
SENATE BILL 5275

State of Washington

58th Legislature

2003 Regular Session

By Senators Roach, Fairley, Horn, Stevens and Hale; by request of Secretary of State

Read first time 01/21/2003. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to the confidential nature of public records
2 transferred to the state archives; and amending RCW 40.14.030.

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

4 **Sec. 1.** RCW 40.14.030 and 1957 c 246 s 3 are each amended to read
5 as follows:

6 (1) All public records, not required in the current operation of
7 the office where they are made or kept, and all records of every
8 agency, commission, committee, or any other activity of state
9 government which may be abolished or discontinued, shall be transferred
10 to the state archives so that the valuable historical records of the
11 state may be centralized, made more widely available, and insured
12 permanent preservation: PROVIDED, That this section shall have no
13 application to public records approved for destruction under the
14 subsequent provisions of this chapter.

15 When so transferred, copies of the public records concerned shall
16 be made and certified by the archivist, which certification shall have
17 the same force and effect as though made by the officer originally in
18 charge of them. Fees may be charged to cover the cost of reproduction.

1 In turning over the archives of his office, the officer in charge
2 thereof, or his successor, thereby loses none of his rights of access
3 to them, without charge, whenever necessary.

4 (2) For the purposes of this chapter, public records of a
5 confidential character must be managed as follows:

6 (a) Records that have a confidential character while in the
7 possession of the original agency, commission, committee, or any other
8 entity of state or local government retain their confidential character
9 after transfer to the state archives unless the archivist, with the
10 concurrence of originating jurisdiction, determines that the records
11 must be made accessible to the public under proper and reasonable rules
12 adopted by the secretary of state.

13 (b) A record that is transferred to archives under this chapter and
14 has a confidential character is open to inspection and available for
15 copying after the expiration of seventy-five years from creation of the
16 record.

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