H-3078.1

HOUSE BILL 2661

State of Washington 69th Legislature 2026 Regular Session

By Representative Rude

Read first time 01/26/26. Referred to Committee on State Government & Tribal Relations.

AN ACT Relating to establishing the legislative task force on public records act modernization consisting of eight voting members and four nonvoting legislators; creating new sections; and providing an expiration date.

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

NEW SECTION. **Sec. 1.** The legislature finds the public records act was enacted as part of a voter initiative and is the cornerstone of transparency and accountability in state and local government. The legislature reaffirms that broad public access to government records strengthens accountability, promotes civic engagement, and fosters confidence in public institutions. The legislature further finds that misuse of the public records act for frivolous, retaliatory, or harassing purposes strains limited public resources, delays access to records for individuals who use the public records request process for legitimate purposes, and does not advance the public interest in governmental transparency. The legislature therefore finds that it is necessary to establish a legislative task force on public records act modernization to examine ways to improve the functionality of the public records act that will increase efficiency, reduce the financial burden on state and local agencies, maintain transparency in government, and deter abuse of the public records request process.

NEW SECTION. **Sec. 2.** (1)(a) The legislative task force on public records act modernization is established, consisting of eight voting members as follows:

(i) One representative from the Washington association of public records officers;

(ii) One representative from allied daily newspapers of Washington;

(iii) One representative from the coalition for open government;

(iv) One representative from the association of Washington cities;

(v) One representative from the Washington schools risk management pool;

(vi) One representative from the Washington state association for justice;

(vii) The attorney general or the attorney general's designee; and

(viii) One representative from the Washington association of school administrators.

(b) The following are nonvoting advisory members:

(i) Two senators, one from each of the two largest caucuses, with the majority leader and the minority leader of the senate each appointing one member; and

(ii) Two members of the house of representatives, one from each of the two largest caucuses, with the speaker of the house of representatives and the minority leader each appointing one member.

(2) The voting membership must select one chair and one vice chair of the legislative task force on public records act modernization at the initial meeting, which must take place no later than August 1, 2026.

(3) All meetings of the legislative task force on public records act modernization must be held virtually and the task force must hold at least four meetings.

(4) Meeting facilitation and related services for the task force shall be provided by the William D. Ruckelshaus center.

(5) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(6) The legislative task force on public records act modernization shall examine:

(a) The nature and impact of frivolous, retaliatory, or harassing public records requests on state and local agencies and employees;

(b) Strategies to deter frivolous, retaliatory, and harassing public records requests such as preventing anonymous requests and eliminating financial motivation that results in bad faith requests;

(c) The role that enhanced judicial discretion can have in preventing or stopping frivolous, retaliatory, or harassing requests;

(d) Approaches other states have taken to address requests that are made in bad faith or that otherwise abuse the public records request process such as frivolous, retaliatory, or harassing requests; and

(e) Other tools, safeguards, or statutory or policy clarifications that could be implemented by state and local agencies to reduce the level of abuse of the public records request process while preserving transparency and broad public access to public records.

(7) The legislative task force on public records act modernization may:

(a) Hold virtual work sessions to hear from agencies and individuals with demonstrated knowledge and expertise in the area of public records to inform the work of the task force; and

(b) Hold virtual public hearings.

(8) The legislative task force on public records act modernization shall report its findings and recommendations to the governor and appropriate committees of the legislature no later than October 1, 2027.

(9) This section expires October 15, 2027.

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