agency's "other essential functions."

5 RESPONSIBILITIES

- 5.1** The City Clerk is designated as the Public Records Officer for the City of Bonney Lake. Except for the Police Department and the Municipal Court, the City Clerk shall serve as the point of contact for the public in requesting disclosure of public records from the City. The Public Records Officer shall generally oversee the City's compliance with the disclosure requirements of the Public Records Act. Adequate notice of contact information for the public shall be maintained by the City including in the City Clerk's Office and on the City's web site.
- 5.2** With the exception of the Police Department and the Municipal Court, all City departments affected by this policy shall transmit a copy of the public records request and its response to the City Clerk's office, who shall maintain them according to State public records retention requirements. The Police Department shall maintain copies of records requests and responses handled by the Police Department according to State public records retention requirements.
- 5.3** Departments shall designate a department records coordinator with the concurrence of the Public Records Officer. This staff person may also serve on the City's Records Committee.
- 5.4** The Police Department is subject to the Public Records Act with respect to disclosure of police public records. To the extent requests for disclosure of public records maintained by the Police Department are subject to the Public Records Act, the Police Department shall comply with this policy. The Police Department may establish additional or alternate procedures, if they do not conflict with this policy or the Public Records Act.
- 5.5** Court files and Judges' files are not subject to the Public Records Act. These rules do not address access to court records.

6 STATEMENTS OF POLICY AND PROCEDURE

- 6.1 Authority And Purpose.**
[RCW 42.56.070\(1\)](#) requires each agency to make available for inspection and copying nonexempt "public records" in accordance with published rules. [RCW 42.56.070\(2\)](#) requires each agency to set forth "for informational purposes" every law, in addition to

the Public Records Act, that exempts or prohibits the disclosure of public records held by that agency. In addition, the Public Records Act requires that the City adopt and enforce reasonable rules and regulations to provide full public access to public records, protect public records from damage or disorganization, and prevent excessive interference with other essential functions of the City. In carrying out its responsibilities the City will be guided by the provisions of the Public Records Act, and the model rules found in the Washington Administrative Code (WAC) starting at [WAC 44-14-00001](#).

6.2 Agency Description - Contact Information - Public Records Officer.

6.2.1 The City of Bonney Lake is a municipal corporation. The City's central office is located at 9002 Main Street E, Bonney Lake, WA 98391. The City has additional offices at 18421 Veterans Memorial Dr E (Police), 21719 96th St E, Buckley, 98321 (Public Services), 19304 Bonney Lake Blvd (Senior Center), and 15206 Daffodil St Ct E, Sumner, WA 98390 (Recreation Program).

6.2.2 Any person wishing to request access to public records of the City, or seeking assistance in making such a request, should contact the public records officer:

- Mail/In person: City of Bonney Lake Public Records Officer
9002 Main St E, Suite 300
Bonney Lake, WA 98391
Phone: 253-862-8602
Email: publicdisclosure@cobl.us

When requesting Police Department records, requesters may contact the Police Records Designee directly:

- Mail/In person: Bonney Lake Police Department Disclosure Officer
18421 Veterans Memorial Drive
Bonney Lake, WA 98391
Fax: 253-863-2661
Email: PDrecords@cobl.us

When requesting Municipal Court records, requesters may contact the Municipal Court Records Designee directly:

- Mail/In person: Municipal Court Disclosure Officer
9002 Main St E, Suite 100
Bonney Lake, WA 98391
Fax: 253-862-6606
Email: courtadmin@cobl.us

Information is also available at the City of Bonney Lake's website at www.cobl.us.

6.2.3 The Public Records Officer and Police Records Designee shall work together to ensure that requests are routed to the appropriate City departments for handling. Information on requesting public records is also available on the City's web site at www.cobl.us.

6.2.4 While The Public Records Officer and Police Records Designee oversee compliance with the Public Records Act, other staff members may process requests and correspond with requestors. All staff assigned responsibility to respond to records requests shall comply with the Public Records Act. City staff will:

6.2.4.1 Provide the "fullest assistance" to requestors;

- 6.2.4.2 Work to protect public records from damage or disorganization; and
- 6.2.4.3 Coordinate fulfilling public records requests such that providing access does not unreasonably disrupt the operations of the City

6.3 Availability of Public Records.

- 6.3.1 **Hours for inspection of records.** Public records are available for inspection and copying during normal business hours of the City, typically Monday through Friday, 8:30 a.m. to 5:00 p.m., excluding observed holidays. Records must be inspected at the office of the City Clerk. Many public records are also available for inspection, download and copying on the City's web site at any time and no cost. Due to processing time, copies of maps and plans will generally not be available the same day as the inspection of records occurs.
- 6.3.2 **Records Index.** The City finds that maintaining an index providing identifying information as to records issued, adopted, or promulgated by the City is unduly burdensome and would interfere with agency operations. This requirement would unduly burden or interfere with the City of Bonney Lake's operations in the following ways: the magnitude and diversity of eight City departments, with an even greater number of divisions/subdivisions, has resulted in the creation and use of as many different computer systems. The diversity in programs and information-retaining systems would be extremely difficult, if not physically impossible, to compile into a single index. The performance of the City's overall mission does not allow for the addition to, or the revision or reassignment of duties for existing personnel so that a current index may be developed and maintained without additionally required staff, and anticipated City revenue does not allow for additional staff members for the sole purpose of creating and maintaining such an all-inclusive index.
- 6.3.3 **Organization of Records.** The City will maintain its records in a reasonably organized manner. The City will take reasonable actions to protect records from damage and disorganization. The City will retain its records based on the State of Washington's records retention schedules. The City will regularly destroy records identified in the retention schedules as not having long-term archiving value.
 - 6.3.3.1 A requestor shall not take City records from City offices without the permission of the Public Records Officer or Police Records Designee. A variety of records is available on the City web site at www.cobl.us and the Digital State Archives Website. Requestors are encouraged to view the documents available on the web site prior to submitting a records request.
 - 6.3.3.2 The City will retain all records which have been requested as part of a public records request until the records request has been completed and the record requires no further retention based on the applicable records retention schedule.
- 6.3.4 City employees and officials who create or store public records with any retention value on personal laptops, home computers, personal smart phones, personal email accounts, or any other personal electronic device or account should regularly transfer copies of the documents to City servers. City employees and officials creating and/or storing city-business related records, including email, on their personal devices or accounts are hereby made aware

that such records are subject to public disclosure. Employees or officials may be required to thoroughly search all personal devices and accounts, provide all public records contained thereon to the City, and attest as to the nature and extent of his or her search for and production of responsive public records. The attestation must include a description of all materials not provided with sufficient facts to show those materials are personal in nature and not public records. Prior to separating from the City, employees are required to transfer all public records within their possession to the City for retention in accordance to Washington law.

- 6.3.5** The City is not required to retain every record it has ever created or used. The state and local records committees approve a general retention schedule for state and local agencies that applies to records that are common to most agencies. Individual agencies seek approval from the state or local records committee for retention schedules that are specific to their agency, or that, because of particular needs of the agency, must be kept longer than provided in the general records retention schedule. The retention schedules for state and local agencies are available on the Washington Secretary of State's website.
- 6.3.6** The City has a retention policy in which employees save retainable records and delete non retainable records. The lawful destruction of public records is governed by retention schedules.
- 6.3.7** An agency is prohibited from destroying a public record, even if it is about to be lawfully destroyed under a retention schedule, if a public records request has been made for that record. Additional retention requirements might apply if the records may be relevant to actual or anticipated litigation. The agency is required to retain the record until the record request has been resolved.
- 6.3.8** **Nonliability for Disclosure.** [RCW 42.56.060](#) provides: "No public agency, public official, public employee, or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon the release of a public record if the public agency, public official, public employee, or custodian acted in good faith in attempting to comply" with the Public Records Act.
- 6.3.9** **Making A Request For Public Records.**
 - 6.3.9.1** City staff may determine by department when and which requests constitute routine requests. Requests handled as routine do not require a written public records request. Routine requests include requests for records typically available in paper format or on the City website such as adopted Ordinances, Resolutions or minutes; other published documents of the City, such as the City's budget or comprehensive plans; building permit or plat application forms, public notices, etc. City staff may answer routine requests by providing an electronic link. Records requiring a search by City staff should be submitted in written format and should not be handled as routine. The fee schedule for copies will apply to routine requests.
 - 6.3.9.2** Except for routine requests, any person wishing to inspect or copy public records of the City should make the request in writing on the City's Public Disclosure Request Form or by letter, delivery, or email addressed to the public records officer.

- 6.3.9.3** All police and municipal court records need to be requested using the request forms from each specific department. These forms are available on the City’s website. See 6.2.2 of this Policy for addresses and other contact information, including the following information.
- Name of requestor;
 - Mailing address of requestor;
 - Other contact information, including telephone number and any email address;
 - A description of the public records sought, which is sufficiently detailed to enable the Public Records Officer or Police Records Designee to identify and locate the records; and
 - The date and time of day of the request.
- 6.3.9.4** If the requestor wishes to have copies of the records made instead of simply inspecting them, they should indicate and arrange to pay for copies of the records or any required deposit and/or postage to mail such records. The City will assess fees for providing copies of public records pursuant to the fee schedule adopted by Resolution # for the City Clerk’s Office or Police Department. Charges for copies are provided in a fee schedule available at the Offices of the City Clerk and Police Department and online at www.cobl.us.
- 6.3.9.5** A form is available for use by requestors in person at the City Clerk’s Office or Police Department or online at www.cobl.us. Oral requests are accepted but are problematic because an oral request does not memorialize the exact records sought after, therefore, prevents a requestor or agency from later proving what was included in the request. In addition, a requestor must provide the agency with reasonable notice that the request is for the disclosure of public records, and oral requests, especially to agency staff other than the public records officer, may not provide the agency with the required reasonable notice. Therefore, requestors are encouraged to provide written requests. If the city receives an oral request, the City staff person receiving it should immediately reduce it to writing and then verify in writing with the requestor that it correctly memorializes the request.
- 6.3.9.6** If requestors refuse to identify themselves or provide sufficient contact information, the City will respond to the extent feasible and consistent with the Public Records Act.

6.4 Obligations of Requestors.

- 6.4.1 Reasonable Notice that Request is for Public Records.** A requestor must give an agency reasonable notice that the request is being made pursuant to the Public Records Act.
- 6.4.2 Identifiable Record.** A requestor must request an “identifiable record” or “class of records” before an agency must respond to it. An “identifiable record” is one that agency staff can reasonably locate. Public record requests are not interrogatories. An agency is not required to conduct legal research for a requestor. When an agency receives a request for records “relating to” or similar request, it should seek clarification of the request from the requestor.

- 6.4.3 “Overbroad” Requests.** An agency cannot deny a request for identifiable public records based solely on the basis that the request is overbroad. However, if such a request is not for identifiable records or otherwise is not proper, the request can still be denied. A request for all or substantially all records prepared, owned, used, or retained by the City is not a valid request for identifiable records and may be denied. A request for all records regarding a particular topic or containing a particular keyword is a valid request.
- 6.4.4 “Bot” Requests.** The City may deny a bot request that is one of multiple requests from the same requestor to the City within a 24-hour period if the City establishes that responding to the multiple requests would cause excessive interference with other essential functions of the City. For purposes of this subsection, “bot request” means a request for public records that the City reasonably believes was automatically generated by a computer program or script.
- 6.4.5 Documenting Compliance.** The City may number-stamp or number-label paper records provided to a requestor to document which records were provided. The City may also keep a copy of the numbered records so either the agency or requestor can later determine which records were or were not provided. If memorializing which specific documents were offered for inspection is impractical, the City may document which records were provided for inspection by making an index or list of the files or records made available for inspection.
- 6.5 Processing of Public Records Requests – General.**
- 6.5.1** Providing the “fullest assistance.” The City is charged by statute with adopting guidelines which support how it will provide full access to public records, protect records from damage or disorganization, prevent excessive interference with other essential functions of the agency, provide the fullest assistance to requestors, and provide the timeliest possible action on public records requests. The Public Records Officer or Police Records Designee will process requests in the order allowing the most requests to be processed in the most efficient manner.
- 6.5.2** Upon receipt of a request, the City will assign it a tracking number and list it in the tracking log.
- 6.5.3** The Public Records Officer or Police Records Designee will evaluate the request according to the nature of the request, volume, and availability of requested records. They will assign a category based on availability and complexity.
- 6.5.4** Acknowledging receipt of request. Following the initial evaluation of the request under (3) of this subsection, and within five business days of receipt of the request (the City does not receive requests on Saturdays, Sundays, or holidays, nor are these days included as business days for purposes of calculating acknowledging receipt of the request), the Public Records Officer or Police Records Officer will do one or more of the following:
- 6.5.4.1** Provide the record;
 - 6.5.4.2** Provide an internet address and link on the City’s website to the specific records requested, except that if the requester notifies the City that he or she cannot access the records through the internet, then

- the City will provide access to copies or allow the requester to view the records using a City computer;
- 6.5.4.3** Acknowledge that the City has received the request and provide a reasonable estimate of when records will be available; or
 - 6.5.4.4** Acknowledge that the City has received the request and ask for clarification if a request is unclear. or a reasonable estimate of the time the City will require to process the request; or
 - 6.5.4.5** Deny the request. Denials must be accompanied by a written statement of the specific reasons for denial.
- 6.5.5** The City may ask a requestor to prioritize the records they are requesting so that the city is able to provide the most important records first. The City is not required to ask for prioritization, and the requestor is not required to provide it.
- 6.5.6** The City cannot require the requestor to disclose the purpose of the request, with two exceptions. First, if the request is for a list of individuals, the City will ask the requestor if they intend to use the records for a commercial purpose (a profit-expecting activity). The City's request for public records form includes a statement that the City is not authorized to provide public records consisting of a list of individuals for commercial use (a profit-expecting activity), and requires the requestor's signature under penalty of perjury. This is to acknowledge that the requestor understands the prohibition on the use of such lists, but the requestor is not required to sign to obtain the records. Second, the City may seek information sufficient to allow it to determine if another statute prohibits or allows disclosure. For example, some statutes allow an agency to disclose a record only to a person having particular qualifications or for specific purposes. In such cases, the City is authorized to require that the requestor provide sufficient information in writing under penalty of perjury to allow the City to reasonably determine if the record is disclosable to the requestor.
- 6.5.7** If the requester has provided an email address and the City's acknowledgement or response is "bounced-back" as an error or marked as undeliverable, the City employee shall review the details and correct the email address if possible. If the requester has provided an alternative means of contact, the employee shall attempt to make contact via the alternative means. If the City's response is ultimately undeliverable, the Public Records Officer or Police Records Designee shall make a log of the efforts, including dates, to deliver the City's response.
- 6.5.8** If the City does not respond within five business days of receipt of the request for disclosure, the requestor should consider contacting the public records officer to determine the reason for the failure to respond and to confirm that the City has received the request.
- 6.5.9** The City has no duty to create a new record to satisfy a records request ([WAC 44-14-04003](#)). However, sometimes it benefits the City and the requester to create a record responsive to the request rather than collecting and making available voluminous records that contain small pieces of the information sought by the requestor. The decision to create and offer a new record in response to a records request is left to the City, although the City is encouraged to negotiate with the requestor to determine whether creation of a new record

will satisfy the requestor's need for information while preserving City time and resources.

- 6.5.10 Third Party Notice.** In the event the requested records contain information that affects individuals named in the records and may be exempt from disclosure, the Public Records Officer or Police Records Designee may give notice to such others whose rights may be affected by the disclosure, prior to providing the records,. In addition, such notice shall be given when required by State law. ([RCW 42.56.250\(12\)](#).) Such notice should be given to make it possible for the affected third party to seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request. The requestor shall be notified that the City has issued notice to an affected third party.
- 6.5.11 Searching For Records.** The City must conduct an objectively reasonable search for responsive records. A search usually begins with the Public Records Officers for the City to decide where the records are likely to be and who is likely to know where they are. The records officer should also email staff members selected as most likely to have responsive records. Staff are required to promptly respond to inquiries regarding responsive records from the records officer.
- 6.5.12 Request Log.** The City will maintain a log of all public records requests submitted to and processed by the City. The log will include at least the following information: the identity of the requestor, if known; the date the request was received; the text of the original request; a description of the records redacted or withheld and the reasons for redacting or withholding; and the date of the final disposition of the request.
- 6.5.13 Multiple Requests by The Same Requestor.** In order to provide the fullest assistance to all records requestors and to prevent excessive interference with other essential functions of the City, if the same requestor (or their representative) has submitted multiple unrelated requests determined to be large or complex requests, the Public Records Officer may process the requests one at a time and in the order received. This will allow the Public Records Officer to also process other requestor's requests later received. The City shall strive to provide all requestors, and their representatives, with equal assistance and attention, to the extent reasonably and feasibly possible.
- 6.5.14 No Duty to Supplement Responses; No "Standing" Requests.** The City is not obligated to hold current records requests open to respond to requests for City public records that may be created in the future. If a public record is created or comes into the possession of the City after a request is received by the City, it is not responsive to the request and will not be provided. A new request must be made to obtain public records later created.
- 6.5.15 Native Format/Metadata.** The City is not required to assume that a request for records means a request for those records in their native format or with their digital metadata included. A requester must specifically ask for records to be produced in native format or to include metadata. If no such specific request is made, the Public Records Officer will produce the records in the format(s) that most readily allow organization, pagination, and redaction of exempt material.

6.5.16 Inspection Of Records.

6.5.16.1 Consistent with other demands, the City shall provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents they wish to receive copies of.

6.5.16.2 The requestor must claim or review the assembled records within 30 business days of the City's notification to them that the records are available for inspection or copying. The City will notify the requestor by telephone, email or in writing of this requirement and inform the requestor that they should contact the agency to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the 30-day period or make other arrangements, the City may close the request and re-file the assembled records.

6.5.17 Providing Copies of Records. After inspection is complete, the public records officer shall make the requested copies or arrange for copying.

6.5.18 Providing Records in Installments. When a public records request is for a large volume of records, the Public Records Officer may elect to provide records on an installment basis if they reasonably determine that it would be more efficient to provide the records in this manner. If a requester does not contact the Public Records Officer to arrange for the review of any installment within 30 business days of being notified that the records are available for review, the City may deem the request abandoned, stop fulfilling the remainder of the request, and close the request. The Public Records Officer will process requests in the order allowing the most requests to be processed in the most efficient manner and so as not to interfere with essential governmental functions.

6.5.19 Completion of Inspection. When the inspection of the requested records is complete and all requested copies are provided, the Public Records Officer will indicate that the City has completed a diligent search for the requested records and made all located nonexempt records available for inspection.

6.5.20 Closing Withdrawn or Abandoned Request. When the requestor either withdraws the request or fails to fulfill their obligations to inspect the records or pay the deposit or final payment for the requested copies, the Public Records Officer will close the request and indicate to the requestor that the City has closed the request. If the requestor or a representative of the requestor fails to pay for the requested copies within the 30-day period, the City may close the request and re-file the assembled records.

6.5.21 Later Discovered Documents. The City has no obligation to search for records responsive to a closed request. If the City discovers responsive records after a request has been closed, the City should provide the later discovered records to the requestor. The providing of later discovered records under this section does not result in the request being re-opened or the closure date being extended.

6.6 Processing of Public Records Requests - Electronic Records.

- 6.6.1** Requesting electronic records. The process for requesting electronic public records is the same as for requesting paper public records.
- 6.6.2 Providing Electronic Records.** When a requestor requests records in an electronic format, the Public Records Officer will provide the nonexempt records or portions of records that are reasonably locatable in an electronic format that is used by the City and is generally commercially available, or in a format that is reasonably translatable from the format in which the agency keeps the record. Costs for providing electronic records are governed by [RCW 42.56.120](#) and [42.56.130](#) and as adopted in the Bonney Lake Municipal Code. The fee schedule is available at www.cobl.us.
- 6.6.3 Emails.** Emails that have no redactions will be provided as a .pst file. This format is used for outlook emails. There are several free .pst viewer software programs that can be downloaded from the internet in order to view these emails without having an outlook account. Any emails that require redactions will be transferred to a .pdf file. If a request has both non redacted and redacted responsive emails, requestors will receive both a .pst and a .pdf file.
- 6.7 Exemptions.**
- 6.7.1** The Public Records Act provides several types of documents, or information within documents, are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any “other statute” exempts or prohibits disclosure. The City must describe why each withheld record or redacted portion of a record is exempt from disclosure. Requestors should be aware of exemptions, outside the Public Records Act that restricts the availability of some documents held by the City of Bonney Lake for inspection and copying. The most current list of statutory exemptions and prohibitions from public disclosure adopted by the City is available at www.atg.wa.gov/sunshine-committee under the “Public Disclosure Exemptions”, and is hereby incorporated herein by reference. A copy of the most recent list of Washington statutory exemptions will be provided by the City Public Records Officer upon request. In addition, certain federal laws also prohibit disclosure of certain records or information.
- 6.7.2** Requestors should be aware of the following exemptions, outside the Public Records Act, that restrict the availability of some documents held by the City of Bonney Lake for inspection and copying:
- See Attachment 7.1 for “Other Statutes.”
- 6.7.3** If the request is for a list of individuals, the City may ask the requestor if the records will be used for a commercial purpose and require the requestor to provide information about the purpose for the use of the list ([WAC 44-14-03006](#)).
- 6.7.4** If statutes prohibit the release of public records to certain individuals, the City may ask the requestor if he or she fits the statutory criteria for disclosure of the record ([WAC 44-14-03006](#)).
- 6.7.5 Protecting Rights of Others.** In the event that the requested records contain information that may affect rights of others and may be exempt from disclosure, the Public Records Officer may give notice to those who would be affected by disclosure ,prior to providing the records. . Notice should be given in a format to make it possible for those other persons to contact the requestor

and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.

6.8 Categories of Requests.

When a public records request is received for city records (not police or municipal court), the Public Records Officer for the City Clerk's Office will categorize the request according to the nature, volume, and availability of the requested records and complexity of the request using the following categories:

- 6.8.1 Category 1.** Public record requests that require immediate response in the interest of public safety and/or imminent danger. These requests take priority over all other requests. Generally, the City's goal is to fulfill Category 1 requests immediately or the next business day after receipt.
- 6.8.2 Category 2.** Public record requests that require no clarification from the requestor, are easily located and assembled, contain no issues that would lead the City to provide notification to third parties, an initial review has determined that there are no exemption and/or redaction concerns for further review, and/or there are no concerns regarding the complexity of the request. The City's goal is to fulfill Category 2 requests, on average, 5 to 30 calendar days after receipt.
- 6.8.3 Category 3.** Public record requests that are complex requests meeting any of the following criteria:
 - 6.8.3.1** May require clarification from the requestor;
 - 6.8.3.2** May require a moderate level of staff time to locate or assemble;
 - 6.8.3.3** May contain an issue would lead the city to provide notification to a third party;
 - 6.8.3.4** May have issues that require minimal exemption or redaction review by the City Attorney;
 - 6.8.3.5** May have up to 1,500 emails to review; and/or
 - 6.8.3.6** May have the potential for records to exist in one to three different departments.

Category 3 requests are frequently provided in installments. The city's goal is to provide the first installment, on average, 30 to 45 calendar days after receipt.
- 6.8.4 Category 4.** Public records requests that are complex requests meeting any of the following criteria:
 - 6.8.4.1** Broad or vague requests which involve a large number of records that are not easily identified, located or accessible;
 - 6.8.4.2** Requests requiring significant coordination between multiple departments or research by City staff who are not primarily responsible for public disclosure;
 - 6.8.4.3** Requests requiring detailed review to determine whether such records are exempt from disclosure or production in whole or in part;
 - 6.8.4.4** Requests requiring legal review and/or creation of an exemption log;
 - 6.8.4.5** Requests that may require notification of third parties; and/or
 - 6.8.4.6** May have up to 3,000 emails to review

Category 4 requests are frequently provided in installments. The City's goal is to provide the first installment, on average, 45 to 60 calendar days after receipt.

6.8.5 Category 5. Public records requests that are severely complex requests meeting any of the following criteria:

6.8.5.1 May require a severe level of staff time to locate or assemble;

6.8.5.2 May have issues that require significant exemption or redaction review by the City Attorney;

6.8.5.3 The potential for records to exist in more than five different departments;

6.8.5.4 That may be in the custody of an entity outside of the City, such as City contractors; and/or

6.8.5.5 May have up to 5,500 emails to review

Category 5 requests are frequently provided in installments. The City's goal is to provide the first installment, on average, 60 to 90 (2-3 months) calendar days after receipt.

6.8.6 Category 6. Public records requests are on hold or pending further action for any of the following reasons:

6.8.6.1 Waiting for records to be retrieved from storage, or from persons or entities that hold them on behalf of the City (e.g. Employees, consultants);

6.8.6.2 Waiting for the requestor to respond to a request for clarification;

6.8.6.3 Waiting for a response after notifying a third party named in a record;

6.8.6.4 Waiting for expiration of the time allowed a third party to obtain an order from a court enjoining release of records;

6.8.6.5 Waiting for resolution of a legal action affecting the records;

6.8.6.6 Waiting for consideration of a petition to review denial of access;

6.8.6.7 Waiting for the requestor to pay for the records or pay a deposit;

6.8.6.8 Waiting for external vendor reproduction of records and related invoicing; and/or

6.8.6.9 Waiting for the requestor to claim an installment or to physically inspect records

Category 6 requests are provided as per the category they will be placed in after receiving what is needed.

6.8.7 For public records requests that contain more than 5,500 emails for review, the agency will contact the requestor and discuss anticipated production timelines.

6.8.8 After initial categorization, records requests may be re-categorized in response to unanticipated circumstances or additional information.

6.9 Costs of Providing Copies of Public Records.

6.9.1 Costs of providing copies of public records are approved by Ordinance of the City Council and are codified in Bonney Lake Municipal Code Chapter 3.90.

6.9.2 Inspection. There is no fee for inspecting public records, including inspecting records on the City web site.

6.9.3 Statutory Default Costs. The City has determined the effort to calculate the actual costs of providing copies would be considered unduly burdensome for the following reasons:

6.9.3.1 To calculate the cost to copy or reproduce all the types of public records held or produced by the City would interfere with the other essential functions of the City; and

- 6.9.3.2 There is no fixed class of employees used to copy or produce public records upon which to base the salary component of actual costs; and
- 6.9.3.3 The public and requestors have commented on and been informed of statutorily authorized fees and costs provided in the Public Records Act including [RCW 42.56.120](#) and other laws;
- 6.9.3.4 It is more cost efficient, expeditious and in the public interest for the City to adopt the state legislature's approved fees and costs for most of the City records, as authorized in [RCW 42.56.120](#) and as published in the City's fee schedule in [Bonney Lake Municipal Code Chapter 3.90](#).
- 6.9.4 When providing electronic records, the City's practice is to make the records available using a link to an online file sharing folder. Upon written request, the City may consider providing electronic records via an alternative form of media (CD, DVD, flash drive), if an alternative is available to the City. In such instances, the City may charge the requestor the actual cost of the media requested.
- 6.9.5 The City may also charge actual costs of mailing, including the cost of the shipping container.
- 6.9.6 As an alternative to any fees imposed in the City's fee schedule, the City may charge a flat fee of \$2.00 if it reasonably estimates that the total fees otherwise incurred would exceed \$2.00. For a request processed in installments, this flat fee covers the cost of all installments.
- 6.9.7 **Copy Size.** The City's fee schedule for paper copies of public records is based on standard business paper-size copies up to 11" x 17". Paper copies of large size records such as construction plans, mylars, or plat maps will either be reduced to 11" x 17" copies or printed in sections on pages up to 11"x17" depending on the choice of the requestor. A fee will apply to each separate page or section of a larger sheet. Electronic copies of large format records will be provided based on the statutory fee schedule. The fee schedule is available at the office of the City's Public Records Officer or Police Records Designee and on the City web site at www.cobl.us.
- 6.9.7.1 As an alternative for piecing large format copies, the City may arrange with a local vendor to copy the large sheets and bill the requestor for the vendor's cost of providing the service.
- 6.9.8 **Customized Service Charge.** In addition to the fees set forth in the City's fee schedule, the City may charge a customized service charge if the City reasonably estimates that responding to the request will require special information, technology, or expertise to prepare data compilations or provide customized electronic access services; provided, that the information technology expertise will not provide a service that the City would also use for other purposes. This charge cannot exceed the actual cost to the City for the services, and the City must provide a notice to the requestor before imposing a charge that explains the reasons for the charge, the specific services provided, and the estimated amount of the charge. The notice must also give the requestor an opportunity to modify their request to avoid the charge.
- 6.9.9 **Other Statutes.** Other statutes govern charges for particular records including, but not limited to, [RCW 46.52.085](#) (charges for traffic accident reports), [RCW](#)

[10.97.100](#) (copies of criminal histories), [RCW 3.62.060](#) and [3.62.065](#) (charges for certain records of municipal courts).

- 6.9.10 Processing Payments.** Before beginning to make the copies, the Public Records Officer may require a deposit of up to 10 percent of the estimated costs of producing all the records desired by the requestor, including any copying, scanning, transmission, or customized service charge. The Public Records Officer may also require the payment for the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. Any unused deposit must be refunded to the requestor. When copying is completed, the City can require the payment for the remainder of the copying charges before providing the records. If the requestor fails to make the payment within thirty business days of the request, it will result in the Public Records Officer declaring the request abandoned and the closure of the request.
- 6.9.11** Before incurring any charges associated with a request, a requestor may ask the City to provide an estimate of total applicable charges before proceeding. The City will provide the requestor an opportunity to revise their request in order to avoid or reduce applicable charges.
- 6.9.12 Payment.** Payment may be made by credit card, cash, check, or money order payable to the City.

6.10 Review of Denials of Public Records.

- 6.10.1 Petition for Internal Administrative Review of Denial of Access.** Any person who objects to the initial denial or partial denial of a records request may petition in writing (including email) to the Public Records Officer for a review of that decision. The petition shall include a copy of the written statement by the Public Records Officer denying the request.
- 6.10.2 Consideration of Petition for Review.** The Public Records Officer shall promptly provide the petition and any other relevant information to the City Attorney to conduct the review. That person will immediately consider the petition and either affirm or reverse the denial within two business days following the City's receipt of the petition, or within such other time as agreed to by the City and the requestor.
- 6.10.3 Judicial Review.** Any person may obtain court review of denials of public records requests pursuant to [RCW 42.56.550](#) at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

- 6.11 Additional Procedures.** The Public Records Officer and Police Records Designee may develop additional procedures for the efficient implementation of this policy. These additional procedures will be consistent with the elements of this policy and the requirements of the Public Records Act.

7 ATTACHMENTS

- 7.1** List of "other statute" exemptions from disclosure for informational purposes. From Attorney General's Office web site. Standard Format for Administrative Policy and Procedure.

Attachment 7.1

Highlighted text = new in 2022

Public Disclosure Exemptions 2022

RCW 42.56.140(7)(a)¹

Subject	RCW	Description	Date Enacted
Chapter 42.56 RCW – The Public Records Act			
Comprehensive cancer centers	<u>42.56.010(1)</u>	<u>Comprehensive cancer centers participating in certain collaborative arrangements are not an "agency" under the PRA</u>	<u>2022</u>
Personal Information	42.56.230(1)	Personal information in files for students in public schools, patients, or clients of public institutions or public health agencies or welfare programs	1973
	42.56.230(2)	Personal information in department of children, youth and families files relating to children enrolled in licensed child care and other programs; and substitute caregiver personal information	2011
	42.56.230(3)	Personal information in files on employees, appointees, or elected officials if disclosure would violate their right to privacy	1973
	42.56.230(4)	Certain taxpayer information if it would violate taxpayers right of privacy	1973
	42.56.230(5)	Credit card numbers, debit card numbers, electronic check numbers, and other financial information, except when disclosure is required by other law	
	42.56.230(6)	Personal and financial information related to a small loan or any system of authorizing a small loan in RCW 31.45.093	2009
	42.56.230(7)(a)	Personal information required to apply for a driver's license or identicard	2008
	42.56.230(7)(b)	Persons who decline to register for selective service under RCW 46.20.111	2011
	42.56.230(7)(c)	Records pertaining to license plates, drivers' licenses, or identicards that may reveal that a person was performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigations	2013
	42.56.230(8)	Information regarding individual claim resolution settlement agreements submitted to the board of industrial insurance appeals	2014

¹ "[T]he code reviser shall provide the committee by August 1st of each year with a list of all public disclosure exemptions in the Revised Code of Washington."

Subject	RCW	Description	Date Enacted
	42.56.230(9)	Information in enhanced 911 emergency communications database or used in emergency notification systems	2015
	42.56.230(10)	Personally identifiable voter registration information for individuals under 18	2018
	42.56.230(11)	Information submitted to state regarding people self-excluding themselves from gambling activities under RCW 9.46.071 and 67.70.040	2019
	42.56.230(12)	Personal information of individuals who participated in the bump-fire stock buy-back program under RCW 43.43.920	2019
Religious beliefs	42.56.235	Personal identifying information about an individual's religious beliefs	2018
Investigative, law enforcement, and crime victims	42.56.240(1)	Specific intelligence and investigative information completed by investigative, law enforcement, and penology agencies, and state agencies that discipline members of professions, if essential to law enforcement or a person's right to privacy	1973
	42.56.240(2)	Identity of witnesses, victims of crime, or persons who file complaints, if they timely request nondisclosure and disclosure would endanger their life, personal safety, or property	
	42.56.240(3)	Records of investigative reports prepared by any law enforcement agency pertaining to sex offenses or sexually violent offenses that have been transferred to the Washington association of sheriffs and police chiefs	
	42.56.240(4)	Information in applications for concealed pistol licenses	1988
	42.56.240(5)	Identifying information regarding child victims of sexual assault	1992
	42.56.240(6)	Information in gang databases	2008
	42.56.240(7)	Data from electronic sales tracking system in RCW 69.43.165	2010
	42.56.240(8)	Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(b)	2010
	42.56.240(9)	Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs	2012
	42.56.240(10)	Felony firearm offense conviction database of felony firearm offenders	2013
	42.56.240(11)	Identity of state employee or officer who files a complaint with an ethics board under RCW 42.52.410 or reports improper governmental	2013
	42.56.240(12)	Security threat group information collected and maintained by the department of corrections	2013
	42.56.240(13)	Criminal justice agency employee/worker residence GPS data	2015

Subject	RCW	Description	Date Enacted
	42.56.240(14)	Body worn camera recordings made by law enforcement or corrections officers to the extent essential for right to privacy described in RCW 42.56.040	2016
	42.56.240(15)	Records and information in the statewide sexual assault kit tracking system established in RCW 43.43.545	2016
	42.56.240(16)	Campus sexual assault/domestic violence communications and records	2017
	42.56.240(17)	Law enforcement information from firearms dealers	2016
	42.56.240(18)	Audio and video recordings of child interviews regarding child abuse or neglect	2018
Employment and licensing	42.56.250(1)	Test questions, scoring keys, and other exam information used on licenses, employment or academics	1973
	42.56.250(2)	Applications for public employment (other than for vacancies in elective office), including names and resumes	1987
	42.56.250(3)	Professional growth plans in educator license renewals	2017
	42.56.250(4)	Address, phone numbers., email address, SSNs, drivers' license numbers, identicard numbers, payroll deductions, and emergency contact information of public employees or volunteers held by public agencies	2020, 1987
	42.56.250(5)	Information from employee relating to an unfair practice, if requested	1992
	42.56.250(6)	Records of unfair practices investigations	1994
	42.56.250(7)	Criminal history record checks for investment board finalist candidates	2010
	42.56.250(8)	Photos and birthdate information of employees and volunteers of public agencies	2020, 2010
	42.56.250(9)	GPS data of public employees or volunteers using GPS system recording device	2017
	42.56.250(10)	Personally identifiable voter registration information for individuals under 18	2018
	42.56.250(11)	Personal demographic details voluntarily submitted by state employees	2020
Real estate transactions	42.56.260	Real estate transactions, subject to stated limitations.	1973
Financial, commercial, and proprietary information	42.56.270(1)	Valuable formulae, designs, drawings and research obtained by agency within 5 years of request for disclosure if disclosure would produce private gain and public loss	1973
	42.56.270(2)	Financial information supplied by a bidder on ferry work and highway construction, and alternative public works contracting procedures	1983
	42.56.270(3)	Financial information and records filed by persons pertaining to export services	1986
	42.56.270(4)	Financial information in economic development loan applications	1987

Subject	RCW	Description	Date Enacted
	42.56.270(5)	Financial information obtained from business and industrial development corporations	1989
	42.56.270(6)	Financial information on investment of retirement funds and public trust investments	1989
	42.56.270(7)	Financial and trade information supplied by and under industrial insurance coverage	1989
	42.56.270(8)	Financial information obtained by the Clean Washington Center for services related to marketing recycled products	1994
	42.56.270(9)	Financial and commercial information requested by public stadium authority from leaser	1997
	42.56.270(10)	Financial information supplied for application for liquor, gambling, lottery, or various <u>marijuana cannabis</u> licenses; and during consultative services by the Washington state liquor and cannabis board to a licensed <u>marijuana cannabis</u> business	2014
	42.56.270(11)	Proprietary data, trade secrets, or other information submitted by a vendor for purposes of state purchased health care	
	42.56.270(12)(a)(i)	Financial and proprietary information supplied to the department of commerce in furtherance of the state's economic and community development efforts	1989
	42.56.270(12)(a)(ii)	Financial or proprietary information provided to the department of commerce regarding businesses proposing to locate in the state	1999
	42.56.270(12)(a)(iii)	Financial and proprietary information provided to the Department of Commerce in connection with the industrial waste coordination program	2021
	42.56.270(13)	Financial and proprietary information submitted to or obtained by the department of ecology	
	42.56.270(14)	Financial, commercial, operations, and technical and research information obtained by the life sciences discovery fund authority	2005
	42.56.270(15)	Financial and commercial information provided to the department of licensing for a special fuel license	
	42.56.270(16)	Production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources	
	42.56.270(17)(a)	Certain farm plans developed by conservation districts	
	42.56.270(17)(b)	Farm plans developed under chapter 90.48 RCW regarding water pollution	
	42.56.270(18)	Financial, commercial, operations, and technical and research information submitted to health sciences and services authorities if private loss would result	

Subject	RCW	Description	Date Enacted
	42.56.270(19)	Information that can be identified to a particular business that was gathered as part of agency rule making	
	42.56.270(20)	Financial and commercial information submitted to or obtained by the University of Washington relating to investments in private funds	2009
	42.56.270(21)	Market share data submitted by a manufacturer under RCW 70.95N.190(4)	2013
	42.56.270(22)	Certain financial information supplied to the department of financial institutions or a portal to obtain an exemption from state securities registration	2014
	42.56.270(23)	Notices of crude oil transfers	2015
	42.56.270(24)	Certain information supplied to the liquor and cannabis board pursuant to RCW 69.50.325, 9.50.331, 69.50.342, and 69.50.345	2016
	42.56.270(25)	Marijuana Cannabis transport, vehicle, and driver ID data and account numbers or unique access identifiers issued for traceability system access as required by RCW 69.50.325, 9.50.331, 69.50.342, and 69.50.345	2016
	42.56.270(26)	Certain financial and commercial information submitted to or obtained by a city retirement board under authority of chapter 35.39 RCW, with conditions	2016
	42.56.270(27)	Certain information and data submitted to or obtained by the liquor and cannabis board in applications for licenses or reports required under RCW 69.50.372	2016
	42.56.270(28)	Trade secrets relating to licensed marijuana cannabis business, submitted to the state liquor and cannabis board	2017
	42.56.270(29)	Financial, commercial, operations, technical, and research information submitted to the Andy Hill cancer research endowment program pertaining to grants under chapter 43.348 RCW, that if revealed would result in private loss	2018
	42.56.270(30)	Proprietary information filed with the Department of Health	2018
	42.56.270(31)	Confidential, valuable, commercial information filed with the Department of Ecology regarding the architectural paint stewardship program	2019
	42.56.270(32)	Commercial information obtained by the Liquor and Cannabis Board in connection with distiller licensing	2020
Preliminary records with policy opinion	42.56.280	Preliminary drafts, notes, recommendations, and intra-agency memos with opinion or recommended policy, unless cited by an agency	1973

Subject	RCW	Description	Date Enacted
Agency party to a controversy	42.56.290	Agency records relevant to a controversy that are not available to another party under the rules of pretrial discovery in superior court	
Archaeological sites	42.56.300 (1), (2)	Information identifying the location of archaeological sites	1976
	42.56.300(3)	Archaeological site forms, reports, fields, and tables in databases or geographic information systems shared between state agencies and governments	2014
Library records	42.56.310	Library records disclosing the identity of a library user	1982
Student information	42.56.315	Certain student information received by school districts	2020
Educational information	42.56.320(1)	Financial disclosures filed by private vocational schools	1986
	42.56.320(2)	Financial or commercial information regarding the purchase or sale of tuition units	
	42.56.320(3)	Individually identifiable information received by the workforce training and education coordinating board for research or evaluation purposes	
	42.56.320(4)	Information on gifts, grants, or bequests to institutions of higher education	1975
	42.56.320(5)	The annual declaration of intent filed by parents for a child to receive home-based instruction	2009
School meals statewide electronic repository	<u>42.56.325,</u> <u>28A.235.285(3)</u>	<u>Household income information relating to the statewide electronic repository for school meals</u>	<u>2022</u>
Public utilities and transportation	42.56.330(1)	Valuable commercial information, including trade secrets and customer-specific information supplied to the Utilities and Transportation Commission	1987, 2014
	42.56.330(2)	Phone numbers, electronic contact information, customer-specific usage in billing information in increments less than a billing cycle, in public utility records	1987, 2014
	42.56.330(3)	Personal information in vanpool, carpool, ride-share programs	1997
	42.56.330(4)	Personal information of current or former participants or applicants in transit services operated for those with disabilities or elderly persons	
	42.56.330(5)	Personally identifying information of persons who use transit passes and other fare payment media	2012
	42.56.330(6)	Information obtained by governmental agencies and collected by the use of a motor carrier intelligent transportation system or comparable information equipment	1999
	42.56.330(7)	Personally identifying information of persons who use transponders and other technology to facilitate payment of tolls	2005

Subject	RCW	Description	Date Enacted
	42.56.330(8)	Personally identifying information of persons acquiring driver's license or identicard with radio frequency chip	2008
	42.56.330(9)	Personally identifying information in safety complaints submitted under chapter 81.61 RCW (railroad-owned, operated, and maintained passenger-carrying vehicles	2017
	42.56.335	Records of any person belonging to a public utility district or municipally owned electrical utility	2007
Health professionals	42.56.350(1)	SSNs of health care professionals maintained in files of the Dept. of Health	1993
	42.56.350(2)	Residential address and telephone numbers of health care providers maintained in files of the Dept. of Health	1993
Interstate medical licensure compact	42.56.355(1)	Information distributed to a health profession board or commission by an interstate health professions licensure compact	2017
Health care	42.56.360(1)(a)	Records and information supplied by drug manufacturers to the pharmacy quality assurance commission	1989, 2013
	42.56.360(1)(b)	Pharmaceutical manufacturer information obtained by the pharmacy quality assurance commission	1989, 2013
	42.56.360(1)(c)	Information and documents created, collected, and maintained by the Health Care Services Quality Improvement Program and Medical Malpractice Prevention Program	1995
	42.56.360(1)(d)	Proprietary financial and commercial information provided to Dept. of Health relating to an antitrust exemption	1997
	42.56.360(1)(e)	Physicians in the impaired physicians program	1987, 1994, 2001
	42.56.360 (1)(f)	Complaints filed under the Health Care Professions Uniform Disciplinary Act	1997
	42.56.360(1)(g)	Information obtained by DOH under RCW 70.225 RCW, prescription monitoring program	2007
	42.56.360(1)(h)	Information collected by the department of health under chapter 70.245 RCW.	2009
	42.56.360(1)(i)	Cardiac stroke system performance data	2010
	42.56.360(1)(j)	All documents pertaining to a wellness program under RCW 41.04.362, except for statistical reports that do not identify an individual	2010
	42.56.360(1)(k)	Claims data and information provided to the statewide all-payer health care claims database and the database that is exempt from disclosure under RCW 43.371.040	2014

Subject	RCW	Description	Date Enacted
	42.56.360(1)(I), 41.04.830	Medical information about members of retirement plans	2020
	42.56.360(2)	Health care information disclosed to a health care provider without patient's permission	1991
	42.56.360(3)(a)	Documents relating to infant mortality reviews	1992
	42.56.360(4)	Information relating to maternal mortality reviews pursuant to RCW 70.54.450	2016
	70.390.030(7)	Health care information held by the Health Care Cost Transparency Board that could identify a patient	2020
Domestic violence	42.56.370	Client records of community sexual assault program or services for underserved populations	1991, 2012
Higher education sexual misconduct	42.56.375, 28B.112.060(3), 28B.112.070(2), 28B.112.080(5)	Identifying information regarding sexual misconduct complainants and witnesses	2020
Agriculture and livestock	42.56.380(1)	Business records the Department of Agriculture obtains regarding organic food products	1992
	42.56.380(2)	Information regarding business operations contained in reports on commercial fertilizer	1987
	42.56.380(3)	Production or sales records required to determine payments to various agricultural commodity boards and commissions.	1996, 2009
	42.56.380(4)	Consignment information contained on phytosanitary certificates issued by the Department of Agriculture	1996
	42.56.380(5)	Financial and commercial information held by the Department of Agriculture for potential establishment of a commodity board or commission regarding domestic or export marketing activities or individual production information.	1996, 2009
	42.56.380(6)	Information on individual American ginseng growers or dealers	1996
	42.56.380(7)	Identifiable information collected by Department of Agriculture-regarding-packers and shippers of fruits and vegetables for purposes of inspections and certification	1996, 2010
	42.56.380(8)	Financial statements provided to the Department of Agriculture for purposes of obtaining public livestock market license	2003
	42.56.380(9)	Information for participants in herd inventory management for animal disease traceability	2006, 2012

Subject	RCW	Description	Date Enacted
	42.56.380(10)	Results of animal testing from samples submitted by the animal owner	2006, 2012
	42.56.380(11)	Records of international livestock importation not disclosable by the U.S.D.A. under federal law	2012
	42.56.380(12)	Records related to entry of prohibited agricultural products imported into Washington not disclosable by the U.S.D.A. under federal law	2012
	42.56.380(13)	Information obtained from the federal government if exempt from disclosure under federal law and personal financial information or proprietary data obtained by the department of agriculture	2018
	42.56.380(14)	Hop grower lot numbers and lab results	2018
	42.56.380(15)	Trade secrets, commercial information, and other confidential information obtained by the federal Food and Drug Administration by contract	2019
	42.56.380(16)	Certain information obtained from the federal Food and Drug Administration by Department of Health public health laboratories for monitoring food supplies for contaminants	2021
Emergency or transitional housing	42.56.390	Names of individuals residing in emergency or transitional housing furnished to the Department of Revenue or a county assessor	1997
Insurance and financial institutions	42.56.400(1)	Board of Industrial Insurance records pertaining to appeals of crime victims' compensation claims	
	42.56.400(2)	Information obtained and exempted by the Health Care Authority that is transferred to facilitate development, acquisition, or implement of state purchased health care	
	42.56.400(3)	Names of owners and insureds of life insurance policies	1995, 2009
	42.56.400(4)	Insurance antifraud plans	1995
	42.56.400(5)	Insurers reports on material acquisitions and disposition of assets, etc. filed with the Insurance Commission	1995
	42.56.400(6), <u>43.320.520</u>	Examination reports and information obtained by the Department of Financial Institutions from banking institutions <u>or other agencies</u>	<u>2022</u> , 1997
	42.56.400(7)	Information provided to the Insurance Commissioner regarding service contract providers	1999
	42.56.400(8)	Documents, materials, or information obtained by or provided to the insurance commissioner that are confidential and privileged	2001, 2015

Subject	RCW	Description	Date Enacted
	42.56.400(9)	Documents, materials, or information obtained by the insurance commissioner relating to insurer holding companies	2013
	42.56.400(10)	Data that may reveal the identity of a claimant, provider, facility, or insurer involved in a claim	2001
	42.56.400 (11) through (18)	Documents, materials, or information obtained by the insurance commissioner under various sections in Title 48 RCW.	
	42.56.400(19)	Data provided by carriers regarding a study on a small group health plan market	2010
	42.56.400(20)	Information in a filing of usage-based component of the rate pursuant to RCW 48.19.040(5)(b)	2012
	42.56.400(21)	Data, information, and documents submitted to the insurance commissioner by an entity providing health care pursuant to RCW 28A.400.275	2012
	42.56.400(22)	Data, information, and documents obtained by the insurance commissioner under RCW 48.29.017 (title insurance policy issuance, business income, and expenses)	2013
	42.56.400(23)	Information not subject to public inspection or public disclosure under RCW 48.43.730(5) (health care provider compensation agreements)	2013
	42.56.400(24)	Documents obtained by insurance commissioner under chapter 48.05A RCW	2015
	42.56.400(25)	Documents, etc. obtained by the insurance commissioner under RCW 48.74.025 and sections 6, 13(6), 14(2) (b) & (c) under certain circumstances	2016
	42.56.400(26)	Nonpublic personal health information obtained by, disclosed to, or in the custody of the insurance commissioner	2017
	42.56.400(27)	Data, information, and documents obtained by the insurance commissioner under 48.02.230	2017
	42.56.400(28)	An insurer's corporate governance annual disclosure and related information obtained by the insurance commissioner	2018
	42.56.400(29)	Findings and orders that disapprove the acquisition of a state trust company	2019
	42.56.400(30)	Claims, health care, and financial information submitted by school districts to the office of the insurance commissioner and health care authority	2018
	42.56.400(31), 48.200.040, 48.43.731	Contracts with health care benefit managers filed with the Insurance Commissioner	2020
Actuarial Opinions	42.56.403	Property and casualty insurance statements of actuarial opinion	2006

Subject	RCW	Description	Date Enacted
Employment security	42.56.410	Most records and information supplied to the Employment Security Department	2005
Security	42.56.420(1)	Records relating to criminal terrorist acts	
	42.56.420(2)	Records containing specific and unique vulnerability assessments and emergency and escape response plans – adds civil commitment facilities	2009
	42.56.420(3)	Comprehensive safe school plans that identify specific vulnerabilities	
	42.56.420(4)	Information regarding infrastructure and security of computer and telecommunications networks to the extent that they identify specific system vulnerabilities	
	42.56.420(5)	Security sections of transportation security plans for fixed guideway systems	1999
	42.56.420(6)	Personally identifiable information of employees and other security information, of a private cloud service provider that has entered into a criminal justice information services agreement	2016
	42.56.420(7), <u>29A.04.260</u>	Certain election security information; <u>and voter signatures, phone numbers, and email addresses</u>	<u>2022</u> , 2021
Fish and wildlife	42.56.430(1)	Commercial fishing catch data provided to the Department of Fish and Wildlife that would result in unfair competitive disadvantage	
	42.56.430(2)	Sensitive wildlife data obtained by the Department of Fish and Wildlife	
	42.56.430(3)	Information regarding any damage prevention cooperative agreement or nonlethal preventative measures deployed to minimize wolf interactions with pets and livestock	2017
	42.56.430(4)	Information regarding a reported depredation by wolves on pets or livestock	2017
	42.56.430(5)	Personally identifying information of persons who acquire recreational or commercial licenses	
	42.56.430(6)	Information subject to confidentiality requirements of Magnuson-Stevens fishery conservation and management reauthorization act of 2006	2008
	42.56.430(7)	Tribal fish and shellfish harvest information shared with the department of fish and wildlife	2017
	42.56.430(8)	Commercial shellfish harvest information shared with the department of fish and wildlife	

Subject	RCW	Description	Date Enacted
Veteran discharge	42.56.440	Veteran discharge papers	
Check cashers and sellers	42.56.450	Personal information on check cashers and sellers licensing applications and small loan endorsements	1991, 1995
Fireworks, explosives	42.56.460	Records and reports produced under state fireworks law, chapter 70.77 RCW and the Washington state explosives act, chapter 70.74 RCW	2019, 1995
Correctional industries workers	42.56.470	Records pertaining to correctional industries class I work programs	2004
Department of corrections	<u>42.56.475</u>	<u>Body scanner images, information relating to the prison rape elimination act, and health information of incarcerated individuals</u>	<u>2022</u>
Agency employees	42.56.550	Agency employee records if the requester sexually harassed or stalked the agency employee	2019
	42.56.675	Lists of agency employees compiled by agencies to administer 2019 c 373 s 2	2019
Injunction	42.56.565	Persons serving criminal sentences may be enjoined from inspection or copying of nonexempt public records	2009
Mediation communication	42.56.600	Records of mediation communications that are privileged under the Uniform Mediation Act	2006
Dairies, animal feeding operations	42.56.610	Certain information obtained by state and local agencies from dairies and animal feeding operations not required to apply for a national pollutant discharge elimination system permit disclosable only in ranges that provide meaningful information to public	
Enumeration data	42.56.615	Enumeration data used by the office of financial management for population estimates in accordance with RCW 43.41.435	2014
Cannabis	42.56.620	Reports submitted by <u>marijuana cannabis</u> research licensees that contain proprietary information	2015
	42.56.625	Records in medical <u>marijuana cannabis</u> authorization database established in RCW 69.51A.230	2015
	42.56.630	Registration information of members of medical <u>marijuana cannabis</u> cooperatives submitted to the liquor and cannabis board	2015
In-home caregivers	42.56.640	Personal identifying information of vulnerable individuals and in-home caregivers	2017

Subject	RCW	Description	Date Enacted
Health benefit exchange	42.56.650, 41.05.410(3)(b)	Data submitted by health carriers to the Health Benefit Exchange and Health Care Authority	2019
Residential notices of default	42.56.680	Personal information obtained by the Department of Commerce from residential real property notices of default	2021
Victim and witness notification program	<u>42.56.690</u> , <u>36.28A.455</u>	<u>Information relating to notifications and notification registrations in the victim and witness notification program</u>	<u>2022</u>
Office of Cybersecurity	42.56.422, 43.105.450(7)(d)	State agency information technology security reports and information compiled in connection with the Office of Cybersecurity	2021
	42.56.422, 2021 c 291 s 7(3) (uncodified)	The report detailing the Office of Cybersecurity's independent security assessment of state agency information technology security program audits	2021
Other Chapters			
Code reviser	1.08.027	Code Reviser drafting services	1951
Judicial conduct	2.64.111	Judicial conduct commission investigations and initial proceedings	1989
Hospital review	4.24.250	Hospital review committee records on professional staff	1971
Hazards to public	4.24.601	Trade secrets and confidential research, development, or commercial information	1994
Product liability	4.24.611	Trade secrets, confidential research, development or commercial information concerning products or business methods	1994
Equal rights	4.92.210	Information in centralized risk management claim tracking system	1989
Privileged communications	5.60.060	General statements of privileged communications between persons and various professionals	1954 & later dates
Mediation	5.60.070	Materials used in any court ordered mediation	1991
	7.07.050(5), 7.07.070	Mediation communications	2005
Medical examinations	7.68.080(9)(a)	The director may examine records of health care provider notwithstanding any statute that makes the records privileged or confidential	2011
	7.68.080(10)	At the request of health care contractor, department must keep financial and trade information confidential	2011
Victim records	7.68.140	Records regarding crime victims	1973

Subject	RCW	Description	Date Enacted
Child victims	7.69A.030(4)	Name, address, or photograph of child victim or child witness	1985
Dispute resolution centers	7.75.050	County or city dispute resolution center records	1984
Collaborative law	7.77.140, 7.77.150, 7.77.160, 7.77.170	Confidentiality and privileged information regarding collaborative law	2013
Compliance review	7.88.020, 7.88.030	Financial institution compliance review documents	1997
Civil protection orders	7.105.105(2)	Confidential party information forms accompanying petitions for civil protection orders	2021
Reproductive privacy	9.02.100	Personal reproductive decisions	1991
Firearms	9.41.097(2)	Mental health information regarding persons buying pistols or applying for concealed pistol licenses	1994
	9.41.111(1)(c)	Mental health information received in connection with a firearm frame or receiver purchase or transfer application	2020
	9.41.129	Concealed pistol license applications	1994
	9.41.350(6)	Records regarding a person's voluntary waiver of firearm rights	2018
Controlled substances, commercial sexual abuse	9.73.230	Name of confidential informants in written report on wire tapping	1989
Criminal Proceedings	9.94A.745	Records of the interstate commission for adult offender supervision that would adversely affect personal privacy rights or proprietary interests	2002
	9.94A.885	Information regarding victims, survivors of victims, or witnesses that are sent clemency hearing notices may not be released to offender	1999
	9A.44.138	Sex offender registration information given to high school or institution of higher education regarding an employee or student	2011
	9A.82.170	Information from a financial institution relating to the criminal profiteering act	1984
	10.27.090	Grand jury testimony	1971
	10.27.160	Grand jury reports	1971
	10.52.100	Identity of child victims of sexual assault	1992

Subject	RCW	Description	Date Enacted
	10.77.205	Information about victims, next of kin, or witnesses requesting notice of release of convicted sex or violent offenders	1990
	10.77.210	Records of persons committed for criminal insanity	1973
	10.97	Criminal records unless disposition included	1977
	10.97.130	Information identifying of victims of sexual assault under age 18	1992
	10.101.020	Information given by persons to determine eligibility for indigent defense	1989
Trusts	11.110.040	Trust instrument not exclusively for charitable purposes	1967
	11.110.075	Instrument creating a charitable trust, possibly only if the instrument creates a trust for both charitable and noncharitable purposes	1971
Guardian and conservator proceedings	11.130.300(3)	Visitor report and professional evaluation regarding appointment of a guardian for an adult	2019
	11.130.410(3)	Visitor report and professional evaluation regarding conservatorship	2019
Juvenile Proceedings	13.04.155, 28A.320.163(5)	Information on juvenile conviction by adult criminal court given to school principal and received by school district staff	2020, 1997
	13.24.011	Records of the interstate compact for juveniles that would adversely affect personal privacy rights or proprietary interests	2003
	13.34.046	Information regarding a youth subject to chapter 13.34 RCW is confidential except as required under a lawful court order	2013
	13.40.150	Sources of confidential information in dispositional hearings on juvenile offenses	1977
	13.40.215, 13.40.217	Information about victims, next of kin, or witnesses requesting notice of release of juvenile convicted of violent sex offense or stalking	1990
	13.50.010(12)	Electronic research copy of juvenile records maintains same level of confidentiality and anonymity as juvenile records in judicial information system	2009, 2014
	13.50.010(13)	Information in records released to the Washington state office of public defense	2009, 2014, 2016
	13.50.010(14)	Records released by the court to the Washington state office of civil legal aid records maintain confidentiality of confidential information	2015
	13.50.010(15)	Child welfare records that may assist in meeting educational needs of foster youth may be shared with a state agency or agency's contractor but otherwise retain their confidentiality except as allowed under chapter 13.50 RCW and federal law	2016

Subject	RCW	Description	Date Enacted
	13.50.010(16)	Limited disclosure of health and safety information from the department of children, youth, and families to the department of commerce regarding youth who are in foster care who are admitted to crisis residential centers or HOPE centers	2017
	13.50.010(17)	Department of children, youth, and families may disclose certain confidential records to specific entities for the purpose of investigating and preventing child abuse and neglect, and for health care coordination of children in foster care	2017
	13.50.050(3)	Records on commission of juvenile crimes	1979
	13.50.050(14)(b)	Records of juveniles who receive a pardon are confidential, including the existence or nonexistence of the record	2011
	13.50.100(2)	Juvenile justice or care agency records not relating to commission of juvenile crimes	1979
	13.50.260(12)	Confidential information and sealed records accessed through the Washington state identification system by criminal justice agencies	2020
Agriculture and livestock	15.19.080	Ginseng information from individual growers or dealers	1998
	15.53.9018(10)	Semiannual commercial feed reports	1975
	15.54.362	Information regarding business operations contained in reports on commercial fertilizer	1987
	15.58.060(1)(c)	Business information of a proprietary nature regarding pesticide formulas	1971
	15.58.065(2)	Privileged or confidential commercial or financial information regarding pesticides	1971
	15.65.510	Information on agricultural marketing agreements	1961
	15.86.110	Business records organic food products	1992
	15.130.150	Trade secrets, commercial information, and other confidential information obtained by the federal Food and Drug Administration by contract	2019
	15.135.100(1)	Information obtained from the federal government if exempt from disclosure under federal law	2018
	15.135.100(2)	Personal financial information or proprietary data obtained by the department of agriculture	2018
	16.65.030(1)(d)	Financial statement info in public livestock market license applications	2003
	17.24.061(2)	Financial or commercial information regarding insect pests, noxious weeds, or organisms affecting plant life	1991
Counselors	18.19.180	Counselor communications and disclosure statement	1987
Boarding homes	18.20.390	Quality assurance committee information	2004

Subject	RCW	Description	Date Enacted
Dentistry	18.32.040	Dentistry licensing examination records only accessible by the registered person unless disclosure would compromise the examination process	1937
Escrow agents	18.44.031(2)	Personal information in applications for escrow agent licenses	1999
Maternity homes	18.46.090	Information on maternity homes received by the department of health identifying individuals or maternity homes	1951
Optometrists	18.53.200	Information and records of optometrists	1975
Nonresident pharmacies	18.64.420	Records obtained by the department of health regarding various insurance companies	1991
Physician discipline	18.71.0195	Contents of physician disciplinary report	1979
Impaired physician	18.71.340	Entry records under impaired physician program	1987
Psychologists	18.83.110	Communications between client and psychologist	1955
Psychology interjurisdictional compact	<u>18.83A.080</u>	<u>Information relating to investigations of psychologists</u>	<u>2022</u>
Plumbing trainees	18.106.320(2)	Information obtained from contractors on plumbing trainee hours	2002
Health care professionals	18.130.057(2)(b)	Disciplining authority may not disclose information in a file that contains confidential or privileged information regarding a patient other than the person making the complaint or report	2011
	18.130.095(1)(a)	Treatment and pretreatment records of health professionals referred to voluntary substance abuse monitoring program under uniform disciplinary act	1997
	18.130.172(1)	Summary and stipulations in complaints against health care professionals	1993
	18.130.175(4)	Voluntary substance abuse <u>treatment program</u> records of licensed health care professionals	<u>2022</u> , 1988
Vulnerable adult agencies	18.330.050(2)(f)	On referral disclosure statement, must include statement that agency will need client authorization to obtain or disclose confidential information	2011
Business licenses	19.02.115	Master license service program licensing information is confidential and privileged except as provided in this section	2011
Collection agencies	19.16.245	Collection agency financial statements	1973

Subject	RCW	Description	Date Enacted
Electrical trainees	19.28.171	Information obtained from electrical contractors on electrical trainee hours	1996
Electric utilities	19.29A.100	Electric utilities may not disclose private or proprietary customer information	2015
Misappropriation	19.108.020	Equitable remedies to preserve secrecy of trade secrets	1981
Mortgage licensing	19.146.370(4)	Chapter 42.56 RCW relating to supervisory information or information subject to 19.146.370(1) of this section is superseded by this section	2009
Money transfers	19.230.190	Money transfer licensing information	2003
Information technology	19.330.080(5)	Confidential technology information used in manufacturing products sold in state is subject to a protective order	2011
Health care market	19.390.070	Information submitted to the attorney general regarding potential anticompetitive conduct in the health care market	2019
Securities act	21.20.480	Securities act investigations	1959
	21.20.855	Reports and information from securities examinations	1988
Commodity transactions	21.30.170	Some information obtained by the Department of Financial Institutions	1986
Agricultural commodities	22.09.040(9)	Warehouse license information	1987
	22.09.045(7)	Grain dealer license information	1987
Nonprofit corporations	24.06.480	Information in interrogatories of nonprofit miscellaneous and mutual corporations by Secretary of State	1969
Marriages	26.04.175	Marriage applications and records about participants in address confidentiality program	1991
Dissolution	26.09.015	Dissolution mediation proceedings	1986
Family court	26.12.080	Superior court may order family court files closed to protect privacy	1949
Child support	26.23.120(1)	Records concerning persons owing child support	1987
	26.23.150	Social security numbers collected by licensing agencies not to be disclosed	1998
Adoption	26.33.330, 26.33.340	Adoption records (except by court order for good cause)	1984
	26.33.345	Adoption contact preference form and birth parent updated medical history form	2013
Child welfare	26.44.125(6)	Child abuse or neglect review hearings	2012
	26.44.175(5)	Information provided to multidisciplinary child protection team members in the course of a child abuse or neglect investigation	2019
	26.44.187	Recorded child interviews regarding child abuse or neglect	2018

Subject	RCW	Description	Date Enacted
	74.13.730(7)	Reports, reviews, and hearings involving certificates of parental improvement	2020
Parentage	26.26A.050	Personally identifiable information of the child and others in parentage proceedings	2018
Archaeological sites	27.53.070	Communications on location of archaeological sites not public records	1975
Higher Education	28B.85.020(2)	Financial disclosures provided to HEC Board by private vocational schools	1996
	28B.96.020(8)	Data collected by the Undocumented Student Support Loan Program	2020
	28C.10.050(2)(a)	Financial disclosures by private vocational schools	1986
Elections	29A.08.359	Personal information supplied to obtain a driver's license or identicard and used to certify registered voters	2018
	29A.08.710	Original voter registration forms or their images	1991
	29A.08.720(1)	The location where an individual is registered to vote	1994
	29A.08.720(2)(b)	The personally identifiable voter registration information of individuals under 18	2018
	29A.08.770	The personally identifiable voter registration information of individuals under 18 maintained by the secretary of state and county auditors	2018
	29A.32.100	Argument or statement submitted to the secretary of state in voters' pamphlet	1999
	29A.56.670	Minor party and independent candidate nominating petitions	2013, 2004
	29A.92.100(3)	A plaintiff's filing of an action regarding equal voting rights under the Washington voting rights act of 2018	2018
Financial Institutions	30A.04.075(1), 43.320.530	Information obtained from bank examinations	2022, 2014, 1977
	30A.04.230(4)(a)	Information regarding investigations of out-of-state banks	2014, 1983
	30A.04.410(3)	Findings related to disapprovals of bank acquisitions	2014, 1989
	30B.44B.170(2)	Department of Financial Institutions' records in connection to involuntary liquidation of a state trust company	2019
	30B.53.100(3)	Department of Financial Institutions' findings and order on the disapproval of a proposed acquisition of a state trust company	2019
	31.04.274(1)	Certain information provided to the nationwide mortgage licensing system	2009
	31.12.565(1)	Examinations and reports on credit unions	1984
	31.35.070	Reports on examinations of agricultural lenders	1990
	31.45.030(3)	Personal information of applicants of check cashers or sellers	1991
	31.45.077(2)	Personal information of applicants of small loan endorsements	2003

Subject	RCW	Description	Date Enacted
	31.45.090	Trade secrets supplied by licensed check cashers and sellers as part of the annual report to Director of Financial Institutions	2003
	32.04.220 (1), (5)	Information from examinations of mutual savings banks	1977
	32.32.228(3)	Findings disapproving conversion from mutual savings bank to capital stock savings bank	1989
	32.32.275	Information applicants deem confidential relating to conversion of mutual savings bank to capital stock savings bank	1981
	33.04.110 (1), (5)	Information from examinations of savings and loan associations	1977
	33.24.360(1)(d)	Name of lender financing an acquisition of a savings and loan, if requested by applicant	1973
Rail fixed guideway system	35.21.228(4), 35A.21.300(4), 36.01.210(4), 36.57.120(4), 36.57A.170(4)	Rail fixed guideway system security and emergency preparedness plan	1999
Washington Association of Sheriffs and Police Chiefs	36.28A.410(3)	Automated protected person notification system information	2017
	36.28A.420	Denied firearm transaction information held by the Washington Association of Sheriffs and Police Chiefs	2020, 2017
Electric ferry design and procurement	36.32.234(7)(a)	Trade secrets and proprietary information submitted by bidders, offerors, and contractors in connection with electric ferry design and procurement, when requested and county concurs	2021
	36.32.234(7)(b)	Electric ferry procurement documents, until notification of finalist made or selection terminated	2021
Public stadium authority	36.102.200	Financial information on master tenant, concessioners, team affiliate, or sublease of a public stadium authority's facilities	1997
Automatic Number Identification System	38.52.575	Information in automatic number identification system or automatic location identification database that is part of a 911 system and information submitted to be part of a county enhanced 911 emergency communication system	2015
	38.52.577	Information obtained from an automatic number identification system or automatic location identification database	2015

Subject	RCW	Description	Date Enacted
Alternative Public Works	39.10.470(2)	Trade secrets and proprietary information from contractors under alternative public works	1994, 2007
	39.10.470(3)	Documents related to procurement under the design-build award process for alternative public works until selection is made or terminated	2014
State procurement	39.26.030(2)	Competitive bids subject to chapter 42.56 RCW except exempt from disclosure until apparent successful bidder announced	2012
Preservation and Destruction of Public Records	40.14.030(2)	Records transferred to state archives	2003
	40.14.070(2)(c)	Sex offender records transferred to the Washington Association of Sheriffs and Police Chiefs	1999
	40.14.180	Bill drafting records of the Code Reviser's Office	1971
Domestic violence, sexual assault	40.24.070	Names of persons in domestic violence or sexual assault programs, records in address confidentiality program, and limitations on contact information in program participant's file obtained from wireless telecommunications providers	1991, 1999, 2015
Biometric identifiers	40.26.020(5)	Biometric identifier information may not be disclosed under the public records act, chapter 42.56 RCW	2017
Health care contracts	41.05.026	Health care contractor proprietary information	
School district insurance	41.05.890(2)	Claims, health care, and financial information submitted by school districts to the office of the insurance commissioner and health care authority	2018
Salary surveys	41.06.160, 41.06.167	Salary and fringe benefit information identifying a private employer from the Department of Personnel salary survey	
Collective bargaining	41.56.029(2), 41.56.510	Collective bargaining authorization cards of public employees and adult family home providers	2007
Campaign finance	42.17A.120(3)	Modification hearing information on the suspension or modification of campaign finance reporting requirements under RCW 42.17A.710	2019
Scientific research	42.48.020, 42.48.040	Personally identifiable public records used in scientific research	1985
State government	43.06A.050	Investigative records of Office of Family and Children's Ombudsman	1996
	43.06C.060(3)	Information regarding investigations exchanged between the office of the corrections ombuds and the department of corrections	2018

Subject	RCW	Description	Date Enacted
	43.09.186(4)	Identity of person and documents in report to toll-free efficiency hotline	2007
	43.17.410	Personal information of vulnerable individuals and in-home caregivers	2017
	43.19.736	Print jobs contracted with private vendors must require vendor to enter into a confidentiality agreement if materials contain sensitive or personally identifiable information	2011
	43.19.781	Risk management loss history information	1989, 2011
	43.21A.160	Information on unique production processes given to the DOE	1970
	43.21F.060(1)	Proprietary information received by the State Energy Office	1976
	43.22.290	Employer labor statistics reports provided to the Department of Labor & Industries	1901
	43.22.434	Information obtained from contractors through an audit	2002
	43.23.270	Financial and commercial information obtained by Department of Agriculture for export market development projects	1996
	43.33A.025	State Investment Board criminal history record check	1999
	43.41.100	Confidential reports made to the governor by director of OFM	1969
	43.41.435	Enumeration data used for population estimates	2014
	43.43.710	WSP information in records relating to the commission of any crime by any person	1972
	43.43.762	Access to information in criminal street gang database determined by the chief executive officer of each participating agency	2008
	43.43.856	WSP organized crime Investigative information	1973
	43.52.612	Financial information provided to operating agencies in bid forms and experience provided by a contractor to a joint operating agency regarding bids on constructing a nuclear project	1982
	43.70.050(2)	Health care related data identifying patients or providers obtained by state agencies	1989
	43.70.052	DOH must maintain confidentiality of collected patient discharge data	1995, 2014
	43.70.056(2)(e)	Hospital reports and information on health care-associated infections	2007
	43.70.075	Identity of whistleblower who makes a complaint to the Department of Health regarding improper care	1995
	43.70.510	Information and documents created, collected and maintained by a quality assurance committee	2005
	43.71C.030(2)	Pharmacy benefit manager information reported to the Health Care Authority	2019

Subject	RCW	Description	Date Enacted
	43.71C.050(7), 43.71C.060(5), 43.71C.070(3)	Prescription drug manufacturer information reported to the Health Care Authority	2019
	43.71C.100(6)(7)	Health Care Authority prescription drug data	2019
	43.101.400	Criminal justice training commission records from initial background investigations	2021, 2001
	43.101.425	Crisis referral services communications and information are confidential	2009
	43.155.160(6)(g) (8)(f)	Broadband service provider confidential business and financial information submitted as part of an objection to an application for a grant to expand access to broadband service	2019
	43.185C.030	Personal information collected in homeless census	
	43.190.110	Complaint and investigation records of long-term care ombudsman	1983
	43.216.015(15)	Oversight board for children, youth, and families records, only the information if otherwise confidential under state or federal law	2018
	43.235.040(1)	Domestic violence fatality review information	2000
	43.330.062	Protocols may not require release of information that associate development organization client company has requested remain confidential	2011
	43.382.040	All matters under investigation by the developmental disabilities ombuds are confidential.	2016
	43.370.050(2)	Individual identification in released health care data for studies and analysis	2007
Motor Vehicles and Transportation	43.59.156(6)(a)	Confidential information obtained by the Cooper Jones Active Transportation Safety Council	2020
	46.12.635	Names and addresses of motor vehicle or vessel owners except for "business" and other purposes	1984, 2010, 2016
	46.20.041	Information on physically or mentally disabled person demonstrating ability to drive	1965
	46.20.118	Photos on drivers' licenses and identicards	1981
	46.20.117(6), 46.20.161(6)	Self-attestations and data provided for identicard and driver's license designations	2020
	46.35.030(1)(a)	Information obtained by a court order pursuant to discovery is not subject to public disclosure	2009
	46.52.065	Blood sample analyses done by state toxicology	1971
	46.52.080, 46.52.083	Most information in police accident reports	1937
	46.52.120	Individual motor vehicle driver records	1937

Subject	RCW	Description	Date Enacted
	46.52.130	Abstracts of motor vehicle driver records	1963
	46.70.042	Application for vehicle dealer licenses for 3 years	1967
	46.22.010	Information and records containing personal and identity information obtained by the Department of Licensing to administer driver and vehicle records	2021
	47.28.075	Information supplied to DOT to qualify contractors for highway construction	1981
	47.28.760	Information supplied to DOT to qualify contractors for ferry construction	1983
	47.60.760	Financial information submitted to qualify to bid for a ferry construction contract	1983
	<u>46.72B.140</u>	<u>Transportation network company records provided to the Department of Licensing for inspection</u>	<u>2022</u>
Insurance	48.02.065(1)	Information provided in the course of an insurance commissioner examination	2007
	48.02.120	Insurance company actuarial formulas, statistics, and assumptions held by Insurance Commissioner	1985
	48.02.230	Information used to develop an individual health insurance market stability program	2017
	48.03.040(6)(a), 48.03.050	Examinations and investigations by state insurance commissioner	1937
	48.05.385(2)	Information in support of the statement of actuarial opinion	2006
	48.05.465	Insurance risk-based capital reports and plans	1995
	48.05.510(4)	Insurer's reports to Insurance Commissioner	1995
	48.13.151	Information related to investment policies provided to the insurance commissioner is confidential and not a public record	2011
	48.17.595(6)	Information of insurer termination of business relationship with insurance producer or title insurance agent given to insurance commissioner	2007
	48.19.040(5)(b)	Information in a filing about the usage-based component in determining rates on usage-based insurance is confidential	2012
	48.20.530, 48.21.330, 48.44.470, 48.46.540	Proof of nonresident pharmacy licensure used by insurance companies to provide drugs to residents	1991
	48.30A.060	Insurance company antifraud plans submitted to Insurance Commissioner	1995
	48.31.405(1)	Commissioner information relating to supervision of any insurer	2005
	48.31B.015(1)(b)	Filing by controlling person of insurer seeking to divest its controlling interest is confidential until conclusion of the transaction	2015
	48.31B.015(2)(b)	Source of consideration for loan associated with acquiring an insurance company	1993

Subject	RCW	Description	Date Enacted
	48.31B.038(1)	Material used in the examination or investigation of insurers by the Insurance Commissioner	
	48.31B.038(6)	Material in the possession of the National Association of Insurance Commissioners pursuant to chapter 48.31B RCW	
	48.32.110(2)	Request for examination into insurer's financial condition	1971
	48.37.080 (1), (3)	Insurance market conduct oversight information	2007
	48.43.200(4)	Reports of material transactions by certified health plans	1995
	48.43.335(1)	Insurance risk base capital reports and plans	1998
	48.43.505(4)	Nonpublic personal health information held by health carriers and insurers	2019
	48.43.730	Provider compensation agreements are confidential	2013
	48.44.530(4)	Reports of material transactions by health care service contractors	1995
	48.46.600(4)	Reports of material transactions by health maintenance organizations	1995
	48.62.101(2)	Local government self-insurance liability reserve funds	1991
	48.74.026(1)(a)	The opinion and memorandum in support of the opinion submitted to the commissioner under RCW 48.74.025 are confidential and privileged.	2016
	48.74.028(6)	Information obtained in the course of an actuarial examination/investigation	2016
	48.94.010	Summary of Insurance Commissioner's refusal to issue reinsurance intermediary license	1993
	48.102.140(5)(a)	Documents and evidence provided regarding life settlement act fraud investigations are confidential and not public records	2009
	48.110.040	Financial reports files with the Insurance Commissioner	2005
	48.130.070	Records of the Interstate Insurance Product Regulation Compact involving privacy of individuals and insurers trade secrets	2005
	48.135.060(1)	Insurance fraud investigative and identity information	2006
	48.195.040(1)	An insurer's corporate governance annual disclosure and related information submitted to the insurance commissioner	2018
Labor regulations	49.17.080(1)	Name of employee of company seeking Industrial Safety and Health Act	1973
	49.17.200	Trade secrets reported to L&I under the Industrial Safety and Health Act	1973
	49.17.210	Identification of employer or employee in L&I studies	1973
	49.17.250(3)	Information obtained by L&I from employer-requested consultation regarding the Industrial Safety and Health Act	1991
	49.17.260	L&I investigative reports on industrial catastrophes	1973

Subject	RCW	Description	Date Enacted
	49.17.062(3)	During public health emergencies, certain personally identifiable information regarding employees of the Department of Labor and Industries	2021
	<u>49.44.220(1)</u>	<u>Individually identifiable information from employee assistance programs</u>	<u>2022</u>
	49.60.240	Option for Human Rights Commission complaints not to be made public	1993
	49.70.119(6)(a)	Name of employee seeking records of agricultural pesticide applications	1973
	49.76.040	Employee's information regarding domestic violence	2008
	49.76.090	Domestic violence leave information in files and records of employees is confidential and not open to public inspection	2008
	50.13.015, 50.13.020, 50.13.040, 50.13.050, 50.13.100, 50.13.120	Most information supplied to the Employment Security Department	1977, 2019
	50.13.060(8)	WorkFirst program information	2000
Family and medical leave	50A.05.020(4)	Information pertaining to employees regarding family and medical leave	2017
	50A.05.040(4)	Information in surveys of the ombuds office for families and medical leave	2017
	50A.20.030(2)(b)	Information obtained under this chapter from employer records is confidential	2017
Long-term care	<u>50B.04.170</u>	<u>Information relating to premium assessment and qualified individual determination</u>	<u>2022</u>
Industrial insurance	51.04.063	Information relating to individual claim resolution settlement agreements submitted to the board of industrial appeals	2014
	51.16.070(2)	Information in employer's records obtained by L&I under Industrial Insurance	1957
	51.28.070	Information in industrial insurance claim files	1957
	51.36.110(1)	Information in audits of health care providers under Industrial Insurance	1994
	51.36.120	Financial or valuable trade information from health care providers	1989
Export trading company	53.31.050	Financial and commercial information supplied to port district export trading company	1986
Unclaimed property	63.29.300(4)	Material obtained during an examination under chapter 63.29 RCW is confidential and may not be disclosed to any person except as provided in RCW 63.29.380	2015
	63.29.380	Information relating to unclaimed property furnished to the Department of Revenue	1983
	<u>63.30.820</u>	<u>Records that are confidential under the laws of another jurisdiction</u>	<u>2022</u>
Autopsies	68.50.105	Records of autopsies and post mortems; conditions, limitations on exemption	1953, 2013

Subject	RCW	Description	Date Enacted
Coroners	68.64.190	Certain information released to tissue or organ procurement	2008
Food, drugs, cosmetics, and poison	69.41.044	Pharmaceutical manufacturer information obtained by the quality assurance commission	1989, 2016
	69.41.280	Information on legend drugs obtained by the pharmacy quality assurance commission	1989, 2013
	69.45.090	Records and information supplied by drug manufactures to the pharmacy quality assurance commission	1987, 2013
	69.50.561(6)	Licensed marijuana cannabis business's financial and proprietary information supplied during consultative services by the Washington State Liquor and Cannabis Board	2019
	69.51.050	Names of persons participating in controlled substances therapeutic research programs	1979
Unwanted medication disposal	69.48.170	Proprietary information submitted to the Department of Health regarding unwanted medication disposal	2018
Health care	70.02.220 through 70.02.260	Personal health care information	2013
Child mortality	70.05.170	Medical records regarding child mortality review	1992
Fatality review teams	70.05.210	Records relating to overdose, withdrawal, and suicide fatality reviews	2022
Generic prescription drugs and insulin partnership agreements	70.14.065(4)	Records obtained or created relating to partnership agreements for producing, distributing, and purchasing generic prescription drugs and insulin	2021
Sexually transmitted diseases	70.24.022	Information gathered by health care workers from interviews regarding sexually transmitted diseases	1988
	70.24.034	Records on hearings on dangerous sexual behavior of sexually transmitted disease carriers	1988
Tuberculosis	70.28.020	Tuberculosis records	1899
Hospitals	70.41.150	Hospital inspection information	1955
	70.41.200(3)	Information maintained by a health care services quality improvement committee	1986

Subject	RCW	Description	Date Enacted
	70.41.220	Hospital records restricting practitioner's privileges in possession of medical disciplinary board	1986
Medical tests	70.42.210	Identity of person whose material was taken at a medical test site	1989
Medical treatment	70.47.150	Records of medical treatment	1990
Jail register	70.48.100	Jail register records	1977
Cancer registry	70.54.250	Cancer registry program	1990
Maternal mortality	70.54.450(4)(a)	Maternal mortality review panel information	2016
Vital records	70.58.055(2)	Information on birth manner of delivery kept in birth certificate records	1991
	70.58A.400(5)	Sealed birth records with adoption decrees under chapter 26.33 RCW	2019
	70.58A.500(3)	Sealed live birth records	2019
	70.58A.530(15), (16)	Certification of birth or fetal death, including certification of birth resulting in stillbirth, that includes information from the confidential section of the birth or fetal death record	2019
	70.58A.540, 42.56.365	Vital records, reports, statistics, and data	2019
Fireworks	70.77.455	Fireworks license records	1995
Pesticide poisoning	70.104.055	Reports on pesticide poisoning	1989
Nursing home whistleblower	70.124.100	Name of whistleblower in nursing home or state hospital	1997
Sexual assault program	70.125.065	Records of community sexual assault program or underserved populations provider	1981, 2012
Hospice	70.127.190	Hospice records	1988
Long-term care residents	70.129.050	Personal and clinical records of long-term care residents	1994
Tobacco products	70.158.050	Tobacco product manufacturers' information required to comply with chapter 70.58 RCW is confidential and shall not be disclosed	2003
Trauma care	70.168.070	Limitations on disclosure of reports made by hospital trauma care on-site review teams	1990
	70.168.090	Patient records and quality assurance records associated with trauma care facilities	1990

Subject	RCW	Description	Date Enacted
Charity care	70.170.090	Charity care patient information	1989
Prescription monitoring	70.225.040(1)	Information submitted to the prescription monitoring program	2019
Ambulatory surgical facilities	70.230.110	Ambulatory surgical facilities data related to the quality of patient care	2007
	70.230.170	Information received by the department of health regarding ambulatory surgical facilities	2007
Prescription drug affordability board	<u>70.405.040(7)</u>	<u>Information collected by the board during an affordability review</u>	<u>2022</u>
Behavioral health	70.02.230	Information and records related to mental health services	2020
	71.05.425	Personal information regarding the release or transfer of a person committed under RCW 71.05.280(3) or 1.05.320(3)(c) following dismissal of offense under RCW 10.77.086(4)	2013
	71.05.445(4)	Court-ordered behavioral health treatment records received by the department of corrections	
	71.05.620	Mental health treatment records	1989
	71.09.140(2)	Names of victims, next of kin, or witnesses who are notified when sexually violent predator escapes, on parole, or released	1995
	71.24.035(5)(h)	Behavioral health client information.	1982, 2016
	71.34.335	Minors' mental health treatment records	1985
	71.40.120(3), 71.40.140	Communications, records, and files of the Office of Behavioral Health Consumer Advocacy, and related organizations and advocates	2021
Air quality	70A.15.2510	Information on processes or if it may affect competitive position	1967
Greenhouse gas emissions	<u>70A.65.100(9)</u>	<u>Various cap and invest program records</u>	<u>2022</u>
Sewage	70A.105.070	Trade secret information regarding on-site sewage disposal	1994
Solid waste	70A.205.240	Proprietary information on solid waste management practices	1989
Waste reduction	70A.214.040(4)	Proprietary information regarding waste reduction	1988
	70A.214.130(2)	Waste reduction plans	1990
	70A.214.150(1)	Some information in executive summaries of waste reduction efforts	1990
Hazardous waste	70A.300.290	Manufacturing or business information regarding hazardous waste management	1983

Subject	RCW	Description	Date Enacted
Petroleum storage tanks	70A.325.080(1)	Proprietary information obtained when soliciting bids for cleanup of underground petroleum storage tanks	1989, 2015
Heating oil tanks	70A.330.080	Heating oil tank information	1995
Electronics recycling	70A.500.140(4)	Proprietary information in electronic product recycling reports	2006
Architectural paint	70A.515.130	Confidential, valuable, commercial information filed with the Department of Ecology regarding the architectural paint stewardship program	2019
Plastic product producers	70A.245.030(2)	Reports and information submitted to the Department of Ecology by producers of certain plastic products, when requested	2021
Developmental disabilities	71A.14.070	Confidential information regarding developmentally disabled persons	1988
Children with behavioral problems	72.05.130(1)	Reports regarding children with behavioral problems	1951
Corrections	72.09.116	Information from correctional industries work program participant or applicant	2004
	72.09.345(4)	Certain information on sex offenders held in custody	1997, 2011
	72.09.710	Names of witnesses notified when drug offenders released	1991, 2008
	72.09.712	Names of victims, next of kin, or witnesses who are notified when prisoner escapes, on parole, or released	1995, 2008
Public assistance	74.04.060, 74.04.062	Public assistance records	1941
	74.04.520	Names of recipients of food stamps	1969
	74.09.290(1)	Medical records of persons on public assistance	1979
	74.09.315(2)	Identity of whistleblower	2012
Child welfare	28A.300.544(6)	Confidential information received by the work group on students in foster care and/or experiencing homelessness	2020
	74.13.075(5)	A juvenile's status as a sexually aggressive youth and related information	2009
	74.13.280(4), 74.13.285(4)	Information on a child in foster care or child's family	1990, 2009
	74.13.500 through 74.13.525	Disclosure of child welfare records	1997
	74.13.640	Child fatality reports are subject to disclosure but confidential information may be redacted	2011

Subject	RCW	Description	Date Enacted
Adoption	74.13A.045	Information from adoptive parents of children receiving public assistance	1971, 2009
	74.13A.065	Adoption support records	1971, 2009
Blind persons	74.18.127(1)	Personal information maintained by the department of services for the blind	2003
Dependent children	74.20.280	Limited access to information in DSHS registry concerning parents of dependent children	1963
	74.20A.360, 74.20A.370	Certain records in division of child support	1997
Vulnerable adult abuse	74.34.035(10)	In an investigation relating to a vulnerable adult, access to records subject to attorney-client privilege not permitted without a court order	2013
	74.34.040	Identify of person making report on abuse of vulnerable adult	1984
	74.34.067	Secondary disclosure of shared confidential information regarding vulnerable adults	2013
	74.34.090	Identity of persons in records of abused vulnerable adults	1984
	74.34.095(1)	Information concerning the abuse of vulnerable adults	1999
	74.34.180(1)	Name of whistleblower reporting abuse of vulnerable adults in various facilities	1997
	74.34.300	Vulnerable adult fatality reviews	2008
Long-term care	74.39A.060(6)	Personal identifying information of complainant and residents in a complaint against a long-term care facility	
	74.39A.275(5)	Personal information of vulnerable adults and in-home care providers	
Nursing homes	74.42.080	Records on nursing home residents	1979
	74.42.640	Information and documents created, collected and maintained by a quality assurance committee	2005
Medicaid fraud	74.66.030	Information furnished pursuant to the Medicaid fraud false claims act is exempt until final disposition and all court ordered seals are lifted	2012
	74.66.120	Documentary material, answers to written interrogatories, or oral testimony provided under a civil investigative demand	2012
Surface mining	78.44.085(5)	Surface mining information	2006
Exploratory wells	78.52.260	Well logs on oil capable of being produced from a "wildcat" or "exploratory" well	1951
Geothermal resources	78.60.230	Geothermal records filed with the Department of Natural Resources	1974
Boating accidents	79A.60.210, 79A.60.220	Certain boating accident reports provided to the Parks and Recreation Commission	1984

Subject	RCW	Description	Date Enacted
Utilities	80.04.095	Utility records filed with UTC containing valuable commercial information	1987
	81.88.160(7)	Gas pipeline company reports submitted to the UTC that contain proprietary data or where disclosure would affect public safety	2020
Rail guideway	81.104.115(4), 81.112.180(4)	Rail fixed guideway system security and emergency preparedness plan	1999 2016
Tax information	82.32.330(2)	Certain tax return and tax information	1935
	82.32.808	Amounts less than \$10,000 claimed in a tax preference	2013
	82.38.310(4)	Information from tribes or tribal retailers received by the state under a special fuel taxes agreement	2007
	84.08.210	Tax information if highly offensive to reasonable person and not a legitimate concern to public or would result in unfair competitive disadvantage	1997
	84.36.389	Income data for retired or disabled persons seeking property tax exemptions	1974
	84.40.020	Confidential income data in property tax listings	1973
	84.40.340	UTC records containing commercial information a court determines confidential	1961
Livestock producers	90.64.190	Livestock producer information	2005