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HOUSE BILL 2190

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State of Washington

68th Legislature

2024 Regular Session

By Representatives Walen and Reeves

Prefiled 01/05/24. Read first time 01/08/24. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to commissioning a study relating to improving  
2 the public records act; creating a new section; and providing an  
3 expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) Subject to the availability of amounts  
6 appropriated for this specific purpose, the Washington state  
7 institute for public policy shall conduct an examination of, and make  
8 recommendations to alleviate, certain challenges faced by state and  
9 local governments in fulfilling their obligations under the public  
10 records act, chapter 42.56 RCW.

11 (2) The examination under this section must specifically include:

12 (a) Documentation of the way that the public records act can be  
13 used by citizens and businesses as a source of income from  
14 governmental entities that hold records;

15 (b) An examination of the difficulty that governmental entities  
16 have in hiring and retaining staff to work on public records  
17 requests;

18 (c) An analysis of the way that current fine schedules can result  
19 in disproportionately large fines because of the proliferation of  
20 public records due to the advances in technology since the passage of  
21 the public records act; and

1           (d) An examination of the extent to which governments in  
2 violation of the public records act in recent years have been liable  
3 because of accidents or good faith mistakes rather than deliberate  
4 suppression of records.

5           (3) The examination must be completed by January 1, 2026, and  
6 submitted in accordance with RCW 43.01.036 to the standing committees  
7 of the house of representatives and the senate with jurisdiction over  
8 public records act issues.

9           (4) This section expires June 30, 2026.

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