
SUBSTITUTE SENATE BILL 5294

State of Washington

62nd Legislature

2011 Regular Session

By Senate Government Operations, Tribal Relations & Elections
(originally sponsored by Senators Swecker, Schoesler, Holmquist
Newbry, Delvin, and Honeyford)

READ FIRST TIME 02/16/11.

1 AN ACT Relating to hours of availability for inspection and copying
2 of public records; and amending RCW 42.56.090.

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

4 **Sec. 1.** RCW 42.56.090 and 2009 c 428 s 2 are each amended to read
5 as follows:

6 (1) Public records shall be available for inspection and copying
7 during the customary office hours of the agency, the office of the
8 secretary of the senate, and the office of the chief clerk of the house
9 of representatives for a minimum of thirty hours per week, except weeks
10 that include state legal holidays, unless the person making the request
11 and the agency, the office of the secretary of the senate, or the
12 office of the chief clerk of the house of representatives or its
13 representative agree on a different time. Customary business hours
14 must be posted on the agency or office's web site and made known by
15 other means designed to provide the public with notice.

16 (2)(a) Cities, towns, and special purpose districts that
17 customarily do not maintain office hours for a minimum of thirty hours
18 per week are not required to do so and must post on the agency

1 headquarters location or web site directions on how to contact agency
2 personnel to inspect or copy public records.

3 (b)(i) Contacting agency personnel includes any contact that
4 results in agency personnel actually knowing that a request to inspect
5 or copy public records is being made; or

6 (ii) Proof that delivery of a properly addressed certified letter,
7 return receipt requested, was attempted, whether the agency accepts the
8 letter or not.

9 (c) The agency must include and respond promptly to the request to
10 inspect or copy public records in the business conducted at its next
11 regularly scheduled meeting subsequent to contact of agency personnel.

12 (d) The agency must respond within the time requirements of RCW
13 42.56.520 with the time of receipt of the request being the date of the
14 agency's next regularly scheduled meeting.

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