

WAC 292-130-110 Costs of providing copies of public records—

Payments. (1) There is no fee for inspecting public records, including inspecting records on the executive ethics board's web site.

(2) The executive ethics board is not calculating actual costs for copying records because to do so would be unduly burdensome for the following reasons: The executive ethics board does not have the resources to conduct a study to determine its actual copying costs; to conduct such a study would interfere with other essential board functions; and the public and requestors have commented on and been informed of authorized fees and costs provided in the Public Records Act including RCW 42.56.120 and other laws. It is more cost efficient, expeditious and in the public interest for the executive ethics board to adopt the state legislature's approved fees and costs for most of the executive ethics board's records, as authorized in RCW 42.56.120 and as published in the executive ethics board's fee schedule.

(3) The executive ethics board will charge for copies of records pursuant to the default fees in RCW 42.56.120 (2)(b) and (c). The executive ethics board will charge for customized services pursuant to RCW 42.56.120(3). Under RCW 42.56.130, the executive ethics board may charge other copy fees authorized by statutes outside of chapter 42.56 RCW. The executive ethics board may enter into an alternative fee agreement with a requestor under RCW 42.56.120(4). The charges for copying methods used by the executive ethics board are summarized in the fee schedule available on the executive ethics board's web site at www.ethics.wa.gov.

(4) Requestors are required to pay for copies in advance of receiving records. Fee waivers are an exception and are available for some small requests under the following conditions:

(a) It is within the discretion of the public records officer or designee to waive copying fees when:

(i) All of the records responsive to an entire request are paper copies only and are twenty-five or fewer pages; or

(ii) All of the records responsive to an entire request are electronic and can be provided in a single email with attachments of a size totaling no more than the equivalent of one hundred printed pages. If that email for any reason is not deliverable, records will be provided through another means of delivery, and the requestor will be charged in accordance with this rule.

(b) Fee waivers are not applicable to records provided in installments.

(5) The public records officer or designee may require an advance deposit of ten percent of the estimated fees when the copying fees for an installment or an entire request, or customized service charge, exceeds twenty-five dollars.

(6) All required fees must be paid in advance of release of the copies or an installment of copies, or in advance of when a deposit is required. The executive ethics board will notify the requestor of when payment is due.

(7) Payment should be made by check or money order to the executive ethics board. The executive ethics board prefers not to receive cash.

(8) The executive ethics board will close a request when a requestor fails by the payment date to pay in the manner prescribed for records, an installment of records, or a required deposit.

[Statutory Authority: RCW 42.52.360. WSR 18-20-107, § 292-130-110, filed 10/2/18, effective 11/2/18; WSR 16-16-075, § 292-130-110, filed 7/29/16, effective 8/29/16. Statutory Authority: RCW 42.52.360 (2)(b). WSR 98-22-072, § 292-130-110, filed 11/3/98, effective 12/4/98.]