
HOUSE JOINT RESOLUTION 4208

State of Washington 64th Legislature 2015 Regular Session

By Representatives Pollet, Muri, Hargrove, Sells, Moscoso, and Wylie

Read first time 01/30/15. Referred to Committee on State Government.

1 BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
2 STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

3 WHEREAS, Access to the information held and used by governments
4 is vital for an informed public to exercise its political power;

5 WHEREAS, The people of this state do not yield their sovereignty
6 to the agencies that serve them;

7 WHEREAS, The people insist on remaining informed so that they may
8 maintain control over the instruments that they have created; and

9 WHEREAS, Providing public access to public records and
10 information, and governing openly, are core functions of all
11 governmental bodies.

12 THAT, At the next general election to be held in this state the
13 secretary of state shall submit to the qualified voters of the state
14 for their approval and ratification, or rejection, amendments to
15 Article I and Article II of the Constitution of the state of
16 Washington by adding new sections to read as follows:

17 Article I, section . . . (1) The people have the right of access
18 to records concerning the conduct of the people's business by the
19 executive branch of state government and all political subdivisions
20 of the state.

21 (2) A statute, court rule, or other authority must be broadly
22 construed if it furthers the people's right of access to such

1 records, and narrowly construed if it limits the people's right of
2 access.

3 (3) Any statute, court rule, or other authority that limits the
4 people's right of access to records held by the executive branch of
5 state government or a political subdivision of the state must be
6 necessary to fulfill a compelling government purpose, including but
7 not limited to protecting individual privacy or the rights of a
8 criminal defendant.

9 (4) A statute, court rule, or other authority that limits the
10 people's right of access to such records, if adopted after the
11 effective date of this section, must include findings demonstrating
12 the compelling government purpose that necessitates adoption of the
13 limitation.

14 (5) Nothing in this section alters the protections for the
15 confidentiality of proceedings and records of the legislature, its
16 members, and its employees, as provided by Article II of this
17 Constitution, state law, or legislative rules adopted in furtherance
18 of those provisions.

19 Article II, section . . . The legislative powers include the
20 power of the legislature and the people to ensure that the executive
21 branch of state government is administered openly. No record in the
22 possession of the executive branch is presumptively privileged from
23 disclosure to the legislature and the people.

24 BE IT FURTHER RESOLVED, That this amendment is a single amendment
25 within the meaning of Article XXIII, section 1 of the state
26 Constitution.

27 The legislature finds that the changes contained in this
28 amendment constitute a single integrated plan for ensuring the
29 people's right of access to government records.

30 BE IT FURTHER RESOLVED, That the secretary of state shall cause
31 notice of this constitutional amendment to be published at least four
32 times during the four weeks next preceding the election in every
33 legal newspaper in the state.

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