

Public Records Policy.

Purpose. This policy is adopted to comply with chapters 341 and 397, Laws of 1995, regarding inspection and copying of public records in the custody of the Secretary of the Senate, and *Associated Press v. Wash. State Legislature*, 2019 Wash. LEXIS 828, __ Wn. 2d __, __ P.3d __ (2019) regarding public records under the custody of member offices. All applicable statutory definitions apply.

Policy. The Senate and member offices shall provide public records as requested by the public under the Public Records Act at Ch 42.56 RCW (PRA) as provided in this policy, unless such records, or portions thereof, are exempt from disclosure under the PRA or another law under which disclosure is regulated.

Public Records Officer. The Senate Public Records Officer is the point of contact for PRA requests and will respond on behalf of the Secretary of the Senate and member offices.

Guidelines.

1. Making a Request for Public Records.

A) General questions do not require a public records request (PRA request). You can receive answers to general questions about the Washington State Legislature and the legislative process by calling the Legislative Information Center at (360) 786-7573. The Legislature also makes a large volume of documents publicly available online. We encourage all members of the public to review the Legislature's website at www.leg.wa.gov before submitting a PRA request. The website has bill information, information about committee agendas, committee hearing documents, and many other documents. The website also has information and documents about member offices including biographies, sponsored bills, newsletters and other office information and records. You do not need to make a PRA request to access, view, or download any of the materials posted online on the Legislature's website.

B) A PRA request to inspect or copy a public record of the Senate or of a member office may be made in writing by contacting the Senate Public Records Officer:

Senate Public Records Officer

Washington State Senate

P.O. Box 40482

Olympia, WA 98504-0482

Phone: (360) 786-7373

Email: Senate.PublicRecords@leg.wa.gov

Online Request Form: <https://app.leg.wa.gov/publicrecordsrequest/Senate>

We strongly encourage written requests either using the request form or submitting a request in writing under the procedures above, in order for us to provide you the fullest assistance. If you make an oral request to the Senate Public Records Officer, the officer or designee will confirm with you in writing what records you are seeking. If you wish to make an in-person request, written or oral, please contact the Senate Public Records Officer.

All PRA requests to the Senate and to a member office must be submitted to the Senate Public Records Officer.

2. Processing Requests. Within five (5) business days of receipt of a PRA request, the Senate Public Records Officer shall respond on behalf of the Secretary of the Senate or member office by (a) providing the records; (b) providing an internet link to records; (c) acknowledging receipt of the request and providing a reasonable estimate of the time required to respond to the request; (d) seeking clarification of the request and providing a reasonable estimate of the time required to respond to the request; or (e) denying the request and stating the reason for such denial.

3. Availability for Inspection. All public records requested in a PRA request, as provided by statute under the custody of the Secretary of the Senate or member offices, will be made available for public inspection and copying from 9 a.m. through 5 p.m., Monday through Friday, excluding legal holidays. In order to ensure an organized and timely process for access to the records sought, particularly as records may be in various formats and/or locations and may take some time to search and locate as well as to assemble and review for inspection, please coordinate inspection by contacting the Senate Public Records Officer. When records or an installment of records is ready, the Public Records Officer will contact you to make an appointment for inspection.

4. Providing Records in Installments. When a PRA request seeks a large number of records or when a portion of responsive records is more readily available than others, the Public Records Officer may provide records in installments.

5. Completion of Request. As relevant to a particular PRA request, a response to a PRA request will be deemed complete upon the requester's inspection of the records, or upon notification that copies of all the requested records are available for download, or upon notification that all responsive records have been provided, or upon notification that no responsive records were located, or upon the completion of the review period if a review is requested under Part 8 of this policy.

6. Exemptions. If there are exemptions applicable to records responsive to a PRA request, exempt material may be redacted or withheld. Exemptions outside of the PRA that may apply include those listed by the Code Reviser and provided to the Washington State Sunshine Committee (Sunshine Committee Exemption List) as well as records that fall under the Constitutional legislative privilege found in Article II, Section 17 of the Washington State Constitution. The Public Records Officer will provide relevant citations for any exempt material and provide a brief explanation in writing to the requester.

7. Costs of Providing Copies of Public Records. The Senate does not charge a fee for inspecting or locating public records. However, pursuant to RCW 42.56.120, the Senate may impose a reasonable fee for providing copies of public records. The Senate will not calculate all actual costs for copying records because to do so would be unduly burdensome. The Senate does not have the resources to conduct a study to determine all actual copying cost and to conduct

uch a study would interfere with other essential functions of the Senate. Instead, the Senate chooses to follow the default fees an agency may charge as provided by RCW 42.56.120. The Public Records Staff will notify the requester in writing of the copying and postage charges associated with requested records.

The costs associated with copying and mailing records in paper and electronic format can be charged to the requester per RCW 42.56.070. Charges are set out in the Senate's fee schedule.

The Senate may require an advance deposit not to exceed ten percent of the estimated fees for an installment or an entire request. (RCW 24.56.120(4)). The Senate will close a request, by the payment date, when a requester fails to pay in the manner prescribed for records, fails to pay for an installment of records, or fails to pay the required deposit. The Senate may waive fees where the total costs for producing all responsive records or all installments of responsive records are less than ten dollars.

Please note, the Legislative Information Center is a service provided by the Washington State Legislature to provide information about the Legislature and legislative process to the citizens of Washington State. Information requests processed through the Legislative Information Center will be in accordance with their Document and Publication Policy, found here: [Legislative Documents and Publications Distribution](#).

8. Review of Denials of Public Records. Any requester who objects to the initial denial or partial denial of a record responsive to their PRA request may petition in writing to the Secretary of the Senate. The petition must include a copy of or shall reasonably identify the written statement by the Public Records Officer denying the request. They Secretary will consider the petition and either affirm or reverse the denial by the end of the second business day following the initial denial, or within such time as the Secretary and the requester mutually agree in accordance with RCW 42.56.520.

9. Communication. We encourage requesters to communicate with thee Senate Public Records Officer if there are questions about their PRA requests.