

**LEGISLATURE MUST COMPLY WITH THE
PUBLIC RECORDS ACT**

AN ACT Relating to strengthening the state's public disclosure laws; amending RCW 42.56.010; adding a new section to chapter 42.56 RCW; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

INTENT

NEW SECTION. **Sec. 1.** The people find that the purpose of the state's public disclosure laws is founded on the public's right to know the business of their government and that transparency in government is an important component of representative democracy. That full access to information concerning the conduct of government on every level must be assured as a fundamental and necessary precondition to the sound governance of a free society. The people strongly support universal access to public records. The people therefore intend for the state legislature to comply with the Public Records Act that has applied to other governments for decades and to make past, current, and future public records publicly available.

NEW SECTION. **Sec. 2.** A new section is added to chapter 42.56 RCW to read as follows:

The state legislature must comply with the Public Records Act and must make past, current, and future public records publicly available after the effective date of this act.

Sec. 3. RCW 42.56.010 and 2017 c 303 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" includes all state agencies and all local agencies. "State agency" includes the state legislature, every state office, department, division, bureau, board, commission, or other state agency. "Local agency" includes every county, city, town, municipal

corporation, quasi-municipal corporation, or special purpose district, or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency. For purposes of this chapter, "state legislature" means the state legislative branch and its houses, members, offices, employees, and agencies.

(2) "Person in interest" means the person who is the subject of a record or any representative designated by that person, except that if that person is under a legal disability, "person in interest" means and includes the parent or duly appointed legal representative.

(3) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. For the ~~((office of the secretary of the senate and the office of the chief clerk of the house of representatives))~~ state legislature, public records ~~((mean))~~ include, but are not limited to, legislative records as defined in RCW 40.14.100 and ~~((also means the following:—A))~~ all budget and financial records; personnel leave, travel, and payroll records; records of legislative sessions; reports submitted to the legislature; and any other ~~((record designated a public record by any official action of the senate or the house of representatives. This definition does not))~~ public record but does not include records that are not otherwise required to be retained by the agency and are held by volunteers who:

(a) Do not serve in an administrative capacity;

(b) Have not been appointed by the agency to an agency board, commission, or internship; and

(c) Do not have a supervisory role or delegated agency authority.

(4) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translate.

NEW SECTION. **Sec. 4.** The provisions of this act are to be

liberally construed to effectuate the policies, purposes, and intent of this act.

NEW SECTION. **Sec. 5.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 6.** This act is known and may be cited as the "Legislature must comply with the Public Records Act."

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