

SENATE BILL REPORT

SHB 1153

As Reported By Senate Committee On:
Government Operations & Elections, April 4, 2003

Title: An act relating to the confidential nature of public records transferred to the state archives.

Brief Description: Managing confidential records.

Sponsors: House Committee on State Government (originally sponsored by Representatives Haigh, Miloscia, Armstrong, Hunt, Nixon, Shabro and Mielke; by request of Secretary of State).

Brief History:

Committee Activity: Government Operations & Elections: 3/28/03, 4/4/03 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

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

Staff: Mac Nicholson (786-7445)

Background: All public records and the records of every state government, when they are no longer required in the current operation of the office where they are made or kept, must be transferred to the state archives.

Summary of Bill: Records that have a confidential character while in the possession of the original agency, commission, committee, or any other entity of state or local government retain their confidential character after transfer to the state archives. If the archivist determines that the records must be made accessible to the public under proper and reasonable rules adopted by the Secretary of State, and the originating jurisdiction concurs, then the records may be open to inspection after the expiration of 75 years from creation of the record.

If the originating jurisdiction is no longer in existence, the archivist must make the determination of availability. A record exempt from public disclosure under state or federal law for a period of less than 75 years must be made accessible to the public upon the expiration of the shorter time period.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This would allow the archivist to collect confidential documents and open them to the public after 75 years if appropriate.

Testimony Against: None.

Testified: PRO: Jeff Wise, Secretary of State's Office.