

Questions about new requirements for public records data reporting:

When and where can I find guidance about reporting data?

In response to [ESHB 1594 Section 6 \(5\)](#), JLARC staff are developing data standards and an approach to collecting information about public records requests. JLARC staff are working with an advisory group and consultants, and will reach out to additional stakeholders in the coming months.

Formal guidance will be available in the next few months for information that must be reported in July 2018. JLARC staff anticipate needing this time to develop definitions in order to ensure data will be as consistent as possible across multiple entities.

We realize that there will be uncertainty about what information to track internally until formal guidance is provided. We suggest entities make efforts to prepare for reporting in July but acknowledge that you may need to adjust your approach to align with forthcoming guidance. Please consult with your legal counsel if you are unsure about interim approaches. You should fully implement other provisions outside of Section 6(5) of the law effective July 23, 2017.

Do I have to report?

You must report if your entity's public records costs exceed \$100,000. In determining whether you meet this threshold, please consider:

- Legal costs incurred in the course of responding to a records requests. Do not include legal costs of litigation after responding to a records request
- Whether you have 1 FTE or equivalent across multiple staff who are responsible for responding to records requests during the fiscal year. If so, your costs would likely approach \$100,000.

Additional clarification is forthcoming.

Where can I find more information?

Check <http://leg.wa.gov/jlarc/Pages/publicRecAdmin.aspx> for updates and information. You may also contact AWC, WSAC, MRSC, or JLARCPublicRecordsStudy@leg.wa.gov.