



Public Records Fee Rule Making

Public Records Act (*42.56 RCW*) allows an agency two options when charging for public record requests:

Statutory fee method – if an agency elects to use the fee schedule outlined in statute, they must:

- adopt a rule explaining why it would be ‘unduly burdensome’ to use actual costs
- Simply use the costs provided in the PRA

Actual cost method – if an agency elects to use actual costs, they must:

- Determine the real costs for producing records through a fee study,
- publish the justification used to determine those rates, and
- conduct public hearings before implementing



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WAC 222-08-090 Disclosure of public records

(6) No fee shall be charged for the inspection of public records. ~~For printed, typed and written public records of a maximum size of 8 1/2" by 14", the board shall charge twenty five cents per page to reimburse the board for the actual costs...~~

(new) The board's charges for producing public records shall follow the fee schedule established in RCW 42.56.120, because calculating the actual costs associated with records production would be unduly burdensome.



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Next steps –

- File the CR-102 with the proposed language in the WSR
- Hold one public hearing in Olympia in January
- Summarize and respond to the comments in a Concise Explanatory Statement; and
- Prepare for the Board to adopt the final language at the February 2018 meeting

