

NEW SECTION

WAC 230-21-016 Costs of providing public records. (1) There is no fee for the inspection of public records.

(2) Pursuant to RCW 42.56.120(2), we are not calculating all actual costs for copying records because to do so would be unduly burdensome for the following reasons:

(a) We do not have the resources to conduct a study to determine actual copying costs for all of our records; and

(b) To conduct such a study would interfere with other essential agency functions; and

(c) Through the 2017 legislative process, the public and requestors have commented on and been informed of authorized fees and costs, including for electronic records, provided in RCW 42.56.120 (2) (b) and (c), (3), and (4).

(3) We may charge fees for the production of copies of public records consistent with the fee schedule established in RCW 42.56.120. The fee schedule also is published on our website at www.wsgc.wa.gov and a copy of the fee schedule will be made available at agency headquarters listed in WAC 230-01-005.

(4) Before copying requested public records, we may require a deposit of up to ten percent of the estimated costs of copying all of the records. We may also require payment of the remainder of the copying costs before providing all of the records, or the payment of the costs of copying an installment before providing the installment.

(5) We may provide customized electronic access to public records if we estimate that the request would require the 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 us for any other agency purposes. We will charge the actual costs, including staff time, necessary to reimburse our agency for providing customized electronic access services.

(6) We will not release any requested copies of public records unless and until the requestor has paid all copying and other charges set forth in this section.

(7) Payment may be made by cash, check, or money order to the Washington state gambling commission. Cash payments must be in the exact amount and delivered to the physical address listed in WAC 230-01-005.

(8) We may waive fees for providing public records at the discretion of the director or director's designee. This determination will be made on a case-by-case basis.