CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 5964**


63rd Legislature
2014 Regular Session


Passed by the Senate February 18, 2014
  YEAS 45  NAYS 2



**President of the Senate**

Passed by the House March 7, 2014
  YEAS 66  NAYS 31



**Speaker of the House of Representatives**


Approved



**Governor of the State of Washington**

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5964** as passed by the Senate and the House of Representatives on the dates hereon set forth.



**Secretary**


FILED



**Secretary of State**
**State of Washington**

_____

**ENGROSSED SENATE BILL 5964**
_____

Passed Legislature - 2014 Regular Session

**State of Washington**      **63rd Legislature**      **2014 Regular Session**

**By**   Senators Fain, Rivers, Braun, Hasegawa, Rolfes, Conway, Frockt, Tom, Keiser, Mullet, and Hill; by request of Attorney General

Read first time 01/13/14. Referred to Committee on Governmental Operations.

1    AN ACT Relating to training public officials and employees
2 regarding public records, records management, and open public meetings;
3 adding a new section to chapter 42.30 RCW; adding new sections to
4 chapter 42.56 RCW; creating new sections; and providing an effective
5 date.

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

7    NEW SECTION.  **Sec. 1.**  The legislature finds that the rights of
8 citizens to observe the actions of their public officials and to have
9 timely access to public records are the underpinnings of democracy and
10 are essential for meaningful citizen participation in the democratic
11 process.  All too often, however, violations of the requirements of the
12 public records act and the open public meetings act by public officials
13 and agencies result in citizens being denied this important information
14 and materials to which they are legally entitled.  Such violations are
15 often the result of inadvertent error or a lack of knowledge on the
16 part of officials and agencies regarding their legal duties to the
17 public pursuant to these acts.  Also, whether due to error or
18 ignorance, violations of the public records act and open public
19 meetings act are very costly for state and local governments, both in

1 terms of litigation expenses and administrative costs.  The legislature
2 also finds that the implementation of simple, cost-effective training
3 programs will greatly increase the likelihood that public officials and
4 agencies will better serve the public by improving citizen access to
5 public records and encouraging public participation in governmental
6 deliberations.  Such improvements in public service will, in turn,
7 enhance the public's trust in its government and result in significant
8 cost savings by reducing the number of violations of the public records
9 act and open public meetings act.

10     NEW SECTION.  **Sec. 2.**  A new section is added to chapter 42.30 RCW
11 to read as follows:
12     (1) Every member of the governing body of a public agency must
13 complete training on the requirements of this chapter no later than
14 ninety days after the date the member either:
15     (a) Takes the oath of office, if the member is required to take an
16 oath of office to assume his or her duties as a public official; or
17     (b) Otherwise assumes his or her duties as a public official.
18     (2) In addition to the training required under subsection (1) of
19 this section, every member of the governing body of a public agency
20 must complete training at intervals of no more than four years as long
21 as the individual is a member of the governing body or public agency.
22     (3) Training may be completed remotely with technology including
23 but not limited to internet-based training.

24     NEW SECTION.  **Sec. 3.**  A new section is added to chapter 42.56 RCW
25 to read as follows:
26     (1) Each local elected official and statewide elected official, and
27 each person appointed to fill a vacancy in a local or statewide office,
28 must complete a training course regarding the provisions of this
29 chapter, and also chapter 40.14 RCW for records retention.
30     (2) Officials required to complete training under this section may
31 complete their training before assuming office but must:
32     (a) Complete training no later than ninety days after the date the
33 official either:
34     (i) Takes the oath of office, if the official is required to take
35 an oath of office to assume his or her duties as a public official; or
36     (ii) Otherwise assumes his or her duties as a public official; and

1    (b) Complete refresher training at intervals of no more than four
2   years for as long as he or she holds the office.
3       (3) Training must be consistent with the attorney general's model
4   rules for compliance with the public records act.
5       (4) Training may be completed remotely with technology including
6   but not limited to internet-based training.

7       NEW SECTION.  **Sec. 4.**  A new section is added to chapter 42.56 RCW
8   to read as follows:
9       (1) Public records officers designated under RCW 42.56.580 and
10  records officers designated under RCW 40.14.040 must complete a
11  training course regarding the provisions of this chapter, and also
12  chapter 40.14 RCW for records retention.
13      (2) Public records officers must:
14      (a) Complete training no later than ninety days after assuming
15  responsibilities as a public records officer or records manager; and
16      (b) Complete refresher training at intervals of no more than four
17  years as long as they maintain the designation.
18      (3) Training must be consistent with the attorney general's model
19  rules for compliance with the public records act.
20      (4) Training may be completed remotely with technology including
21  but not limited to internet-based training.

22      NEW SECTION.  **Sec. 5.**  A new section is added to chapter 42.56 RCW
23  to read as follows:
24      The attorney general's office may provide information, technical
25  assistance, and training on the provisions of this chapter.

26      NEW SECTION.  **Sec. 6.**  This act may be known and cited as the open
27  government trainings act.

28      NEW SECTION.  **Sec. 7.**  This act takes effect July 1, 2014.

--- END ---