

Fiscal Impact Statement for Initiative 1501

Summary

Initiative 1501 would have no significant fiscal impact on state or local governments.

General Assumptions

The effective date of the initiative is December 8, 2016.

Assumptions for Expenditure Analysis

Increasing Criminal Penalties for Identity Theft

Initiative 1501 (I-1501) increases the criminal penalties for the crime of identity theft to when the accused knowingly targets a senior or vulnerable individual when knowingly obtaining, possessing, using or transferring means of identification or financial information of another person with the intent to commit, or aid or abet, any crime. No new expenditures have been identified.

Increasing Civil Penalties for Consumer Fraud

I-1501 increases civil penalties for consumer fraud targeting seniors or vulnerable individuals, as defined in the initiative. Any consumer fraud that targets a senior or vulnerable individual would be subject to civil penalties of three times the amount of actual damages. No new expenditures have been identified.

Public Records Exemption

I-1501 provides a new exemption from public disclosure laws for sensitive personal information of vulnerable individuals and their in-home caregivers, as defined in the initiative. I-1501 would add the requirement that individual names, addresses, GPS coordinates, telephone numbers, email addresses, social security numbers, driver's license numbers and other personally identifying information be protected, and thus be redacted before disclosure. These additional redactions would result in little change to workload in responding to public records requests. It is assumed the initiative would not result in a significant increase or decrease in the number of public records requests. Minimal fiscal impact to the state or local governments is anticipated as a result of the new exemption.

Department of Social and Health Services Report

I-1501 would require the Department of Social and Health Services (DSHS) to report to the Governor and the Attorney General "about any additional records that should be made exempt from public disclosure to provide greater protection to seniors and vulnerable individuals against fraud, identity theft, and other forms of victimization." Reporting would be required within 180 days of the effective date of the initiative. DSHS assumes the cost of reporting will be minimal and can be absorbed with current resources.

State Agency Prohibition on Release of Sensitive Personal Information

Subject to outlined exceptions, I-1501 would prohibit state agencies from releasing sensitive personal information, as defined in the initiative, of vulnerable individuals or their in-home caregivers. This prohibition is expected to have a minimal fiscal impact to the state as the additional redactions required under the initiative will result in an insignificant change to workload in responding to public records requests.