

# HOUSE BILL REPORT

## SSB 6367

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**As Passed House:**  
February 28, 2010

**Title:** An act relating to responses to public records requests.

**Brief Description:** Allowing agencies to direct requesters to their web site for public records.

**Sponsors:** Senate Committee on Government Operations & Elections (originally sponsored by Senators Hatfield, Regala, Fairley, Fraser, Kohl-Welles and Roach).

**Brief History:**

**Committee Activity:**

State Government & Tribal Affairs: 2/23/10 [DP].

**Floor Activity:**

Passed House: 2/28/10, 96-0.

**Brief Summary of Substitute Bill**

- Allows public agencies to respond to a public records request by providing an Internet address for the location of the requested records.

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### HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

**Majority Report:** Do pass. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander, Flannigan, Hurst, Miloscia and Taylor.

**Staff:** Pam Madson (786-7111).

**Background:**

The Public Records Act (PRA) requires that all state and local government agencies make all public records available for public inspection and copying unless they fall within certain statutory exemptions. The provisions requiring public records disclosure must be interpreted liberally and the exemptions narrowly in order to effectuate a general policy favoring disclosure.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

State law encourages agencies to plan for and implement processes for making information available electronically to ease access to public records.

An agency, the Office of the Secretary of the Senate, or the Office of the Chief Clerk of the House of Representatives are required to respond to a public records request within five business days of its receipt by the public agency. The agency must either provide the record, acknowledge that the request has been received and provide a reasonable time estimate for a response, or deny the request.

**Summary of Bill:**

An additional response option is provided for use by public agencies that receive a public records request. The agency may provide a link to the specific record on the Internet for the requestor to access the records requested. If the requestor lets the agency know that he or she cannot access the records through the Internet, the agency must provide copies or allow the requestor to view the documents through an agency computer.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) This bill is identical to the House version of the bill. It will help counties provide information to citizens more efficiently and at less cost. It helps both government and the citizens requesting information.

(In support with concerns) The website that is provided must be to the specific document requested.

(Opposed) None.

**Persons Testifying:** (In support) Brian Enslow, Washington State Association of Counties; and Dan Steele, Washington State School Directors' Association.

(In support with concerns) Arthur West.

**Persons Signed In To Testify But Not Testifying:** None.