



**RULE-MAKING ORDER  
PERMANENT RULE ONLY**

**CR-103P (December 2017)  
(Implements RCW 34.05.360)**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: August 23, 2021

TIME: 11:47 AM

WSR 21-18-025

**Agency:** Human Rights Commission

**Effective date of rule:**

**Permanent Rules**

31 days after filing.

Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes  No If Yes, explain:

**Purpose:** These proposed rules update information on requesting and obtaining public records from the Human Rights Commission, and provide a method for having the denial of a public records reviewed within the agency. These rules will also allow charging the statutory default costs for providing public records. The language of WAC 164-04-030 has been substituted with new language, and additional WAC sections have been added. The updates reflect the Public Records Act Model Rules WAC 44-14, and reflect the costs incurred by the agency in providing copies of public records. The subject of the original WAC 162-04-035 is no longer relevant, as the process does not conform to current records release exemptions. The original rules are out of date. There is also no mechanism within the original rules for charging for copies of public records requests. As a small agency with limited resources and a large volume of public records requests, the Human Rights Commission is struggling with covering those costs and dealing with voluminous requests. The proposed rules will allow the agency to charge the statutory default costs for copying and mailing records.

**Citation of rules affected by this order:**

New: 162-04-032; 162-04-033; 162-04-034; 162-04-036; 162-04-037; 162-04-038

Repealed: n/a

Amended: 162-04-030; 162-04-035;

Suspended: n/a

**Statutory authority for adoption:** RCW 42.56.120, RCW 42.56.040

**Other authority:** n/a

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 21-13-011 on June 4, 2021 \_\_\_\_\_ (date).

Describe any changes other than editing from proposed to adopted version: In WAC 162-04-032, “if” was changed to “when” in subsection (2) in response to public comment related to indexing of records.

In WAC 162-04-033, an email address was corrected in subsection (3)(a).

In WAC 162-04-034, “him or her” was changed to “the person” to utilize more gender inclusive language.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	<u>1</u>	Amended	<u>0</u>	Repealed	___

**The number of sections adopted at the request of a nongovernmental entity:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	<u>6</u>	Amended	<u>2</u>	Repealed	___
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	<u>6</u>	Amended	<u>2</u>	Repealed	___
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**The number of sections adopted using:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

<b>Date Adopted:</b> July 30, 2021
<b>Name:</b> Laura Lindstrand
<b>Title:</b> Policy Analyst

**Signature:**  
