

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5435

Chapter 198, Laws of 2007

60th Legislature
2007 Regular Session

PUBLIC RECORDS EXEMPTIONS ACCOUNTABILITY COMMITTEE

EFFECTIVE DATE: 07/22/07

Passed by the Senate April 17, 2007
YEAS 47 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 12, 2007
YEAS 92 NAYS 1

FRANK CHOPP

Speaker of the House of Representatives

Approved April 27, 2007, 1:44 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5435** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 30, 2007

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5435

AS AMENDED BY THE HOUSE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senate Committee on Government Operations & Elections (originally sponsored by Senators Kauffman, Pflug, Swecker and Keiser; by request of Attorney General)

READ FIRST TIME 02/06/07.

1 AN ACT Relating to the public records exemptions accountability
2 committee; adding a new section to chapter 42.56 RCW; and creating a
3 new section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that public
6 disclosure exemptions are enacted to meet objectives that are
7 determined to be in the public interest. Given the changing nature of
8 information technology and management, recordkeeping, and the
9 increasing number of public disclosure exemptions, the legislature
10 finds that periodic reviews of public disclosure exemptions are needed
11 to determine if each exemption serves the public interest.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.56 RCW
13 to read as follows:

14 (1)(a) The public records exemptions accountability committee is
15 created to review exemptions from public disclosure, with thirteen
16 members as provided in this subsection.

17 (i) The governor shall appoint two members, one of whom represents
18 the governor and one of whom represents local government.

1 (ii) The attorney general shall appoint two members, one of whom
2 represents the attorney general and one of whom represents a statewide
3 media association.

4 (iii) The state auditor shall appoint one member.

5 (iv) The president of the senate shall appoint one member from each
6 of the two largest caucuses of the senate.

7 (v) The speaker of the house of representatives shall appoint one
8 member from each of the two largest caucuses of the house of
9 representatives.

10 (vi) The governor shall appoint four members of the public, with
11 consideration given to diversity of viewpoint and geography.

12 (b) The governor shall select the chair of the committee from among
13 its membership.

14 (c) Terms of the members shall be four years and shall be
15 staggered, beginning August 1, 2007.

16 (2) The purpose of the public records exemptions accountability
17 committee is to review public disclosure exemptions and provide
18 recommendations pursuant to subsection (7)(d) of this section. The
19 committee shall develop and publish criteria for review of public
20 exemptions.

21 (3) All meetings of the committee shall be open to the public.

22 (4) The committee must consider input from interested parties.

23 (5) The office of the attorney general and the office of financial
24 management shall provide staff support to the committee.

25 (6) Legislative members of the committee shall be reimbursed for
26 travel expenses in accordance with RCW 44.04.120. Nonlegislative
27 members, except those representing an employer or organization, are
28 entitled to be reimbursed for travel expenses in accordance with RCW
29 43.03.050 and 43.03.060.

30 (7)(a) Beginning August 1, 2007, the code reviser shall provide the
31 committee by August 1st of each year with a list of all public
32 disclosure exemptions in the Revised Code of Washington.

33 (b) The committee shall develop a schedule to accomplish a review
34 of each public disclosure exemption. The committee shall publish the
35 schedule and publish any revisions made to the schedule.

36 (c) The chair shall convene an initial meeting of the committee by
37 September 1, 2007. The committee shall meet at least once a quarter

1 and may hold additional meetings at the call of the chair or by a
2 majority vote of the members of the committee.

3 (d) For each public disclosure exemption, the committee shall
4 provide a recommendation as to whether the exemption should be
5 continued without modification, modified, scheduled for sunset review
6 at a future date, or terminated. By November 15th of each year, the
7 committee shall transmit its recommendations to the governor, the
8 attorney general, and the appropriate committees of the house of
9 representatives and the senate.

Passed by the Senate April 17, 2007.

Passed by the House April 12, 2007.

Approved by the Governor April 27, 2007.

Filed in Office of Secretary of State April 30, 2007.