
ENGROSSED HOUSE BILL 2097

AS AMENDED BY THE SENATE

Passed Legislature - 2018 Regular Session

State of Washington **65th Legislature** **2017 Regular Session**

By Representatives Stanford, Fitzgibbon, Ortiz-Self, Senn, Pettigrew, Jinkins, Kagi, Lytton, Ormsby, Peterson, Pollet, Ryu, Farrell, Santos, Appleton, and Macri

Read first time 02/13/17. Referred to Committee on Judiciary.

1 AN ACT Relating to limiting disclosure of information about the
2 religious affiliation of individuals; adding a new section to chapter
3 49.60 RCW; adding a new section to chapter 42.56 RCW; adding a new
4 chapter to Title 42 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds and declares the
7 following:

8 (1) Washington state celebrates the rich cultural heritage and
9 diversity of its residents; and

10 (2) Freedom of religion and protection from persecution on the
11 basis of religion is one of the founding ideals of the nation.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.60
13 RCW to read as follows:

14 It is an unfair practice for an employer to:

15 (1) Require an employee to disclose his or her sincerely held
16 religious affiliation or beliefs, unless the disclosure is for the
17 purpose of providing a religious accommodation at the request of the
18 employee; or

19 (2) Require or authorize an employee to disclose information
20 about the religious affiliation of another employee, unless the

1 individual whose religious affiliation will be disclosed (a)
2 expressly consents to the disclosure, and (b) has knowledge of the
3 purpose for the disclosure.

4 NEW SECTION. **Sec. 3.** A state or local government agency or
5 public employee shall not:

6 (1) Provide or disclose to federal government authorities
7 personally identifiable information regarding the religious beliefs,
8 practices, or affiliation of any individual, except where the
9 employee is a witness to a crime;

10 (2) Use public funds, facilities, property, equipment, or
11 personnel to assist in creation, implementation, or enforcement of
12 any government program compiling a list, registry, or database of
13 personally identifiable information about individuals based on
14 religious beliefs, practice, or affiliation, for law enforcement or
15 immigration purposes; or

16 (3) Make personally identifiable information from agency
17 databases available, including any databases maintained by private
18 vendors contracting with the agency, to anyone or any entity for the
19 purpose of investigation or enforcement under any government program
20 compiling a list, registry, or database of individuals based on
21 religious belief, practice, or affiliation, or national origin, or
22 ethnicity for law enforcement or immigration purposes.

23 NEW SECTION. **Sec. 4.** State and local law enforcement agencies
24 shall not:

25 (1) Collect information on the religious belief, practice, or
26 affiliation of any individual except (a) as part of a criminal
27 investigation of an individual based on reasonable suspicion that the
28 individual has engaged in criminal activity, and when there is a
29 nexus between the criminal activity and the specific information
30 collected about religious belief, practice, or affiliation, or (b)
31 where necessary to provide religious accommodations; or

32 (2) Use public funds, facilities, property, equipment, or
33 personnel to investigate, enforce, or assist in the investigation or
34 enforcement of any criminal, civil, or administrative violation, or
35 warrant for a violation, of any requirement that individuals register
36 with the federal government or any federal agency based on religion.

1 NEW SECTION. **Sec. 5.** Any agreements in existence on the
2 effective date of this section that make any state or local
3 government agency information or database available in conflict with
4 the terms of this chapter are terminated on that date to the extent
5 of the conflict.

6 NEW SECTION. **Sec. 6.** Sections 3 through 5 of this act
7 constitute a new chapter in Title 42 RCW.

8 NEW SECTION. **Sec. 7.** A new section is added to chapter 42.56
9 RCW to read as follows:

10 All records that relate to or contain personally identifying
11 information about an individual's religious beliefs, practices, or
12 affiliation are exempt from disclosure under this chapter.

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