



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: April 15, 2021

TIME: 2:26 PM

WSR 21-09-049

Agency: HUM

Subject of possible rule making: Public Records, WAC 162-04-030, WAC 162-04-035

Statutes authorizing the agency to adopt rules on this subject: RCW 42.56.120, RCW 42.56.040

Reasons why rules on this subject may be needed and what they might accomplish: The public records rules for this agency are out of date, and do not contain current information on the charges that can be imposed for the copying of public records. The public records rules need to be updated to reflect the Public Records Act Model Rules WAC 44-14, and to reflect the costs incurred by the agency in providing copies of public records. The subject of WAC 162-04-035 is no longer relevant, and the process does not conform to current records release exemptions

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Attorney General's Office. The Attorney General's Office has drafted Model rules related to the Public Records Act. This agency is utilizing the Model Rules in updating our own Public Records WACs. In addition, this agency is in consultation with its Assistant Attorneys General regarding this rulemaking.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Public hearing and opportunity for written public comment

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Additional comments: none

Date: 4/8/2021

Name: Laura Lindstrand

Title: Policy Analyst

Signature: