

AMENDATORY SECTION (Amending WSR 93-04-001, filed 1/21/93, effective 2/21/93)

**WAC 434-615-020 Custody.** (1) Unless otherwise provided by law, public records must remain in the legal custody of the office in which they were originally filed, which shall be considered the office of record, or shall be destroyed or transferred pursuant to instructions from the state or local records committee as required by chapter 40.14 RCW. They shall not be placed in the legal (~~or physical~~) custody of any other person or agency, public or private, or released to individuals, except for disposition pursuant to law or unless otherwise expressly provided by law or by these regulations.

(2) Nothing in this rule shall be construed to prohibit an agency from transferring records to another agency whenever it is necessary that the agency possess the records in order to perform a governmental function. Any agency that has received records that should by law have been filed with another agency may transfer those records to the proper agency, or return to the filer.