

# SENATE BILL REPORT

## HB 2073

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As Reported By Senate Committee On:  
Government Operations & Elections, April 2, 2003

**Title:** An act relating to disposing of local government records.

**Brief Description:** Disposing of local government records.

**Sponsors:** Representatives Schoesler, Romero and Cox.

**Brief History:**

**Committee Activity:** Government Operations & Elections: 3/25/03, 4/2/03 [DPA].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** Do pass as amended.

Signed by Senators Roach, Chair; Stevens, Vice Chair; Horn, Kastama and McCaslin.

**Staff:** Mac Nicholson (786-7445)

**Background:** A local government cannot destroy noncurrent public records having no further administrative or legal value unless the destruction is approved by the local records committee. The local records committee includes the State Archivist, a representative appointed by the State Auditor, and a representative appointed by the Attorney General.

Official public records may not be destroyed unless the records are at least six years old; the originating department has shown that the retention of the records for a minimum of six years is both unnecessary and uneconomical; or the originals of records less than six years old have been copied or otherwise stored through a process allowing accurate reproduction of the original.

Local government records designated by the State Archivist as having primarily historical interest, may be transferred to a recognized repository agency.

**Summary of Amended Bill:** As an alternative to destroying public records, a local government may donate the records to the state library, local library, historical society, genealogical society, or similar society or organization. The public records may only be donated if: (1) they are 70 years old or more; (2) the local records committee has approved the destruction of the records; and (3) the State Archivist has determined that the records have no historic interest.

**Amended Bill Compared to Original Bill:** The amended bill removes the provision allowing a local government to publicly auction noncurrent public records.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Local governments must either retain or destroy old public records that hold no legal value, however a local library or genealogical society may have an interest in the old records and the local government needs the authority to donate them to such an organization.

**Testimony Against:** None.

**Testified:** PRO: Representative Schoesler, prime sponsor; Jim Potts, Asotin County.