



Participation encouraged as Enterprise Services updates public records rules

The Washington State Department of Enterprise Services (DES) will be proposing changes to its [public records rules](#).

[House Bill 1595](#) which passed during the 2017 legislative session, changes the circumstances under which an agency may charge or waive charges for providing public records. Prior to HB 1595, rules were not required for an agency to charge for providing public records when using the fees laid out in state law or to waive charges altogether. Rules are now required and DES does not have such rules in place.

Because of this, DES has adopted emergency rules so that DES can continue to provide public records while permanent rule-making takes place. Emergency rules are temporary in nature and expire 120 days after filing.

Rulemaking Approach

Enterprise Services will hold work sessions with interested stakeholders. During these work sessions, Enterprise Services and stakeholders will collaborate and jointly develop rules. As a starting point, Enterprise Services will develop a preliminary draft rules document for discussion purposes, which we expect will be modified during our conversations.

The outcome of the work sessions will be proposed rules that will be submitted to the [Office of the Code Reviser](#). This will mark the start of a formal public comment period on the proposed rules.

Before filing the proposed rules with the Office of the Code Reviser, Enterprise Services will share a copy of the draft rules with anyone interested. The rules filed with the Code Reviser will be published in the next [Washington State Register](#).

Rulemaking steps

CR-103e Emergency Rules: DES has filed a notice with the state Office of the Code Reviser that the agency has adopted [emergency rules](#) allowing the agency to charge fees using the statutory fee schedule as well as waive charges when appropriate. These rules are effective for no longer than 120 days.

CR 101: DES has filed a notice with the state Office of the Code Reviser that the agency intends to engage in this rulemaking effort. This step, the CR -101: [Preproposal Statement of Inquiry](#) must be taken before stakeholders can be invited to participate in the agency's rulemaking process.

CR-102: Proposed Rule Making marks the formal beginning of rulemaking.

More information

More information is available on the Enterprise Services [rulemaking web page](#).

If you have questions about the rulemaking process, please contact DES [Jack Zeigler](#) at (360) 407-9209.

Please direct media inquiries to [Linda Kent](#) at (360) 407-7921
