



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
Second Regular Session

House: GOV DPA 9-0-0-0

## **HB 2593: public records; time frame**

**Sponsor: Representative Carbone, LD 25**

**House Engrossed**

### **Overview**

Provides specific requirements relating to public records requests.

### **History**

Public records and other matters transcribed or kept by a public officer must be open to inspection by any person at all times during office hours. Any person can request to examine or be furnished copies, printouts or photographs of any public record during regular office hours or can request that the public records custodian mail a copy of a public record that is not available on the public body's website. An entity that is subject to a public records request must provide the name, telephone number and email address of an employee or department that is authorized and able to provide the information requested. Within five business days, the designated employee or department must respond acknowledging receipt of the request ([A.R.S. § 39-121- § 39-171](#)).

### **Provisions**

1. Applies outlined requirements relating to a public records request time frame. (Sec. 1)
2. Clarifies that access to a public record is deemed failed if the custodian fails to promptly respond to the request *and* in accordance with statutory requirements. (Sec. 1)
3. Asserts that any entity that willfully or intentionally refuses to comply with the procedures for a public records request or otherwise acts in bad faith, shall receive a civil penalty of at least \$500 and at most \$5,000. (Sec. 1, 2)
4. Specifies that a civil penalty does not exclude other penalties or costs including attorney fees and legal costs. (Sec. 1, 2)
5. Provides that when assessing a civil penalty for refusing to comply with a public records request, the aggravation or mitigation of the entity and previously assessed penalties for violations of public records request procedures must be considered. (Sec. 1, 2)
6. Stipulates that, within five business days after a public records request, a notification must be sent with the following information:
  - a) confirmation that the request has been received;
  - b) the name, telephone number and email address of the employee or department authorized and able to give out the requested information; and
  - c) the expected date the request will be processed. (Sec. 2)

Prop 105 (45 votes)     Prop 108 (40 votes)     Emergency (40 votes)     Fiscal Note

7. Allows an entity to notify a requestor of a public record of the delay or denial of the request. (Sec. 2)
8. Makes technical and conforming changes. (Sec. 1, 2)