CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 5964**

Chapter 66, Laws of 2014

63rd Legislature
2014 Regular Session

PUBLIC RECORDS AND MEETINGS--TRAININGS

EFFECTIVE DATE: 07/01/14

Passed by the Senate February 18, 2014
YEAS 45 NAYS 2

BRAD OWEN

**President of the Senate**

Passed by the House March 7, 2014
YEAS 66 NAYS 31

FRANK CHOPP

**Speaker of the House of Representatives**

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5964** as passed by the Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

**Secretary**

Approved March 27, 2014, 9:54 a.m.

FILED

March 27, 2014

JAY INSLEE

**Governor of the State of Washington**

**Secretary of State**
**State of Washington**

**ENGROSSED SENATE BILL 5964**

Passed Legislature - 2014 Regular Session

**State of Washington 63rd Legislature 2014 Regular Session**

**By** Senators Fain, Rivers, Braun, Hasegawa, Rolfes, Conway, Frockt, Tom, Keiser, Mullet, and Hill; by request of Attorney General

Read first time 01/13/14. Referred to Committee on Governmental Operations.

AN ACT Relating to training public officials and employees regarding public records, records management, and open public meetings; adding a new section to chapter 42.30 RCW; adding new sections to chapter 42.56 RCW; creating new sections; and providing an effective date.

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

NEW SECTION. **Sec. 1.** The legislature finds that the rights of citizens to observe the actions of their public officials and to have timely access to public records are the underpinnings of democracy and are essential for meaningful citizen participation in the democratic process. All too often, however, violations of the requirements of the public records act and the open public meetings act by public officials and agencies result in citizens being denied this important information and materials to which they are legally entitled. Such violations are often the result of inadvertent error or a lack of knowledge on the part of officials and agencies regarding their legal duties to the public pursuant to these acts. Also, whether due to error or ignorance, violations of the public records act and open public meetings act are very costly for state and local governments, both in

terms of litigation expenses and administrative costs. The legislature also finds that the implementation of simple, cost-effective training programs will greatly increase the likelihood that public officials and agencies will better serve the public by improving citizen access to public records and encouraging public participation in governmental deliberations. Such improvements in public service will, in turn, enhance the public's trust in its government and result in significant cost savings by reducing the number of violations of the public records act and open public meetings act.

NEW SECTION. **Sec. 2.** A new section is added to chapter 42.30 RCW to read as follows:

(1) Every member of the governing body of a public agency must complete training on the requirements of this chapter no later than ninety days after the date the member either:

(a) Takes the oath of office, if the member is required to take an oath of office to assume his or her duties as a public official; or

(b) Otherwise assumes his or her duties as a public official.

(2) In addition to the training required under subsection (1) of this section, every member of the governing body of a public agency must complete training at intervals of no more than four years as long as the individual is a member of the governing body or public agency.

(3) Training may be completed remotely with technology including but not limited to internet-based training.

NEW SECTION. **Sec. 3.** A new section is added to chapter 42.56 RCW to read as follows:

(1) Each local elected official and statewide elected official, and each person appointed to fill a vacancy in a local or statewide office, must complete a training course regarding the provisions of this chapter, and also chapter 40.14 RCW for records retention.

(2) Officials required to complete training under this section may complete their training before assuming office but must:

(a) Complete training no later than ninety days after the date the official either:

(i) Takes the oath of office, if the official is required to take an oath of office to assume his or her duties as a public official; or

(ii) Otherwise assumes his or her duties as a public official; and

(b) Complete refresher training at intervals of no more than four years for as long as he or she holds the office.

(3) Training must be consistent with the attorney general's model rules for compliance with the public records act.

(4) Training may be completed remotely with technology including but not limited to internet-based training.

NEW SECTION. **Sec. 4.** A new section is added to chapter 42.56 RCW to read as follows:

(1) Public records officers designated under RCW 42.56.580 and records officers designated under RCW 40.14.040 must complete a training course regarding the provisions of this chapter, and also chapter 40.14 RCW for records retention.

(2) Public records officers must:

(a) Complete training no later than ninety days after assuming responsibilities as a public records officer or records manager; and

(b) Complete refresher training at intervals of no more than four years as long as they maintain the designation.

(3) Training must be consistent with the attorney general's model rules for compliance with the public records act.

(4) Training may be completed remotely with technology including but not limited to internet-based training.

NEW SECTION. **Sec. 5.** A new section is added to chapter 42.56 RCW to read as follows:

The attorney general's office may provide information, technical assistance, and training on the provisions of this chapter.

NEW SECTION. **Sec. 6.** This act may be known and cited as the open government trainings act.

NEW SECTION. **Sec. 7.** This act takes effect July 1, 2014.

Passed by the Senate February 18, 2014.
Passed by the House March 7, 2014.
Approved by the Governor March 27, 2014.
Filed in Office of Secretary of State March 27, 2014.