

# Appendix C: Exemption and Prohibition Statutes Not Listed in Chapter 42.56 RCW

RCW 42.56.070(2) requires an agency to:

publish and maintain a current list containing every law, other than those listed in the PRA, that the agency believes exempts or prohibits disclosure of specific information or records of the agency. An agency’s failure to list an exemption shall not affect the efficacy of any exemption.

The following list provides exemptions and prohibition statutes not listed in the PRA. Some of the exemptions and prohibitions on the list concern public record information that may not be relevant for your jurisdiction. For instance, cities would not normally have records regarding marriage license applications or adoption records.

MRSC will periodically update this list; the date of the last update is reflected in the footer. If you become aware of additions or corrections that should be made to the list, please notify one of the staff attorneys at MRSC.

The [Attorney General’s Sunshine Committee](#) webpage also provides a list of public disclosure exemptions created annually by the Code Reviser’s Office.

## Washington State Statutes

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| <a href="#">RCW 2.64.111</a>                                | Judicial conduct commission investigations of judges and initial proceedings                                   |
| <a href="#">RCW 4.24.550</a>                                | Information on sex offenders   |
| <a href="#">RCW 4.24.601</a> and <a href="#">.611</a>       | Trade secrets and confidential research, development or commercial information re products or business methods |
| <a href="#">RCW 5.60.060</a>                                | Privileged communications  |
| <a href="#">RCW 5.60.070</a> ; <a href="#">RCW 7.07.070</a> | Mediation records  |
| <a href="#">RCW 7.68.140</a>                                | Victims’ compensation claims   |
| <a href="#">RCW 7.69A.030(4)</a>                            | Name, address and photograph of child victim or child witness  |
| <a href="#">RCW 7.69A.050</a>                               | Child victims and witnesses of certain crimes – protection of address  |
| <a href="#">RCW 7.75.050</a>                                | Records of Dispute Resolution Centers  |
| <a href="#">RCW 9.02.100</a>                                | Reproductive privacy   |
| <a href="#">RCW 9.41.097(2)</a>                             | Mental health information re persons buying pistols or applying for CPLs                                       |
| <a href="#">RCW 9.41.129</a>                                | Concealed pistol license applications  |

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| <u>RCW 9.73.230</u>       | Name of confidential informants in written report on wire tapping  |
| <u>RCW 9.51.050</u>       | Disclosing transaction of grand jury   |
| <u>RCW 9.51.060</u>       | Disclosure of grand jury deposition  |
| <u>RCW 9.73.090(1)(c)</u> | Prohibition on disclosure of law enforcement dash cam videos until final disposition of litigation   |
| <u>RCW 9A.44.138</u>      | Offender registration information given to high school or institution of higher education re an employee or student  |
| <u>RCW 9A.82.170</u>      | Financial institution records re criminal profiteering act   |
| <u>RCW 10.27.090</u>      | Grand jury testimony/evidence  |
| <u>RCW 10.27.160</u>      | Grand jury reports – release to public only by judicial order  |
| <u>RCW 10.52.100</u>      | Records identifying child victims of sexual assault  |
| <u>RCW 10.77.205</u>      | Information re victims, next of kin, or witnesses requesting notice of release of person found not guilty of a sex, violent, or felony harassment offense by reason of criminal insanity and the notice itself |
| <u>RCW 10.52.100</u>      | Records identifying child victim of sexual assault   |
| <u>RCW 10.77.210</u>      | Records of persons committed for criminal insanity   |
| <u>RCW 10.97.040</u>      | Criminal history information released must include disposition, with some exceptions   |
| <u>RCW 10.97.050</u>      | Conviction and criminal history information  |
| <u>RCW 10.97.060</u>      | Deletion of certain criminal history record information, conditions  |
| <u>RCW 10.97.070</u>      | Disclosure of identity of suspect to victim  |
| <u>RCW 10.97.080</u>      | Inspection of criminal record by subject   |
| <u>RCW 10.97.130</u>      | Information about victims of sexual assault under age eighteen   |
| <u>RCW 10.101.020(3)</u>  | Information given by an accused regarding determination for indigent defense   |
| <u>RCW 13.34.115</u>      | Court dependency proceedings   |
| <u>RCW 13.40.217</u>      | Juveniles adjudicated of sex offenses – release of information   |
| <u>RCW 13.50.010</u>      | Maintenance of and access to juvenile records  |
| <u>RCW 13.50.050</u>      | Juvenile offender records  |
| <u>RCW 13.50.100</u>      | Juvenile/children records not relating to offenses   |
| <u>RCW 13.60.020</u>      | Missing children or endangered person information  |
| <u>RCW 18.04.405</u>      | Confidentiality of information gained by CPA   |
| <u>RCW 18.19.060</u>      | Notification to clients by counselors  |
| <u>RCW 18.19.180</u>      | Confidential communications with counselors  |
| <u>RCW 19.215.020</u>     | Destruction of personal health and financial information   |
| <u>RCW 19.34.240(3)</u>   | Private digital signature keys   |

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| <u>RCW 19.215.030</u>    | Compliance with federal rules   |
| <u>RCW 26.04.175</u>     | Name and address of domestic violence victim in marriage records  |
| <u>RCW 26.12.170</u>     | Reports of child abuse/neglect with courts  |
| <u>RCW 26.23.050</u>     | Child support orders  |
| <u>RCW 26.23.120</u>     | Child support records   |
| <u>RCW 26.26.041</u>     | Uniform Parentage Act – protection of participants  |
| <u>RCW 26.26.450</u>     | Confidentiality of genetic testing  |
| <u>RCW 26.33.330</u>     | Sealed court adoption records   |
| <u>RCW 26.33.340</u>     | Agency adoption records   |
| <u>RCW 26.33.343</u>     | Access to adoption records by confidential intermediary   |
| <u>RCW 26.33.380</u>     | Adoption – identity of birth parents confidential   |
| <u>RCW 26.44.010</u>     | Privacy of reports on child abuse and neglect   |
| <u>RCW 26.44.031</u>     | Information related to reports of child abuse or neglect  |
| <u>RCW 26.44.125</u>     | Reports, reviews and hearings related to a review of abuse finding  |
| <u>RCW 27.53.070</u>     | Records identifying the location of archaeological sites  |
| <u>RCW 29A.08.720</u>    | Voter registration records – place of registration and any decision not to register to vote confidential  |
| <u>RCW 29A.08.710</u>    | Voter registration records – certain information exempt   |
| <u>RCW 35.102.145</u>    | Municipal business and occupation tax – local ordinance can protect return or tax information   |
| <u>RCW 36.28A.060(8)</u> | Tactical and intelligence information provided to WASPC   |
| <u>RCW 39.10.470(2)</u>  | Alternative public works – trade secrets or other proprietary information submitted by bidder in connection with an alternative public works transaction if data identified and reasons stated in writing |
| <u>RCW 39.10.470(3)</u>  | Alternative public works – proposals submitted by design-build finalists until notification of highest scoring finalist is made   |
| <u>RCW 42.23.070(4)</u>  | Municipal officer disclosure of confidential information prohibited   |
| <u>RCW 42.41.030(7)</u>  | Identity of local government whistleblower  |
| <u>RCW 42.41.045</u>     | Non-disclosure of protected information (whistleblower)   |
| <u>RCW 43.43.762</u>     | Contents of statewide criminal street gang database   |
| <u>RCW 46.52.065</u>     | State toxicologist records relating to analyses of blood samples  |
| <u>RCW 46.52.080</u>     | Traffic accident reports – confidentiality  |
| <u>RCW 46.52.083</u>     | Traffic accident reports – available to interested parties  |
| <u>RCW 46.52.120</u>     | Traffic crimes and infractions – confidential use by police and courts  |
| <u>RCW 46.52.130(2)</u>  | Abstract of driving record – limited disclosure   |

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| <a href="#"><u>RCW 48.62.101</u></a>       | Local government insurance/risk management liability reserve funds established to settle claims                    |
| <a href="#"><u>RCW 50.13.060</u></a>       | Access to employment security records by local government agencies   |
| <a href="#"><u>RCW 50.13.100</u></a>       | Disclosure of confidential employment security records allowed if identifying information deleted or with consent  |
| <a href="#"><u>RCW 51.28.070</u></a>       | Worker's compensation records confidential – limited disclosure  |
| <a href="#"><u>RCW 51.36.060</u></a>       | Physician information on injured workers   |
| <a href="#"><u>RCW 60.70.040</u></a>       | No duty to disclose record of common law lien  |
| <a href="#"><u>RCW 68.50.105</u></a>       | Autopsy reports – confidential – limited disclosure  |
| <a href="#"><u>RCW 68.50.320</u></a>       | Dental identification records – available to law enforcement agencies  |
| <a href="#"><u>Ch. 70.02 RCW</u></a>       | Medical records – access and disclosure – entire chapter (information from HC providers)                           |
| <a href="#"><u>RCW 70.05.170</u></a>       | Child mortality reviews by local health departments  |
| <a href="#"><u>RCW 70.24.022</u></a>       | Public health agency information regarding sexually transmitted disease investigations - confidential              |
| <a href="#"><u>RCW 70.24.024</u></a>       | Transcripts and records of hearings regarding sexually transmitted diseases  |
| <a href="#"><u>RCW 70.28.020</u></a>       | Local health department TB records – confidential  |
| <a href="#"><u>RCW 70.41.200</u></a>       | Hospital quality improvement committee records and accreditation reports   |
| <a href="#"><u>RCW 70.48.100</u></a>       | Jail records and booking photos  |
| <a href="#"><u>RCW 70.58.055</u></a>       | Birth certificates – certain information confidential  |
| <a href="#"><u>RCW 70.58.104</u></a>       | Vital records, research confidentiality safeguards   |
| <a href="#"><u>RCW 70.94.205</u></a>       | Washington Clean Air Act – confidentiality of data.  |
| <a href="#"><u>RCW 70.96A.150</u></a>      | Registration and other records of alcohol and drug abuse treatment programs  |
| <a href="#"><u>RCW 70.123.075</u></a>      | Client records of domestic violence programs   |
| <a href="#"><u>RCW 70.125.065</u></a>      | Records of community sexual assault program and underserved populations provider in discovery                      |
| <a href="#"><u>RCW 71.05.425</u></a>       | Notice of release or transfer of committed person after offense dismissal  |
| <a href="#"><u>RCW 71.05.445</u></a>       | Release of mental health information to Dept. of Corrections   |
| <a href="#"><u>RCW 71.05.620</u></a>       | Access to court records related to mental health cases under chapter 71.05 RCW                                     |
| <a href="#"><u>RCW 71.24.035(5)(g)</u></a> | Mental health information system – state, county and regional support networks – confidentiality of client records |
| <a href="#"><u>RCW 71.34.335</u></a>       | Mental health treatment of minors – records confidential   |
| <a href="#"><u>RCW 71A.14.070</u></a>      | Records regarding developmental disability – confidentiality   |

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| <u>RCW 72.09.345</u>    | Notice to public about sex offenders – department of corrections access to information |
| <u>RCW 72.09.585</u>    | Disclosure of inmate records to local agencies – confidentiality                       |
| <u>RCW 73.04.030</u>    | Veterans discharge papers exemption (see related RCW 42.56.440)                        |
| <u>RCW 74.04.060</u>    | Applicants and recipients of public assistance   |
| <u>RCW 74.04.520</u>    | Food stamp program confidentiality   |
| <u>RCW 74.13.075(5)</u> | Juvenile’s status as a sexually aggressive youth and related info                      |
| <u>RCW 74.13.280</u>    | Children in out-of-home placements – confidentiality                                   |
| <u>RCW 74.20.280</u>    | Child support enforcement – local agency cooperation, information                      |
| <u>RCW 74.34.095</u>    | Abuse of vulnerable adults – confidentiality of investigations and reports             |
| <u>RCW 82.32.330</u>    | Disclosure of tax information  |
| <u>RCW 84.36.389</u>    | Confidential income data in property tax records held by assessor                      |
| <u>RCW 84.40.020</u>    | Confidential income data supplied to assessor regarding real property                  |

### Selected Federal Confidentiality Statutes and Rules

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|---------------------------------|---|
| 18 USC § 2721 - 2725            | Driver and license plate information  |
| 20 USC § 1232g                  | Family Education Rights and Privacy Act                                       |
| 23 USC § 409                    | Evidence of certain accident reports  |
| 42 USC 290dd-2                  | Confidentiality of substance abuse records                                    |
| 42 USC § 405(c)(2)(C)(viii) (I) | Limits on use and disclosure of social security numbers.                      |
| 42 USC 654(26)                  | State plans for child support   |
| 42 USC 671(a)(8)                | State plans for foster care and adoption assistance                           |
| 42 USC 1396a(7)                 | State plans for medical assistance  |
| 7 CFR 272.1(c)                  | Food stamp applicants and recipients  |
| 34 CFR 361.38                   | State vocational rehabilitation services programs                             |
| 42 CFR Part 2 (2.1 - 2.67)      | Confidentiality of alcohol and drug abuse patient records                     |
| 42 CFR 431.300 - 307            | Safeguarding information on applicants and recipients of medical assistance   |
| 42 CFR 483.420                  | Client protections for intermediate care facilities for the mentally retarded |

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| 42 CFR 5106a   | Grants to states for child abuse and neglect prevention and treatment programs |
| 45 CFR 160-164 | HIPAA privacy rule   |
| 46 CFR 40.321  | USCG regulations regarding confidentiality                                     |