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HOUSE BILL 1912

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State of Washington                      55th Legislature                      1997 Regular Session

By Representatives Sherstad and Constantine

Read first time 02/13/97. Referred to Committee on Law & Justice.

1            AN ACT Relating to preservation of confidential records; adding a  
2 new section to chapter 9.91 RCW; prescribing penalties; and declaring  
3 an emergency.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 9.91 RCW  
6 to read as follows:

7            (1)(a) A public or private entity may not transfer information  
8 regarding an individual contained in records held by or under the  
9 control of the entity to another person or public or private entity  
10 without simultaneously sending notice of the transfer to all persons  
11 identified in the information transferred.

12            (b) The notice must contain the fact of the transfer, the date of  
13 the transfer, the name of the entity transferring the information, the  
14 person or entity requesting the transfer and the reason for requesting  
15 the transfer, the name of the person or entity receiving the transfer  
16 and how the information will be used, and a general description of the  
17 information transferred.

18            (c) This section does not apply to law enforcement or correction  
19 agency personnel if the notice would compromise an investigation,

1 trial, security, or public safety. The agency has the burden to show  
2 that it is exempt from this section.

3 (2) Violation of this section is a gross misdemeanor.

4 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
5 preservation of the public peace, health, morals, or safety, or support  
6 of the state government and its existing public institutions, and takes  
7 effect immediately.

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