
SENATE BILL 5693

State of Washington

62nd Legislature

2011 Regular Session

By Senators Swecker and Pridemore

Read first time 02/07/11. Referred to Committee on Government Operations, Tribal Relations & Elections.

1 AN ACT Relating to defining "copy" for purposes of the public
2 records act; amending RCW 42.56.010 and 42.56.010; providing an
3 effective date; and providing an expiration date.

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

5 **Sec. 1.** RCW 42.56.010 and 2007 c 197 s 1 are each amended to read
6 as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Agency" includes all state agencies and all local agencies.
10 "State agency" includes every state office, department, division,
11 bureau, board, commission, or other state agency. "Local agency"
12 includes every county, city, town, municipal corporation, quasi-
13 municipal corporation, or special purpose district, or any office,
14 department, division, bureau, board, commission, or agency thereof, or
15 other local public agency.

16 (2) "Copy" means a reproduction of a record, either in paper or
17 electronic format, that includes all content of a record that relates
18 to the conduct of government or the performance of any governmental or
19 proprietary function. An agency satisfies its obligations under this

1 chapter when it produces a copy that meets this definition or where any
2 differences between the original record and the copy have been
3 automatically generated by a computer system in the ordinary course of
4 business.

5 (3) "Public record" includes any writing containing information
6 relating to the conduct of government or the performance of any
7 governmental or proprietary function prepared, owned, used, or retained
8 by any state or local agency regardless of physical form or
9 characteristics. For the office of the secretary of the senate and the
10 office of the chief clerk of the house of representatives, public
11 records means legislative records as defined in RCW 40.14.100 and also
12 means the following: All budget and financial records; personnel
13 leave, travel, and payroll records; records of legislative sessions;
14 reports submitted to the legislature; and any other record designated
15 a public record by any official action of the senate or the house of
16 representatives.

17 ((+3)) (4) "Writing" means handwriting, typewriting, printing,
18 photostating, photographing, and every other means of recording any
19 form of communication or representation including, but not limited to,
20 letters, words, pictures, sounds, or symbols, or combination thereof,
21 and all papers, maps, magnetic or paper tapes, photographic films and
22 prints, motion picture, film and video recordings, magnetic or punched
23 cards, discs, drums, diskettes, sound recordings, and other documents
24 including existing data compilations from which information may be
25 obtained or translated.

26 **Sec. 2.** RCW 42.56.010 and 2010 c 204 s 1005 are each amended to
27 read as follows:

28 The definitions in this section apply throughout this chapter
29 unless the context clearly requires otherwise.

30 (1) "Agency" includes all state agencies and all local agencies.
31 "State agency" includes every state office, department, division,
32 bureau, board, commission, or other state agency. "Local agency"
33 includes every county, city, town, municipal corporation, quasi-
34 municipal corporation, or special purpose district, or any office,
35 department, division, bureau, board, commission, or agency thereof, or
36 other local public agency.

1 (2) "Copy" means a reproduction of a record, either in paper or
2 electronic format, that includes all content of a record that relates
3 to the conduct of government or the performance of any governmental or
4 proprietary function. An agency satisfies its obligations under this
5 chapter when it produces a copy that meets this definition or where any
6 differences between the original record and the copy have been
7 automatically generated by a computer system in the ordinary course of
8 business.

9 (3) "Person in interest" means the person who is the subject of a
10 record or any representative designated by that person, except that if
11 that person is under a legal disability, "person in interest" means and
12 includes the parent or duly appointed legal representative.

13 (~~(3)~~) (4) "Public record" includes any writing containing
14 information relating to the conduct of government or the performance of
15 any governmental or proprietary function prepared, owned, used, or
16 retained by any state or local agency regardless of physical form or
17 characteristics. For the office of the secretary of the senate and the
18 office of the chief clerk of the house of representatives, public
19 records means legislative records as defined in RCW 40.14.100 and also
20 means the following: All budget and financial records; personnel
21 leave, travel, and payroll records; records of legislative sessions;
22 reports submitted to the legislature; and any other record designated
23 a public record by any official action of the senate or the house of
24 representatives.

25 (~~(4)~~) (5) "Writing" means handwriting, typewriting, printing,
26 photostating, photographing, and every other means of recording any
27 form of communication or representation including, but not limited to,
28 letters, words, pictures, sounds, or symbols, or combination thereof,
29 and all papers, maps, magnetic or paper tapes, photographic films and
30 prints, motion picture, film and video recordings, magnetic or punched
31 cards, discs, drums, diskettes, sound recordings, and other documents
32 including existing data compilations from which information may be
33 obtained or translated.

34 NEW SECTION. **Sec. 3.** Section 1 of this act expires January 1,
35 2012.

1 NEW SECTION. **Sec. 4.** Section 2 of this act takes effect January
2 1, 2012.

--- END ---