

**Summary of County Officials' Position on Public Disclosure Bills
HB 1758 and HB 1602**

**Submitted by
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**To the
State of Washington
House of Representatives
State Government Operation and Accountability Committee**

Topic	HD 1602	HB 1758 (AG Bill)	County's Notes
Attorney Client Privilege		Retains historical privilege. Carefully limits use according to case law.	Support AG Bill. Privilege is essential to good government operations.
"Overbroad" requests	Prevents an agency from refusing to respond to request because it is overboard.	Same as HB 1602	Request procedures to assure government can maintain timely provision of service. Allow judge to determine if request is overboard and must be narrowed.
Respond on Rolling Basis		Requires an agency to provide records in batches, as they are available, if practical	Would change terminology to "installments" and require a deposit
Price for Copies		.15 per page or document other cost and allow State Auditor to audit accuracy	Requests State Auditor establish state-wide schedule for documents of all sizes, colors, shapes and formats

Public Disclosure Officer		Requires an Agency to name a public discloser officer	Support as good policy. One disclosure officer for each elected official.
Procedural Regulations (Model Rules)		Allows the AG to adopt a model public records rule for state and local agencies including providing full assistance, electronic records, and indexing.	Support AG approach, and request consultation with Counties in developing rules; rules should include internal appeal procedures among other issues listed by AG
Index of Records		Treated under procedural rule.	Request clarification on level of detail requested of index. Public records include documents received by Agency. Broad indexes already exist and greater detail of records actually received is burden outweighs benefit to public.
Venue for action		Normal venue.	Support. For counties, allows suit in adjacent counties.

Penalty		\$50. per day Minimum, \$500. per day maximum.	Penalties should not be imposed for inadvertent errors of action on good faith. Therefore penalty range should be \$0-\$500. Penalty should be clarified as per record. Before filing suit, administrative appeals must be exhausted.
Statute of Limitations		One year.	Support
Electronic Records		Addressed with AG's model Rules	Support. Great need to improvements in this area.