
HOUSE BILL 1752

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Jacobsen, Wood, Anderson, Horn and Rasmussen.

Read first time February 7, 1991. Referred to Committee on State Government.

1 AN ACT Relating to geographic information services and products
2 provided by counties and cities; and creating a new chapter in Title 40
3 RCW.

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

5 NEW SECTION. **Sec. 1.** It is the intent of this chapter to
6 authorize counties and cities to recover a reasonable portion of costs
7 associated with building and maintaining geographic information
8 systems.

9 NEW SECTION. **Sec. 2.** The definitions set forth in this
10 section apply throughout this chapter.

11 (1) "Geographic information services and products" includes:

12 (a) Electronic manipulation of the geographically linked data
13 contained in public records to tailor the data to individual requests
14 or to develop a product that meets an individual's request;

1 (b) Duplicating all or any portion of geographically linked public
2 records in alternative formats not used by the county or city,
3 providing periodic updates of or duplicating an electronically
4 accessible, geographically linked file or data base;

5 (c) Providing on-line access to an electronically accessible,
6 geographically linked file or data base;

7 (d) Providing geographically linked information that cannot be
8 retrieved or generated by the existing computer programs of a county or
9 city;

10 (e) Providing functional electronic access to the geographically
11 linked information system of the county or city; in this subsection,
12 "functional access" includes the capability for alphanumeric query and
13 printing, graphic query and plotting, nongraphic data input and
14 analysis, and graphic data input and analysis;

15 (f) Providing software developed by a county or city or developed
16 by a contractor or other public agency for a county or city relating to
17 geographically linked data;

18 (g) Generating maps or other standard or customized products from
19 a geographic information system.

20 (2) "Geographically linked" means containing any geographical
21 attributes, such as census tracts or block groups, spatial coordinates,
22 addresses, or parcel numbers.

23 (3) "Public records" has the same meaning as set forth in RCW
24 42.17.020.

25 NEW SECTION. **Sec. 3.** (1) Subject to the provisions of this
26 section, counties and cities may elect to provide geographic
27 information services and products involving public records to members
28 of the public, notwithstanding RCW 42.17.260(6).

1 (2) Notwithstanding RCW 42.17.300, and except as provided in
2 subsection (3) of this section, counties and cities may establish fee
3 schedules for providing geographic information services and products
4 under this section, not to exceed the actual incremental costs of
5 providing the electronic services and products, and a reasonable
6 portion of the costs associated with building and maintaining the
7 geographic information system of the county or city.

8 (3)(a) A county or city may reduce the fee for providing geographic
9 information services and products for noncommercial use to the amounts
10 authorized under RCW 42.17.300 if the county or city determines that
11 the reduction is in the public interest.

12 (b) A county or city shall provide access for noncommercial
13 purposes to those portions of geographic information services or
14 products that constitute public records, at fees not exceeding those
15 allowed under RCW 42.17.300.

16 (c) Commercial use of information obtained directly or indirectly
17 from counties or cities under this section is prohibited.

18 (i) All income from the commercial use of information obtained
19 directly or indirectly from counties or cities under this section
20 belongs to the county or city from which the information was originally
21 obtained.

22 (ii) No person may transfer information obtained under this section
23 unless the transferee has previously acknowledged in writing his or her
24 understanding of the provisions of this subsection (3)(c).

25 (iii) In addition, a county or city may provide for administrative
26 imposition of a civil penalty for violation of this section in an
27 amount not less than two hundred dollars nor more than ten thousand
28 dollars. Each day of commercial use constitutes a separate violation.

29 (4) Counties and cities may enforce this subsection (3)(c) in
30 actions at law or in equity.

1 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act
2 constitute a new chapter in Title 40 RCW.