

## **SUMMARY: COSTS FOR COPIES UNDER PUBLIC RECORDS ACT – RCW 42.56**

### **AGENCY OPTIONS PURSUANT TO [EHB 1595 \(CHAP. 304, LAWS OF 2017\)](#)**

*Effective July 23, 2017; Summary Only – See Statutes for Details*

CHARGING ACTUAL COSTS	CHARGING STATUTORY DEFAULT FEES	CHARGING ALTERNATIVE FLAT FEE	CHARGING PURSUANT TO ALTERNATIVE FEE ARRANGEMENT	CHARGING FOR CUSTOMIZED ACCESS SERVICE	WAIVING CHARGES (FEES)
 <p>Agency can charge its <b>actual costs</b> directly incident to copying including:</p> <ul style="list-style-type: none"> <li>• Paper and per page cost for use of agency copying equipment</li> <li>• Electronic production or file transfer of the record</li> <li>• Use of any cloud-based data storage and processing service</li> <li>• Costs directly incident to shipping including postage or delivery charges and cost of container or envelope</li> <li>• Costs of transmitting the records in electronic format including the cost of any transmission charge and use of any physical media device provided by agency.</li> </ul>	 <p>Agency can assess costs per the <b>statutory fee schedule</b>:</p> <ul style="list-style-type: none"> <li>• 15 cents/page paper</li> <li>• 10 cents/page scanned into electronic format</li> <li>• 5 cents/4 files or attachments and provided by electronic delivery</li> <li>• 10 cents/gigabyte of electronic records transmission</li> <li>• Actual costs of storage media, container, envelope; postage/delivery charge</li> <li>• Charges can be combined if more than one type of charge applies.</li> </ul>	 <p>Agency can charge <b>alternative flat fee</b> of <b>up to \$2</b> for a request (rather than actual costs or default fees).</p>	 <p>Agency can do an <b>alternative fee arrangement</b>, or in response to <b>voluminous or frequently occurring requests</b>.</p>	 <p>Agency can charge up to <b>actual costs</b> for providing <b>customized access services</b>.</p>	 <p>Agency can <b>waive</b> charges (fees).</p>
<p><b>REQUIREMENTS:</b></p> <p>(1) Agency must have a <b>statement</b> of the factors and manner it used to determine actual costs. Per page costs cannot exceed actual costs.</p> <p>(2) Can charge actual costs in the statement only after <b>notice and a public hearing</b>.</p> <p>(3) Use the most reasonable cost-efficient method available at the agency as part of normal operations.</p> <p>(4) Cannot include staff salaries, benefits or other general administrative or overhead unless directly related to actual costs of copying. Can include staff time to copy and send the records.</p> <p>(5) Cannot charge for records routinely posted on website unless requester asks for copies through other means.</p>	<p><b>REQUIREMENTS:</b></p> <p>(1) Agency must have a <b>rule or regulation</b> declaring the reasons calculating actual costs would be unduly burdensome.</p> <p>(2) Use the most reasonable cost-efficient method available at the agency as part of normal operations.</p> <p>(3) Cannot charge for records routinely posted on website unless requester asks for copies through other means.</p>	<p><b>REQUIREMENTS:</b></p> <p>(1) Agency must reasonably <b>estimate and document</b> that the costs are clearly equal to or more than \$2.</p> <p>(2) An additional flat fee or statutory default fee cannot be assessed after first installment (\$2 is the limit for the entire request).</p> <p>(3) Cannot charge for records routinely posted on website unless requester asks for copies through other means.</p>	<p><b>REQUIREMENT:</b></p> <p>Agency is to have a <b>contract, memorandum of understanding or other agreement</b> with the requester.</p>	<p><b>REQUIREMENTS:</b></p> <p>(1) Agency <b>estimates</b> that the request would require use of information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations and customized access services are not used by the agency for other purposes.</p> <p>(2) Agency must <b>give requester estimate and other information</b>. See statute.</p>	<p><b>REQUIREMENT:</b></p> <p>Agency may waive charges (fees) pursuant to its <b>rules and regulations</b>.</p>
RCW 42.56.070(7)(a) and (b); RCW 42.56.120(1) and (2)(a) and (e)	RCW 42.56.120(2)(b), (c) and (e)	RCW 42.56.120(2)(d) and (e)	RCW 42.56.120(4)	RCW 42.56.120(3) and (4)	RCW 42.56.120(4)