

HB 1189 - S COMM AMD

By Committee on Government Operations & Security

1 Strike everything after the enacting clause and insert the
2 following:

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

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

16 (2)(a) Cities, towns, and special purpose districts that
17 customarily do not maintain office hours for a minimum of thirty
18 hours per week are not required to do so and must post on the agency
19 headquarters location, and web site if the agency maintains one,
20 directions on how to contact agency personnel to inspect or copy
21 public records.

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

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

28 (c) The agency must include and respond promptly to the request
29 to inspect or copy public records in the business conducted at its
30 next regularly scheduled meeting subsequent to contact of agency
31 personnel if response has not been made prior to the meeting.

32 (d) The agency must respond within the time requirements of RCW
33 42.56.520 with the time of receipt of the request being the date of

1 the agency's next regularly scheduled meeting or thirty days,
2 whichever is sooner.

3 (e) If an agency does not have personnel, it shall designate a
4 member of the governing board as the public records officer
5 responsible for meeting the requirements of this section."

HB 1189 - S COMM AMD

By Committee on Government Operations & Security

6 On page 1, line 2 of the title, after "records;" strike the
7 remainder of the title and insert "and amending RCW 42.56.090."

EFFECT: (1) Treats the time of receipt of a request by an agency covered under the act as at the next regularly scheduled agency meeting or within thirty days, whichever is sooner.

(2) Clarifies that agencies covered under the act must include response to a public records request as part of the next regularly scheduled meeting's agenda if response has not been made prior to the meeting.

(3) Requires agencies without personnel to designate a member of the governing board as the public records officer.

--- END ---