



## House Public Records Policy & Procedures

### Purpose

The purpose of these procedures is to provide clear guidelines and a flexible process for public access to records concerning the activities and operations of the House of Representatives and member offices. These procedures establish the processes for requestors, House member offices, and staff that are designed to best assist members of the public in obtaining such access.

### Responsibility & Authority

**The Chief Clerk** – The Chief Clerk performs all the administrative duties related to the public records obligations of members of the House. The Chief Clerk has designated the House Public Records Officer to manage public records requests.

**House Counsel** – The House Counsel oversees the Public Records Office. The House Counsel will develop House policies and procedures and provide training and legal advice to House members and staff regarding the Public Records Act.

**Public Records Officer** - The House Public Records Officer is the point of contact for Public Records Act (PRA) requests and will respond on behalf of the Chief Clerk's Office and member offices, as well as providing training to members and staff.

**Public Records Office** – Staff in the Public Records Office will respond to public record requests.

### Requests for Public Records

A request to inspect or copy a public record must be made to the Public Records Officer. The House of Representatives and House member offices accept new public records requests via the GovQA portal. GovQA is a web-based Records Center used for tracking and delivery of records requests. The GovQA portal is available at <http://leg.wa.gov/House/Pages/PublicRecordsRequestInformation.aspx>.

Alternatively, requests may also be submitted by completing the House of Representatives Request Form and presenting it:

- By email: [House.PublicRecords@leg.wa.gov](mailto:House.PublicRecords@leg.wa.gov);
- By mail:

Public Records Officer  
Office of the Chief Clerk  
Washington State House of Representatives  
P.O. Box 40600  
Olympia, WA 98504-0600

- If you need assistance with the options above, please contact us at: [House.PublicRecords@leg.wa.gov](mailto:House.PublicRecords@leg.wa.gov) or (360) 786-0926.

The written request should include the following information:

- a) Requester's name and contact information;
- b) Date the request was made;
- c) Records requested; and
- d) Which member(s) records are being requested.

### **Processing Public Records Requests**

The House will respond within five business days of receipt of the public records request in writing by:

- a) Making the requested records available either by providing records or making them available for inspection and copying;
- b) Acknowledging the receipt of the request, and providing a reasonable estimate of the time needed to respond
  - a. additional time may be needed for the Records Staff to respond to a request, based on the need to:
    - i. Clarify the request including its scope;
    - ii. Locate and assemble the requested records;
    - iii. Notify the persons affected by the request; or
    - iv. Determine whether any of the responsive records or information contained in the responsive records are exempt from disclosure.
- c) Seeking clarification; or
- d) Deny the request.
  - a. Denial of records or portions of records will be based on an applicable legal exemption, using the Request for Review of Denial form. All denial decisions must:
    - i. Cite the statute(s), specific exemption or other laws that allow redaction or withholding of the records, in whole or in part;
    - ii. State how the exemption applies to the information withheld; and
    - iii. Include the page numbers or location within the responsive records where content was redacted or withheld

If a requester does not receive a response in writing within five business days of receipt of the request for disclosure, or has other questions regarding their request, the requestor should consider contacting the public records officer or designee to determine the reason for the failure to respond.

There is no requirement to create records in response to a public records request. General questions do not require a public records request. Answers to general questions about the Washington State Legislature and the legislative process are available by calling the Legislative Information Center at (360) 786-7573. The Legislature also makes a large volume of documents publicly available online. All members of the public are encouraged to review the Legislature's website at [www.leg.wa.gov](http://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. A PRA request does not need to be made to access, view, or download any of the materials posted online at the Legislature's website.

### **Availability of Public Records**

All public records of the House of Representatives and member offices are available for public inspection and copying during normal business hours by appointment only, except as otherwise provided in Chapter

42.56 RCW. The Public Records Office is open from 9:00 a.m. to 4:00 p.m. Monday through Friday, excluding legal holidays. If records are being provided in installments and are to be inspected in person, once an installment is ready, the Public Records Office will contact you for an appointment for inspection.

### **Documentation**

Documentation of each public records request will include copies of:

1. The original request and correspondence;
2. All records provided, in their original format,
3. Any records redacted or withheld, indicating the information removed/withheld;
4. The Denial Form/Exemption Log, if redactions were taken or records were withheld; and
5. Any supporting documents indicating who was contacted and the response received.

### **Notification**

The Public Records Office may send a third-party notice to specific individuals to notify them that their name appears in or is the subject of a responsive record. These individuals may seek a court order (injunction) to prevent or limit the disclosure of the records. RCW 42.56.540 allows for this process to occur at the discretion of the House.

Individuals will have no less than 7 business days to notify the Public Records Office of their intent to seek injunction.

Notification will include:

- a. Cover letter;
- b. Copy of the original request;
- c. Copy of applicable statute; and
- d. All responsive records applicable to the addressee of the notification, in the format in which they will be released to the requester.

### **Exemptions**

Exemptions outside of the Public Records Act that may apply include those listed by the Code Reviser and provided to the [Washington State Sunshine Committee](#) 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. The failure to list an exemption shall not affect the efficacy of any exemption. The House is prohibited by statute from disclosing lists of individuals for commercial purposes.

### **Costs of Providing Copies of Public Records**

The Public Records Staff will notify the requester in writing of the copying and postage charges associated with requested records. The House does not charge a fee for inspecting or locating public records. Pursuant to RCW 42.56.120, the House may impose a reasonable fee for providing copies of public records. The House will not calculate all actual costs for copying records because to do so would be unduly burdensome. The House does not have the resources to conduct a study to determine all actual copying costs and to conduct such a study would interfere with other essential functions of the House.

Instead, the House chooses to follow the default fees provided by RCW 42.56.120 that are designated for executive branch agencies.

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 House of Representatives' fee schedule.

The House may require an advance deposit of ten percent of the estimated fees when the copying fees for an installment or an entire request exceeds twenty-five dollars. RCW 42.56.120(4). The House 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 Legislative Information Center (LIC) also provides several printed legislative documents. LIC is located on the ground floor of the Legislative Building. Their contact information is:

110 Legislative Building  
P.O. Box 40500  
Olympia, WA 98504-0500  
360-786-7573  
support@leg.wa.gov  
TOLL-FREE HOTLINE: 1-800-562-6000

### **Closing withdrawn or abandoned requests**

When the requestor either withdraws a request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer or designee will close the request and indicate to the requestor that their request has been closed.

The requestor must claim or review the assembled records within thirty days of the House's notification that the records are available for inspection or copying. The House will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the Public Records Office to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the House may close the request and refile the assembled records.

### **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 the Review of Denials of Public Records section of this policy.

### **Later discovered documents**

After the House has informed the requestor that it has provided all available records, and the House becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

### **Review of Denials of Public Records**

If the requester disagrees with a decision to deny the request, in whole or in part, the requester may appeal to the Chief Clerk of the House of Representatives for review. The petition must include a copy of, or shall reasonably identify, the written statement by the Public Records Officer denying the request. The Chief Clerk 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 Chief Clerk and the requester mutually agree in accordance with RCW 42.56.520.

Appeals will not be considered if submitted 12 months or more after the House's last response or production of records.

Any further appeal will be made to the Thurston County Superior Court per RCW 42.56.