
SUBSTITUTE HOUSE BILL 1516

State of Washington 65th Legislature 2017 Regular Session

By House State Government, Elections & Information Technology
(originally sponsored by Representative MacEwen)

READ FIRST TIME 02/17/17.

1 AN ACT Relating to creating a data storage system for holding and
2 making public records available to the public; creating new sections;
3 and providing expiration dates.

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

5 NEW SECTION. **Sec. 1.** (1) The division of archives and records
6 management in the office of the secretary of state must conduct a
7 study to assess the feasibility of implementing a statewide open
8 records portal through which a user can request and receive a
9 response through a single internet web site relating to public
10 records information.

11 (2) The division of archives and records management must hire a
12 consultant to conduct the study.

13 (3) At a minimum, the report must include:

14 (a) The feasibility of Washington creating a central site from
15 which a user can submit a records request and receive a timely
16 response to such request;

17 (b) An examination of the experience in other states, including
18 but not limited to the state of Utah, that have implemented an
19 electronic open records portal;

1 (c) Whether the open records portals in other states serve as
2 central repositories and archives for the purpose of all public
3 records on behalf of local and state agencies;

4 (d) Whether other states' open records portals track and provide
5 a timeline where each request is being responded to in the process;

6 (e) The cost of creating the open records portal in other states
7 and the amount of funds local and state agencies or any other
8 entities contributed to the start-up and ongoing costs to operate the
9 open records portal;

10 (f) The length of time it took for other states to develop an
11 open records portal from its initial start-up to its current full
12 operation;

13 (g) The length of time it would take for Washington to develop
14 and implement an open records portal from start-up to full operation
15 that is similar to the portals located in other states;

16 (h) The length of time it would take for Washington to develop
17 and implement an open records portal from start-up to full operation
18 that would include: (i) The portal collecting, archiving, and holding
19 all public records from local and state governmental agencies in
20 Washington; (ii) the portal being capable of allowing users to submit
21 a public records request through a central site; and (iii) the
22 records portal operating as a central site for answering and
23 providing requested public records to a user;

24 (i) The estimated cost to develop and implement an open records
25 portal that is: (i) Similar to the open records portals located in
26 other states referenced and reviewed in (g) of this subsection; and
27 (ii) a full open records portal pursuant to (h) of this subsection.
28 In both instances, the costs must include costs associated with local
29 and state governmental agencies in Washington participating in the
30 portal and any needed supporting infrastructure, staffing, and
31 training requirements;

32 (j) How much is charged and how fees are collected from a user
33 requesting a public record through other states' open records
34 portals;

35 (k) The feasibility of whether an open records portal created in
36 Washington would be able to track all public records requests, when
37 such requests for public records are made through the open records
38 portal, and provide a timeline where each request is being responded
39 to in the process;

1 (1) The feasibility of whether an open records portal created in
2 Washington would be able to directly respond to answering a user's
3 public records request and, if not, the feasibility of the portal
4 tracking when a local or state agency responds to such a request and
5 providing a timeline where each request is being responded to in the
6 process; and

7 (m) The feasibility of creating an open records portal in
8 Washington that notifies a requestor that the request has been
9 received and either immediately provides the requestor with a copy of
10 the requested record, notifies the requestor that the record is not
11 available, or notifies the requestor that because of the
12 extraordinary request the record will be available on a date certain.

13 (4) A report must be completed with findings and recommendations
14 on the experience of the electronic open records portal created in
15 other states and the feasibility of creating a central statewide open
16 records portal in Washington. The report must be submitted to the
17 governor, the appropriate committees of the legislature, and members
18 of the stakeholder group in section 2 of this act, by September 1,
19 2018.

20 (5) This section expires December 31, 2018.

21 NEW SECTION. **Sec. 2.** (1) The division of archives and records
22 management in the office of the secretary of state must convene a
23 stakeholder group by September 1, 2017, to develop the initial scope
24 and direction of the study in section 1 of this act.

25 (2) The stakeholder group must include seven members as provided
26 in this subsection.

27 (a) The president of the senate shall appoint one member from
28 each of the two largest caucuses of the senate.

29 (b) The speaker of the house of representatives shall appoint one
30 member from each of the two largest caucuses of the house of
31 representatives.

32 (c) The president of the senate and the speaker of the house of
33 representatives, in consultation with the division of archives and
34 records management, jointly shall appoint the remaining three
35 members. The remaining three members must be representatives of the
36 community who have experience in the collection and distribution of
37 governmental public records.

1 (3) This section expires September 30, 2018.

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