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**SUBSTITUTE SENATE BILL 6070**

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**State of Washington**

**53rd Legislature**

**1994 Regular Session**

**By** Senate Committee on Government Operations (originally sponsored by Senators Loveland, Winsley and M. Rasmussen; by request of Secretary of State)

Read first time 01/27/94.

1 AN ACT Relating to public records preservation, maintenance, and  
2 disposition by agencies of local government and the secretary of state;  
3 adding a new section to chapter 40.14 RCW; creating a new section;  
4 providing an effective date; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that: (1)  
7 Accountability for and the efficient management of local government  
8 records are in the public interest and that compliance with public  
9 records management requirements significantly affects the cost of local  
10 government administration; (2) the secretary of state is responsible  
11 for insuring the preservation of local government archives and may  
12 assist local government compliance with public records statutes; (3) as  
13 provided in RCW 40.14.025, all archives and records management services  
14 provided by the secretary of state are funded exclusively by a schedule  
15 of fees and charges established jointly by the secretary of state and  
16 the director of financial management; (4) the secretary of state's  
17 costs for preserving and providing public access to local government  
18 archives and providing records management assistance to local  
19 government agencies have been funded by fees paid by state government

1 agencies; (5) local government agencies are responsible for costs  
2 associated with managing, protecting, and providing public access to  
3 the records in their custody; (6) local government should help fund the  
4 secretary of state's local government archives and records management  
5 services; (7) the five-dollar fee collected by county clerks for  
6 processing warrants for unpaid taxes or liabilities filed by the state  
7 of Washington is not sufficient to cover processing costs and is far  
8 below filing fees commonly charged for similar types of minor civil  
9 actions; and (8) a surcharge of twenty dollars would bring the filing  
10 fee for warrants for the collection of unpaid taxes and liabilities up  
11 to a level comparable to other minor civil filings and could be applied  
12 to the support of the secretary of state's local government archives  
13 and records services without placing an undue burden on local  
14 government.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 40.14 RCW  
16 to read as follows:

17 A surcharge in the form of a penalty of twenty dollars shall be  
18 assessed to the judgment debtor in addition to the filing fee provided  
19 for in RCW 36.18.020(4), 50.20.190(3), 50.24.115, 51.48.210, and  
20 82.32.210 for the filing of a warrant for unpaid taxes or liabilities.  
21 The surcharge shall be collected by the filing agency upon satisfaction  
22 of the warrant and transmitted to the state treasurer who shall deposit  
23 it in the archives and records management account under RCW 40.14.025.

24 Surcharge revenue deposited in the archives and records management  
25 account shall be expended by the secretary of state exclusively for the  
26 payment of costs and expenses incurred in the provision of public  
27 archives and records management services to local government agencies  
28 by the division of archives and records management. The secretary of  
29 state shall work with local government representatives to establish a  
30 committee to advise the state archivist on the local government  
31 archives and records management program. Surcharge revenue shall be  
32 allocated exclusively to:

33 (1) Appraise, process, store, preserve, and provide public research  
34 access to original records designated by the state archivist as  
35 archival which are no longer required to be kept by the agencies which  
36 originally made or filed them;

1 (2) Protect essential records, as provided by chapters 40.10 and  
2 40.20 RCW. Permanent facsimiles of essential records shall be produced  
3 and placed in security storage with the state archivist;

4 (3) Coordinate records retention and disposition management and  
5 provide support for the following functions under RCW 40.14.070:

6 (a) Advise and assist individual agencies on public records  
7 management requirements and practices; and

8 (b) Compile, maintain, and regularly update general records  
9 retention schedules and destruction authorizations; and

10 (4) Develop and maintain standards for the application of recording  
11 media and records storage technologies.

12 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
13 preservation of the public peace, health, or safety, or support of the  
14 state government and its existing public institutions, and shall take  
15 effect May 1, 1994.

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