
Government Operations & Elections Committee

HB 1400

Brief Description: Clarifying that service includes electronic distribution of hearing notices and orders in administrative proceedings.

Sponsors: Representatives Bergquist, Kochmar and Jinkins; by request of Office of Administrative Hearings.

Brief Summary of Bill

- Amends the Washington Administrative Procedure Act to provide that administrative hearing notices and orders may be served electronically upon the parties to administrative hearings.

Hearing Date: 2/12/13

Staff: Caitlin Forsyth (786-5793) and Marsha Reilly (786-7135).

Background:

The Office of Administrative Hearings (OAH) is an independent state agency responsible for the review of the actions of other state agencies. Administrative hearings are conducted in accordance with statutory procedures outlined in the Washington Administrative Procedure Act (APA) and are generally less formal than court proceedings.

In 2012, the OAH received over 72,000 requests for administrative hearings from citizens of the State of Washington. For each hearing, the OAH must follow APA procedures governing the service of administrative hearing notices and orders. In an administrative hearing notice, the OAH sets the time and place of the hearing and gives advance written notice of the hearing to all involved parties. An administrative hearing order explains the legal rights, duties, privileges, immunities, or other legal interests of a specific person or persons.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Currently under the APA, "service" means posting in the United States mail, properly addressed, postage prepaid, or personal service.

Summary of Bill:

The APA is amended to provide that administrative hearing notices and orders may be served electronically upon the parties to administrative hearings.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.