

# SENATE BILL REPORT

## SB 6576

---

---

As of February 7, 2012

**Title:** An act relating to allowing school districts to charge for the reasonable costs of responding to public records requests.

**Brief Description:** Allowing school districts to charge for the reasonable costs of responding to public records requests.

**Sponsors:** Senators Brown and Tom.

**Brief History:**

**Committee Activity:** Ways & Means: 2/06/12.

---

### SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Elise Greef (786-7708)

**Background:** The Public Records Act (Chapter 42.56 RCW) sets forth requirements, as well as exemptions, for state and local agencies to fulfill requests for public information. The chapter describes the procedures and documents that must be publicly available, and requires each agency to make all records available for public inspection and copying unless the record falls within the specific exemptions identified. Currently it is not permissible to charge fees for the inspection of public records, for locating public documents, or making them available for the requester to copy. However, a reasonable fee may be imposed for providing actual copies of public records.

**Summary of Bill:** Each school district must adopt, by August 31, 2012, a policy to charge for the reasonable costs of responding to public records requests. Chargeable costs include the actual classified personnel costs to conduct the search, review, redact, and copy the records. School districts must provide a written estimate of the cost within ten business days of receiving the request for information, and may require a deposit of up to 10 percent to be paid in advance. The chargeable costs may not include attorney costs for preparing an exemption log.

**Appropriation:** None.

**Fiscal Note:** Requested on February 6, 2012.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** CON: Most school districts have adopted Attorney General model rules on cost containment for records requests that they believe to be harassing. So the bill is really affecting, say, a single mother with a child who has special needs and is in a somewhat adversarial relationship with a school district. She's trying to do the best she can for her child and ask for those records and they could get extremely expensive. The allowable costs are not only the hourly rate for classified staff; they include all costs of that employee doing the research.

**Persons Testifying:** CON: Roland Thompson, Allied Daily Newspapers.