

Legislative Planning Committee 2017 End of Session report

Recently enacted bills that may impact WLA, libraries, library employees, or retirees

Below is a summary of state legislation tracked by the WLA Legislative Planning Committee. Full text of each bill is available at the State Legislature website www.leg.wa.gov along with bill histories, fiscal notes and legislative staff analysis.

Members of the Legislative Planning committee perused these bills in their original, amended and adopted formats to evaluate their potential or likely impact to libraries. Please consult your library legal counsel for interpretation or analysis specific to your library.

2017 Legislative Planning Committee bill readers:

- Andrew Chanse, Spokane Public Library
- Nancy Ledebouer, Spokane County Library District
- Christine Perkins, Whatcom County Library System
- Patrick Rowe, Spokane County Library District
- John Sheller, King County Library System

Early Learning

HB 1719 *Washington Library Association* will join the Governor's Early Learning Advisory Council (ELAC). ELAC advises the state Department of Early Learning on statewide early learning issues. ELAC has 23 members, and since its inception WLA has voiced interest in participating to include library expertise and experience with early learning.

Effective date: July 23, 2017

Digital Literacy

ESSB 5449 Beginning in the 2017-18 school year, current state law requires school districts to annually review their policy and procedures on electronic resources and Internet safety. In reviewing and amending the policy and procedures, a school district must involve a representation of students, parents or guardians, teachers, teacher-librarians, other school employees, administrators, and community representatives with experience or expertise in digital citizenship, media literacy, and Internet safety issues.

By December 1, 2017, Washington State School Directors' Association (WSSDA) must review and revise its model policy and procedures on electronic resources and Internet safety to better support digital citizenship, media literacy, and Internet safety in schools. The model policy and procedures must contain provisions requiring that media literacy resources consist of a balance of sources and perspectives. WSSDA must also develop a checklist of items for school districts to consider when updating their policy and procedures.

OSPI must create a web-based location with links to recommended successful practices and resources to support digital citizenship, media literacy, and Internet safety for use in the 2017-18 school year. Thereafter, OSPI must continue to identify and develop additional open educational resources to support digital citizenship, media literacy, and Internet safety in schools for the web-based location. Media literacy resources must consist of a balance of sources and perspectives.

By December 1, 2018, OSPI must survey teacher-librarians, principals, and technology directors to understand how they are currently integrating digital citizenship and media literacy education in their curriculum. The purpose of the survey is to determine ways in which teacher-librarians, principals, and technology directors can lead, teach, and support digital citizenship and media literacy across all grades and content areas. OSPI's web-based location must incorporate the information gathered by the survey

Effective date: July 23, 2017

Open Government & Public Records Management

SHB 1417 Harmonizes sections of the Open Public Meetings Act (OPRA) with the Public Records Act (PRA) to allow governing bodies of a public agency to hold an executive session to consider matters of information technology system security and vulnerability. PRA guidelines have allowed IT security and vulnerability information to be shielded from public disclosure, similar to personnel information; while the Open Public Meetings Act had previously limited executive session topics to personnel issues and real estate transactions.

Effective date: July 23, 2017

ESHB 1594 Authorizes the State Archives to conduct a feasibility study for establishing a statewide Internet portal for public records management; requires the State Archives to establish a competitive grant process for local agencies seeking to improve their information technology systems; and requires the Attorney General to establish a consultation program to assist local governments with best practices for managing public records requests.

The measure exempts the personnel records of public agency volunteers, such as library volunteers, from Public Records Act disclosure if the volunteer is not in an administrative or supervisory role and is not appointed to a board or commission. 1594 further requires state training for records officers to address issues of retention, production and disclosure of electronic records.

Effective date: July 23, 2017

EHB 1595 Authorizes public agencies such as libraries to charge for providing copies of electronically produced public records; allows customized service charges for exceptionally complex records requests; allows agencies to deny frequent automatically generated requests that would interfere with essential functions of the agency; and determines that a request for all agency records is not a valid public records request.

The impetus for this legislation was largely from city and county agencies that are sometimes overwhelmed by computer generated records requests; or in some cases have failed to meet PRA deadlines due to the enormity of records request. Libraries have not experienced this issue to the extent that some of our state's cities or transit agencies have, but libraries have had to navigate large-scale or complex agency records requests that have been difficult and time-consuming to satisfy.

Effective date: July 23, 2017

Library Governance

HB 1281 Increasing the size of the King County Library System board of trustees from 5 to 7 members. Part of a larger effort by the King County Council and County Executive to have all boards and commissions reflect and respond to the growth in size, complexity and diversity of King County, this measure was supported by WLA and KCLS.

Effective date: July 23, 2017

Internet Security, Safety and Privacy

HB 1829 Related to SHB 1417, House Bill 1829 specifies that certain information regarding public and private computer and telecommunications networks is exempt from disclosure under the PRA.

Effective date: July 23, 2017

EHB 1728 Streamlines and expedites the process for law enforcement to obtain a Special Inquiry Judge (SIJ) proceeding in pursuit of suspected sexual exploitation of children. For libraries this may result in a change of procedures in responding to law enforcement requests for computer records if the library is determined to be a "provider of electronic communication service or remote computing services." Included in the procedure is a provision that the provider (library) may not disclose the existence of a subpoena to the patron whose computer records are requested.

Effective date: July 23, 2017

ESHB 2200 Requires broadband Internet providers to obtain consent to sell or transfer certain customer information; and further requires broadband providers to obtain consent to send or display advertisement to a customer based on certain customer information. Bill sponsors promoted this legislation as necessary at the state level until federal regulation addresses broadband customer transparency, privacy and security issues. This could impact library agreements with broadband providers.

Effective date: July 23, 2017

Developing or Selling Library Real Property

HB 1959 Requires any city, town, code city, county, or municipal corporation to provide notice and hold a hearing prior to removing, vacating, or extinguishing a restrictive covenant from land that it owns. This bill arises from a local issue with a city council that was gifted parcels of land for park use. The city removed the restriction without a public hearing through its own process, and the first time the public heard about the removal was when a developer applied for a change of use.

Effective date: July 23, 2017