
**State Government, Elections &
Information Technology Committee**

HB 1516

Brief Description: Creating a data storage system for holding and making public records available to the public. .

Sponsors: Representative MacEwen.

Brief Summary of Bill

- Directs the Chief Information Officer to establish an internet-based data storage system to collect and store local agency public records and make such records available for public disclosure on a state web site.

Hearing Date: 2/7/17

Staff: Sean Flynn (786-7124).

Background:

Public Records Act

The Public Records Act (PRA) requires state and local agencies to make their written records available to the public for inspection and copying upon request, unless the information fits into one of the various specific exemptions in the PRA or otherwise provided in law. The stated policy of the PRA favors disclosure and requires narrow application of the listed exemptions.

Agencies must respond to a records request within five business days. The response must provide the record, deny the request, or provide an estimate of time when the records will be available. Agencies must adopt rules for providing public access to records, protecting public records from damage or disorganization, and preventing excessive interference with other essential functions of the agency. Each agency must appoint a public records officer to oversee

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agency compliance with the PRA. Each records officer, as well as state and local elected officials, must complete a training course on PRA compliance.

Agencies must make their facilities available for copying public records, unless it would unreasonably disrupt the operations of the agency. An agency may not charge a fee for locating and making records available for inspection. However, an agency may charge for the actual cost of copying the records up to 15 cents per page. Costs directly related to copying may be included, such as the labor for making copies and shipping costs, but general administrative and overhead costs are excluded. The agency may require a deposit up to 10 percent of the estimated actual copy costs for a request.

Consolidated Technology Services

In 2011 the Consolidated Technology Services (CTS) agency was created as part of a reorganization of state government information technology (IT) infrastructure functions and services. The state Chief Information Officer (CIO) serves as the director of the CTS. The CTS provides information services to public agencies, operates the state data center, and offers IT services, including data security and storage. In 2015 the CTS also assumed IT functions from the Department of Enterprise Services.

Summary of Bill:

By December 31, 2018, the CIO, as head of the CTS, must establish an internet-based data storage system to collect and store all local and state agency electronic records and provide access to such records in compliance with the PRA. The data storage system must include a searchable portal on a state web site that includes a mechanism for allowing users to search the data storage system in order to locate agency records by documents type, subject, date, location, and other relevant categories.

By December 31, 2017, the CIO must contract with a private cloud service provider to develop and manage the data storage system. The contract must be open to a competitive bidding process and approved by the Technology Service Board.

By December 31, 2018, every local agency must transmit its digital public records to the data storage system in a format compatible with the system. The CIO may provide assistance to any local agency with transferring digital files. Records transferred to the system remain public records for the purposes of the PRA and may be redacted or withheld as provided in the PRA.

Appropriation: None.

Fiscal Note: Available.

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