

WAC 143-06-170 Calculations of action costs of producing copies of public records declared to be unduly burdensome—Adoption of statutory fee schedule.

(1) Consolidated technology services has deemed the actual calculation of costs to the agency for producing responsive records to a public records request is unduly burdensome, because:

(a) The office does not have the resources to conduct a study to determine all its actual copying costs;

(b) Staff resources are insufficient to perform a study and to calculate such actual costs;

(c) Funds were not allocated for performing a study to calculate such actual costs and the agency lacks the necessary funds to perform a study and calculations;

(d) To conduct such a study would interfere with other essential agency functions;

(e) Through the 2017 legislative process, the public and requesters have commented on and been informed of authorized fees and costs, including for electronic records, provided in RCW 42.56.120 (2) (b) and (c), (3) and (4).

As such, consolidated technology services shall charge for copies of records pursuant to the default fees in RCW 42.56.120 (2) (b) and (c). Consolidated technology services will charge for customized services pursuant to 42.56.120(3). Under RCW 42.56.130, consolidated technology services may charge other copy fees authorized by statutes outside of chapter 42.56 RCW. Consolidated technology services may enter into an alternative fee agreement with a requester under RCW 42.56.120(4).

(2) This fee schedule will be set forth on the Consolidated technology services agency web site and be updated with subsequent changes to RCW 42.56 or further Consolidated Technology rulemaking.

(3) Consolidated technology services may include a customized service charge for certain public records requests. Requests that require the use of information technology expertise to prepare data compilations, or provide customized electronic access services when such customized access services are not used by the agency. The customized service charge may reimburse Consolidated technology services up to the actual cost of providing these services.

[Statutory Authority: RCW 42.56.100, 42.56.040 (1) (d), 42.56.120, and 43.10.110. WSR 19-06-020, § 143-06-170, filed 2/27/19, effective 3/30/19.]