
SENATE BILL 6367

State of Washington 61st Legislature 2010 Regular Session

By Senators Hatfield, Regala, Fairley, Fraser, Kohl-Welles, and Roach

Read first time 01/13/10. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to responses to public records requests; amending
2 RCW 42.56.520; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The internet provides for instant access to
5 public records at a significantly reduced cost to the agency and the
6 public. Agencies are encouraged to make commonly requested records
7 available on agency web sites. When an agency has made records
8 available on its web site, members of the public with computer access
9 should be encouraged to preserve taxpayer resources by accessing those
10 records online.

11 **Sec. 2.** RCW 42.56.520 and 1995 c 397 s 15 are each amended to read
12 as follows:

13 Responses to requests for public records shall be made promptly by
14 agencies, the office of the secretary of the senate, and the office of
15 the chief clerk of the house of representatives. Within five business
16 days of receiving a public record request, an agency, the office of the
17 secretary of the senate, or the office of the chief clerk of the house
18 of representatives must respond by either (1) providing the record; (2)

1 providing an internet address to where the responsive records can be
2 found on the agency's web site: PROVIDED, That if the requester
3 informs the agency that the requester cannot access the records through
4 the internet, the agency shall provide copies or allow the requester to
5 view copies on an agency computer; (3) acknowledging that the agency,
6 the office of the secretary of the senate, or the office of the chief
7 clerk of the house of representatives has received the request and
8 providing a reasonable estimate of the time the agency, the office of
9 the secretary of the senate, or the office of the chief clerk of the
10 house of representatives will require to respond to the request; or
11 ((+3)) (4) denying the public record request. Additional time
12 required to respond to a request may be based upon the need to clarify
13 the intent of the request, to locate and assemble the information
14 requested, to notify third persons or agencies affected by the request,
15 or to determine whether any of the information requested is exempt and
16 that a denial should be made as to all or part of the request. In
17 acknowledging receipt of a public record request that is unclear, an
18 agency, the office of the secretary of the senate, or the office of the
19 chief clerk of the house of representatives may ask the requestor to
20 clarify what information the requestor is seeking. If the requestor
21 fails to clarify the request, the agency, the office of the secretary
22 of the senate, or the office of the chief clerk of the house of
23 representatives need not respond to it. Denials of requests must be
24 accompanied by a written statement of the specific reasons therefor.
25 Agencies, the office of the secretary of the senate, and the office of
26 the chief clerk of the house of representatives shall establish
27 mechanisms for the most prompt possible review of decisions denying
28 inspection, and such review shall be deemed completed at the end of the
29 second business day following the denial of inspection and shall
30 constitute final agency action or final action by the office of the
31 secretary of the senate or the office of the chief clerk of the house
32 of representatives for the purposes of judicial review.

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