

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6367

61st Legislature
2010 Regular Session

Passed by the Senate February 15, 2010
YEAS 46 NAYS 0

President of the Senate

Passed by the House February 28, 2010
YEAS 96 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6367** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6367

Passed Legislature - 2010 Regular Session

State of Washington 61st Legislature 2010 Regular Session

By Senate Government Operations & Elections (originally sponsored by Senators Hatfield, Regala, Fairley, Fraser, Kohl-Welles, and Roach)

READ FIRST TIME 02/01/10.

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 and link on the agency's web site to the
2 specific records requested, except that if the requester notifies the
3 agency that he or she cannot access the records through the internet,
4 then the agency must provide copies of the record or allow the
5 requester to view copies using an agency computer; (3) acknowledging
6 that the agency, the office of the secretary of the senate, or the
7 office of the chief clerk of the house of representatives has received
8 the request and providing a reasonable estimate of the time the agency,
9 the office of the secretary of the senate, or the office of the chief
10 clerk of the house of representatives will require to respond to the
11 request; or ~~((+3+))~~ (4) denying the public record request. Additional
12 time required to respond to a request may be based upon the need to
13 clarify the intent of the request, to locate and assemble the
14 information requested, to notify third persons or agencies affected by
15 the request, or to determine whether any of the information requested
16 is exempt and that a denial should be made as to all or part of the
17 request. In acknowledging receipt of a public record request that is
18 unclear, an agency, the office of the secretary of the senate, or the
19 office of the chief clerk of the house of representatives may ask the
20 requestor to clarify what information the requestor is seeking. If the
21 requestor fails to clarify the request, the agency, the office of the
22 secretary of the senate, or the office of the chief clerk of the house
23 of 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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