
Government Operations & Elections Committee

SB 6059

Brief Description: Concerning charges for scanning public records.

Sponsors: Senators Brown, Chase, Rivers, Becker, Braun and Bailey.

Brief Summary of Bill

- Specifies that agencies may not charge a fee for locating public documents and making them available for scanning.
- Allows agencies to impose a reasonable charge for the use of agency equipment for scanning.
- Requires agency charges for scanned copies to be in accordance with the actual per page cost or other costs established and published by the agency, not to exceed 15 cents per page.

Hearing Date: 2/25/14

Staff: Amanda Ondrick (786-7296) and Jasmine Vasavada (786-7301).

Background:

The Public Records Act (PRA) requires that all state and local government agencies make all public records available for public inspection and copying unless they fall within certain statutory exemptions. The provisions requiring public records disclosure must be interpreted liberally and the exemptions narrowly in order to effectuate a general policy favoring disclosure.

An agency must allow the public to use its facilities for copying public records unless to do so would unreasonably disrupt the operation of the agency. Agencies may not charge a fee for locating public documents and making them available for copying. However, an agency may impose a reasonable charge for providing copies of public records and for the use of agency equipment. Charges for photocopying may not exceed the actual per page cost published by the

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agency. If the agency has not published a per-page cost for copying, the cost may not exceed 15 cents per page. An agency may require a deposit of 10 percent or less of the estimated cost of providing copies and may charge a person per installment. An agency may cease fulfilling a request if an installment is not claimed or received.

Summary of Bill:

The same provisions that apply to an agency, the office of the Secretary of the Senate, and the office of the Chief Clerk of the House of Representatives for copying public records also apply to scanning public records. An agency may not charge a fee for locating public documents and making them available for scanning. An agency may impose a reasonable charge for the use of agency equipment for scanning public records and the charges for scanning must not to exceed the amount necessary to reimburse the agency. Charges for scanned copies must be in accordance with the actual per page cost or other costs established and published by the agency, not to exceed 15 cents per page for scanning public records.

Appropriation: None.

Fiscal Note: Available.

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