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HOUSE BILL 1106

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State of Washington

61st Legislature

2009 Regular Session

By Representatives Williams and Moeller

Read first time 01/13/09. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to an agency's access to superior court for the  
2 purposes of the public disclosure act; and amending RCW 42.56.540.

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

4 **Sec. 1.** RCW 42.56.540 and 1992 c 139 s 7 are each amended to read  
5 as follows:

6 The examination of any specific public record may be enjoined if,  
7 upon motion and affidavit by (~~an agency or its representative or~~) a  
8 person who is named in the record or to whom the record specifically  
9 pertains, the superior court for the county in which the movant resides  
10 or in which the record is maintained, finds that such examination would  
11 clearly not be in the public interest and would substantially and  
12 irreparably damage any person, or would substantially and irreparably  
13 damage vital governmental functions. An agency has the option of  
14 notifying persons named in the record or to whom a record specifically  
15 pertains, that release of a record has been requested. However, this  
16 option does not exist where the agency is required by law to provide  
17 such notice.

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