State of Washington  
61st Legislature  
2009 Regular Session

By Representatives Chandler, Kretz, Kristiansen, and Anderson

Read first time 01/21/09. Referred to Committee on State Government & Tribal Affairs.

AN ACT Relating to deliberative process exemption in the public records act; and amending RCW 42.56.280.

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

Sec. 1. RCW 42.56.280 and 2005 c 274 s 408 are each amended to read as follows:

Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended are exempt under this chapter, except that:

(1) A specific record is not exempt when publicly cited by an agency in connection with any agency action; and

(2) Any records which are created or presented by an agency in the course of collective bargaining, or which are received from the bargaining representative by the agency in the course of collective bargaining, are not exempt when the agency and the bargaining representative agree to the terms of a written collective bargaining agreement.