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**State Government Committee**

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**HB 1153**

**Brief Description:** Managing confidential records.

**Sponsors:** Representatives Haigh, Miloscia, Armstrong, Hunt, Nixon and Shabro; by request of Secretary of State.

**Brief Summary of Bill**

- Official records of a confidential nature remain confidential after they are transferred to the State Archives unless the archivist, with the concurrence of the originating agency, determines that the records must be available to the public.
- All confidential records are open to the public 75 years after they are created.

**Hearing Date:** 1/23/03

**Staff:** Katie Blinn (786-7114).

**Background:**

The Division of Archives and Records Management (State Archives), a division of the Office of the Secretary of State, was created to ensure that state public records will be properly managed and safeguarded. All public records that are not required in the current operation of a state agency, department, commission or other entity and which may be destroyed or discontinued must be transferred to the State Archives for preservation and to provide a centralized location for historical records. Public records include papers, correspondence, forms, record books, photographs, film, sound recordings, maps, compact discs, and machine-readable material. The State Archives must:

- manage and centralize the archives for reference and preservation purposes;
- inspect, inventory, catalog, and arrange retention and transfer schedules for all records of all state agencies and departments;
- ensure the maintenance and security of all state public records, and safeguard against unauthorized removal or destruction;
- establish rules for the archival process;
- assist and train state and local agencies in the archival process; and
- solicit, accept, and expend donations for the State Archives.

The laws establishing the State Archives, and establishing procedures for maintaining public records under the archives program, are distinct from the Public Records Act, RCW 42.17.250-.348.

**Summary of Bill:**

Records of a confidential nature retain their confidential nature following transfer to the State Archives unless the archivist, with the concurrence of the originating agency and according to rules adopted by the Secretary of State, determines that the records must be made available to the public. All confidential records are open to the public 75 years after they are created.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

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