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**State Government & Tribal Affairs**  
**Committee**

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**HB 1784**

**Brief Description:** Expanding the authority of the public disclosure commission to include the open public meetings act and the open public records act.

**Sponsors:** Representatives Liias, Chase, Hasegawa, Appleton and Ormsby.

**Brief Summary of Bill**

- Authorizes the Public Disclosure Commission (PDC) to enforce the Open Public Meetings Act (OPMA) and the Public Records Act (PRA).
- Authorizes the PDC to investigate, review and adjudicate complaints alleging violations of the OPMA and the PRA as well as provide interpretative opinions and provide confidential consultation regarding the OPMA and the PRA.

**Hearing Date:** 2/10/09

**Staff:** Tracey O'Brien (786-7196)

**Background:**

In 1971 the Legislature enacted the Open Public Meetings Act (OPMA). The OPMA requires that all meetings of the governing body of a public agency be open to and public, and all persons shall be allowed to attend.

Initiative 276, passed by the voters in 1972, established the disclosure of campaign finances, lobbyist activities, financial affairs of elective officers and candidates, and access to public records. That initiative also created the Public Disclosure Commission (PDC), a five member, bi-partisan citizen commission, to enforce the provisions of the campaign finance disclosure law.

Twenty years later, in 1992, the Fair Campaign Practices Act was enacted following passage of Initiative 134. Initiative 134 imposed campaign contribution limits on elections for statewide

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and legislative office, further regulated independent expenditures, restricted the use of public funds for political purposes, and required public officials to report gifts received in excess of \$50.

Unlike the campaign finance disclosure laws, enforcement of the OPMA and the Public Records Act (PRA) must be pursued through the judicial system.

**Summary of Bill:**

The powers of the PDC are expanded to include the enforcement of the OPMA and the PRA. The PDC is authorized to investigate, review and adjudicate complaints alleging violations of the OPMA and the PRA. The PDC is also authorized to issue interpretative opinions of the OPMA and the PRA. In addition, the PDC can provide confidential consultation regarding a person's or agency's duties under the OPMA and the PRA.

The administrative statutes relating to the duties and powers of the PDC are recodified in a chapter separate from the campaign finance disclosure laws. Statutory cross-references are corrected accordingly.

**Appropriation:** None.

**Fiscal Note:** Requested on January 29, 2009.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.