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**SENATE BILL 6373**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senators Hunt, Kuderer, Short, Warnick, Honeyford, and Chase

AN ACT Relating to hours of availability for inspection and copying of public records; and amending RCW 42.56.090.

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

**Sec.**  RCW 42.56.090 and 2009 c 428 s 2 are each amended to read as follows:

(1) Public records shall be available for inspection and copying during the customary office hours of the agency, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives for a minimum of thirty hours per week, except weeks that include state legal holidays, unless the person making the request and the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives or its representative agree on a different time. Customary business hours must be posted on the agency or office's web site and made known by other means designed to provide the public with notice.

(2) For cities, towns, and special purpose districts that customarily maintain office hours for less than thirty hours per week:

(a) The city, town, or special purpose district is not required to maintain greater office hours by this chapter, but must post at its headquarters and on its web site, if the city, town, or special purpose district maintains a web site, directions on how to contact city, town, or special purpose district personnel to inspect or copy public records.

(b) A public records request is considered made only when:

(i) Contact with personnel of the city, town, or special purpose district results in such personnel actually knowing that a request to inspect or copy public records is being made; or

(ii) Proof that delivery of a properly addressed certified letter, return receipt requested, was attempted, whether or not the letter is accepted.

(c) The city, town, or special purpose district must respond within the time requirements of RCW 42.56.520. For purposes of such time requirements, a public records request is considered received the sooner of:

(i) The date of the city, town, or special purpose district's next regularly scheduled meeting; or

(ii) Thirty days from the date the request is made.

(d) The city, town, or special purpose district must include and respond promptly to a request to inspect or copy public records in the business conducted at the next regularly scheduled meeting subsequent to the request being made if a response to the request has not been made prior to the meeting.

(e) If a city, town, or special purpose district does not have personnel, it shall designate a member of the governing board as the public records officer responsible for meeting the requirements of this chapter.

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