

HOUSE BILL REPORT

HB 1185

As Reported by House Committee On:
Local Government

Title: An act relating to equitable allocation of auditor costs.

Brief Description: Concerning equitable allocation of auditor costs.

Sponsors: Representatives Takko, Alexander, Springer, Tharinger, Clibborn, Kochmar and Ryu.

Brief History:

Committee Activity:

Local Government: 1/25/13, 1/31/13 [DP].

Brief Summary of Bill

- Authorizes county auditors to establish the actual cost per hour of searching records and conspicuously post this cost.
- Requires county auditors to set the fee for searching records at \$8 per hour if the actual per hour cost is not determined.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys, Liias, Springer and Upthegrove.

Minority Report: Do not pass. Signed by 1 member: Representative Taylor, Ranking Minority Member.

Staff: Michaela Murdock (786-7289).

Background:

County auditors are the recording officers of counties for a variety of documents relating to real property, marriage licenses, other vital statistic documents, and other matters that are required by law to be filed and recorded in the county. Fees that must be collected by the county auditor for filing or recording various documents are established by statute.

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.

Current statute sets the fee that county auditors must charge for searching records at \$8 per hour.

Summary of Bill:

County auditors are authorized to establish the actual cost per hour of searching records. If established, county auditors may charge up to the actual cost per hour for searching records and must conspicuously post the actual cost fee. If the county auditor has not determined the actual cost per hour, then the searching records fee is \$8 per hour.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The bill updates the fee for searching records from \$8 per hour to the actual cost per hour.

The bill will help a county auditor's office to break even by allowing it to charge a fee that is equitable to the cost of providing the service. Moreover, most records of the county have been transferred into electronic format, so a searching records fee really only applies to deep searches for records that are not in electronic format.

There is an issue facing county auditors' offices as a result of records search requests from commercial customers. Commercial customers make requests for substantial record searches that take hours or days, and rather than sending an employee who could do the search for free to the county, the commercial customer uses public money to fulfill the request. A commercial customer likely would have to pay its employee much more than \$8 per hour to accomplish the same task.

The actual cost to a county auditor's office to make a records search is higher than \$8 per hour. It probably costs more like \$30 per hour.

(Opposed) The bill should be more narrowly tailored. If commercial use of a county auditor's time is a concern, then the bill should address commercial uses of the records search service. Private citizens who make reasonable requests to the county auditor should not have to pay more than \$8 an hour. Also, most county employees are paid a salary, so there is no real cost to the county.

Persons Testifying: (In support) Representative Takko, prime sponsor; and Walt Washington and Karen Herr, Washington State Association of County Auditors.

(Opposed) Arthur West.

Persons Signed In To Testify But Not Testifying: None.