

SENATE BILL REPORT

SHB 1752

AS OF APRIL 2, 1991

Brief Description: Authorizing local governments to recover costs of geographic information required to be disclosed by law.

SPONSORS: House Committee on State Government (originally sponsored by Representatives Jacobsen, Wood, Anderson, Horn and Rasmussen).

HOUSE COMMITTEE ON STATE GOVERNMENT

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Martin Lovinger (786-7443)

Hearing Dates: April 3, 1991

BACKGROUND:

The advent of geographic information systems (GIS) has added a new dimension to the display and manipulation of information found in public records. A GIS operator can tailor the output of the system to the needs of various individuals or businesses, and can produce a number of different services and products.

These services and products have commercial value. Many, if not all, of these services or products constitute "public records." Under the Public Disclosure Act, a county or city may charge for a public record, but the charge may not be more than the copying costs. Thus, counties and cities furnishing GIS public records are effectively precluded from charging fees to recover the substantial costs of developing their geographic information systems or from charging fees reflective of the market value of the services or products.

SUMMARY:

A city or county is authorized to charge a fee which includes a reasonable portion of the costs associated with building and maintaining the GIS when it provides a GIS service or product to a person or entity that will sell the service or product or use it for a commercial purpose. The fee will be prescribed under the city or county's fee schedule or under its contract with the person or entity and is not limited by the Public Disclosure Act's fee limitations. A city or county may recover penalties and income received when a GIS service or product is sold or used for a commercial purpose without the payment of the required fee.

Persons or entities requesting a GIS service or product that is a public record and that is not to be sold or to be used for a commercial purpose will not have to pay any fee other than the minimal copying fee authorized under the Public Disclosure Act.

Counties and cities are authorized to enter into contracts for the joint development and use of geographic information systems.

Appropriation: none

Revenue: none

Fiscal Note: none requested