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**HOUSE JOINT RESOLUTION 4208**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Pollet, Muri, Hargrove, Sells, Moscoso, and Wylie

BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

WHEREAS, Access to the information held and used by governments is vital for an informed public to exercise its political power;

WHEREAS, The people of this state do not yield their sovereignty to the agencies that serve them;

WHEREAS, The people insist on remaining informed so that they may maintain control over the instruments that they have created; and

WHEREAS, Providing public access to public records and information, and governing openly, are core functions of all governmental bodies.

THAT, At the next general election to be held in this state the secretary of state shall submit to the qualified voters of the state for their approval and ratification, or rejection, amendments to Article I and Article II of the Constitution of the state of Washington by adding new sections to read as follows:

Article I, section . . .. (1) The people have the right of access to records concerning the conduct of the people's business by the executive branch of state government and all political subdivisions of the state.

(2) A statute, court rule, or other authority must be broadly construed if it furthers the people's right of access to such records, and narrowly construed if it limits the people's right of access.

(3) Any statute, court rule, or other authority that limits the people's right of access to records held by the executive branch of state government or a political subdivision of the state must be necessary to fulfill a compelling government purpose, including but not limited to protecting individual privacy or the rights of a criminal defendant.

(4) A statute, court rule, or other authority that limits the people's right of access to such records, if adopted after the effective date of this section, must include findings demonstrating the compelling government purpose that necessitates adoption of the limitation.

(5) Nothing in this section alters the protections for the confidentiality of proceedings and records of the legislature, its members, and its employees, as provided by Article II of this Constitution, state law, or legislative rules adopted in furtherance of those provisions.

Article II, section . . .. The legislative powers include the power of the legislature and the people to ensure that the executive branch of state government is administered openly. No record in the possession of the executive branch is presumptively privileged from disclosure to the legislature and the people.

BE IT FURTHER RESOLVED, That this amendment is a single amendment within the meaning of Article XXIII, section 1 of the state Constitution.

The legislature finds that the changes contained in this amendment constitute a single integrated plan for ensuring the people's right of access to government records.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of this constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.