



## Legislation Text

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**File #:** 2006-0306, **Version:** 1

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Clerk 07/06/2006

AN ORDINANCE authorizing a fee for service charge for accessing electronic recording images.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. The King County recorders office is established to perform the function of county recorder pursuant to chapter 36.22 RCW, and is charged with the responsibility for recording instruments in county records.

B. Records available for inspection by the public in compliance with RCW 65.04.140 are deeds, mortgages, judgments, liens, encumbrances and other instruments of writing, indexes thereto, maps, charts, town plats, survey and other books and papers constituting the records and files in said office of recorder of deeds.

C. Since August 1991, the King County recorder has maintained an electronic imaging system of most basic property-related "official public" records, accessible to the public from computer terminals in the downtown location. In 2001, these records were made available via the King County recorders web site

D. Identity theft is a public concern prompting records agencies to seek methods for protecting personal identification information on public records.

E. In 2005, the Washington state Legislature enacted House Bill 1385, which allows recorders to refuse to file documents with personal identification information contained therein.

F. Access to the King County recorders electronic recording images web site is used by many commercial entities, including those engaged in the normal flow of real estate commerce, law enforcement

agencies, financial institutions, government offices and the like.

G. Interrupting the normal flow and speed of real estate commerce and/or preventing access to law enforcement agencies, financial institutions, government offices and the like, would have deleterious effect on those involved; for example, home buyers and sellers, real estate agents and businesses, financial institutions (lenders or borrowers), law enforcement.

H. The accessibility of electronic recording images, with the potential for disclosing personal identification information, should be balanced with the benefits of access thereto.

I. King County is committed to managing its electronic information in a manner that promotes open government and an informed citizenry and protects individual privacy.

SECTION.2. Pursuant to K.C.C. chapter 2.99, the executive is hereby authorized to establish a fee for service charge, in an amount to be determined, consistent with K.C.C. chapter 2.99, for providing access to electronic recording images. This fee for service charge shall be an annual fee, valid for one year from payment, with no refunds.

SECTION. 3. The executive will adopt administrative procedures to establish the criteria for access to electronic recording images, consistent with the policies of promoting open government and an informed citizenry and protecting individual privacy so that an appropriate balance between broad and equitable public access and the protection of personal privacy is attained.

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