

CERTIFICATION OF ENROLLMENT

SENATE BILL 5863

69th Legislature
2026 Regular Session

Passed by the Senate March 9, 2026
Yeas 49 Nays 0

President of the Senate

Passed by the House February 28, 2026
Yeas 94 Nays 0

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5863** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5863

AS AMENDED BY THE HOUSE

Passed Legislature - 2026 Regular Session

State of Washington **69th Legislature** **2026 Regular Session**

By Senators Kauffman, Wagoner, Nobles, Riccelli, Saldaña, Shewmake, Trudeau, and Valdez

Prefiled 12/10/25. Read first time 01/12/26. Referred to Committee on State Government, Tribal Affairs & Elections.

1 AN ACT Relating to the preservation and inspection of state
2 historical records; amending RCW 40.14.030; and amending 2024 c 134 s
3 2 (uncodified).

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

5 **Sec. 1.** 2024 c 134 s 2 (uncodified) is amended to read as
6 follows:

7 (1) The division of archives and records management, working with
8 the University of Washington institute on human development and
9 disability, the department of social and health services, and the
10 department of archaeology and historic preservation, shall create a
11 preservation plan to organize, catalogue, and store the historical
12 documents and artifacts identified at Lakeland Village, a state-
13 operated facility. Historical documents and artifacts may include but
14 are not limited to medical records, letters, images, films, and
15 artifacts of past residents with intellectual or developmental
16 disabilities at Lakeland Village.

17 (2) The preservation plan shall:

18 (a) Identify all the records and artifacts that are available and
19 at risk of destruction;

20 (b) Assess the condition of the records and artifacts and level
21 of preservation required, including but not limited to the age of the

1 record, the material used, and environmental conditions in which the
2 items have been stored;

3 (c) Outline the steps that will be taken to preserve the records
4 and artifacts. This includes how the records will be stored, where
5 they will be stored, how they will be handled and transported, and
6 how they will be restored if they are in danger of falling into
7 disrepair, dysfunction, or destruction. The plan must also include
8 how the records will be catalogued, digitized, and transferred to
9 archival microfilm for long-term access; and

10 (d) Include a timeline for the preservation work and an overall
11 budget for the work. The plan must be reported to the appropriate
12 committees of the legislature by September 1, 2025.

13 (3) The plan described in this section must also include future
14 plans for public access for historical and educational purposes.

15 (4) The division of archives and records management and the
16 department of social and health services shall work together in
17 storing and retaining the records described in this act, from
18 Lakeland Village. (~~(No records shall be destroyed until the~~
19 ~~preservation plan is completed and the work is funded during fiscal~~
20 ~~year 2026)~~) Records shall be retained through 2030.

21 (5) Indirect costs to the University of Washington for this
22 project are limited to 15 percent.

23 **Sec. 2.** RCW 40.14.030 and 2011 c 336 s 817 are each amended to
24 read as follows:

25 (1) All public records, not required in the current operation of
26 the office where they are made or kept, and all records of every
27 agency, commission, committee, or any other activity of state
28 government which may be abolished or discontinued, shall be
29 transferred to the state archives so that the valuable historical
30 records of the state may be centralized, made more widely available,
31 and insured permanent preservation: PROVIDED, That this section shall
32 have no application to public records approved for destruction under
33 the subsequent provisions of this chapter.

34 When so transferred, copies of the public records concerned shall
35 be made and certified by the archivist, which certification shall
36 have the same force and effect as though made by the officer
37 originally in charge of them. Fees may be charged to cover the cost
38 of reproduction. In turning over the archives of his or her office,
39 the officer in charge thereof, or his or her successor, thereby loses

1 none of his or her rights of access to them, without charge, whenever
2 necessary.

3 (2) (a) Records that are confidential, privileged, or exempt from
4 public disclosure under state or federal law while in the possession
5 of the originating agency, commission, board, committee, or other
6 entity of state or local government retain their confidential,
7 privileged, or exempt status after transfer to the state archives
8 unless the archivist, with the concurrence of the originating
9 jurisdiction, determines that the records must be made accessible to
10 the public according to proper and reasonable rules adopted by the
11 secretary of state (~~(, in which case the records may be open to~~
12 ~~inspection and available for copying after the expiration of seventy-~~
13 ~~five years from creation of the record. If the originating~~
14 ~~jurisdiction is no longer in existence, the archivist shall make the~~
15 ~~determination of availability according to such rules. If, while in~~
16 ~~the possession of the originating agency, commission, board,~~
17 ~~committee, or other entity, any record is determined to be~~
18 ~~confidential, privileged, or exempt from public disclosure under~~
19 ~~state or federal law for a period of less than seventy-five years,~~
20 ~~then the record, with the concurrence of the originating~~
21 ~~jurisdiction, must be made accessible to the public upon the~~
22 ~~expiration of the shorter period of time according to proper and~~
23 ~~reasonable rules adopted by the secretary of state)). After the
24 expiration of 75 years from creation of the record, any restricted
25 record that is transferred to archives under this chapter is open to
26 inspection and available for copying.~~

27 (b) Nothing in this subsection (2) overrides or diminishes
28 confidentiality protections under chapter 42.56, 70.02, or 71.05 RCW,
29 the federal health insurance portability and accountability act, or
30 other applicable law, regardless of the age of the record.

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