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**SENATE BILL 6438**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senators Van De Wege, Schoesler, Hunt, Warnick, Wagoner, and  
Becker

Read first time 01/16/20. Referred to Committee on State Government,  
Tribal Relations & Elections.

1 AN ACT Relating to applying the public records act to all courts  
2 and offices within the judicial branch; and amending RCW 42.56.010.

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

4 **Sec. 1.** RCW 42.56.010 and 2017 c 303 s 1 are each amended to  
5 read as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) "Agency" includes all state agencies and all local agencies.  
9 "State agency" includes every state office, department, division,  
10 bureau, board, commission, court, office within the judicial branch,  
11 or other state agency. "Local agency" includes every county, city,  
12 town, municipal corporation, quasi-municipal corporation, or special  
13 purpose district, or any office, department, division, bureau, board,  
14 commission, or agency thereof, court, office within the judicial  
15 branch, or other local public agency.

16 (2) "Person in interest" means the person who is the subject of a  
17 record or any representative designated by that person, except that  
18 if that person is under a legal disability, "person in interest"  
19 means and includes the parent or duly appointed legal representative.

20 (3) "Public record" includes any writing containing information  
21 relating to the conduct of government or the performance of any

1 governmental or proprietary function prepared, owned, used, or  
2 retained by any state or local agency regardless of physical form or  
3 characteristics, including court case files and judicial records. For  
4 the office of the secretary of the senate and the office of the chief  
5 clerk of the house of representatives, public records means  
6 legislative records as defined in RCW 40.14.100 and also means the  
7 following: All budget and financial records; personnel leave, travel,  
8 and payroll records; records of legislative sessions; reports  
9 submitted to the legislature; and any other record designated a  
10 public record by any official action of the senate or the house of  
11 representatives. This definition does not include records that are  
12 not otherwise required to be retained by the agency and are held by  
13 volunteers who:

14 (a) Do not serve in an administrative capacity;

15 (b) Have not been appointed by the agency to an agency board,  
16 commission, or internship; and

17 (c) Do not have a supervisory role or delegated agency authority.

18 (4) "Writing" means handwriting, typewriting, printing,  
19 photostating, photographing, and every other means of recording any  
20 form of communication or representation including, but not limited  
21 to, letters, words, pictures, sounds, or symbols, or combination  
22 thereof, and all papers, maps, magnetic or paper tapes, photographic  
23 films and prints, motion picture, film and video recordings, magnetic  
24 or punched cards, discs, drums, diskettes, sound recordings, and  
25 other documents including existing data compilations from which  
26 information may be obtained or translated.

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