

2019 -- H 5025

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO PUBLIC RECORDS - ACCESS TO PUBLIC RECORDS

Introduced By: Representatives Millea, Newberry, Jacquard, Barros, and Filippi

Date Introduced: January 04, 2019

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 38-2-4 of the General Laws in Chapter 38-2 entitled "Access to
2 Public Records" is hereby amended to read as follows:

3 **38-2-4. Cost.**

4 (a) Subject to the provisions of § 38-2-3, a public body must allow copies to be made or
5 provide copies of public records. The cost per copied page of written documents provided to the
6 public shall not exceed fifteen cents (\$.15) per page for documents copyable on common business
7 or legal size paper. A public body may not charge more than the reasonable actual cost for
8 providing electronic records or retrieving records from storage where the public body is assessed
9 a retrieval fee.

10 (b) A reasonable charge may be made for the search or retrieval of documents. Hourly
11 costs for a search and retrieval shall not exceed fifteen dollars (\$15.00) per hour and no costs
12 shall be charged for the first hour of a search or retrieval. For the purposes of this subsection,
13 multiple requests from any person or entity to the same public body within a thirty (30) day time
14 period shall be considered one request.

15 (c) Copies of documents shall be provided and the search and retrieval of documents
16 accomplished within a reasonable time after a request. A public body upon request, shall provide
17 an estimate of the costs of a request for documents prior to providing copies.

18 (d) Upon request, the public body shall provide a detailed itemization of the costs
19 charged for search and retrieval.

1 (e) A court may reduce or waive the fees for costs charged for search or retrieval if it
2 determines that the information requested is in the public interest because it is likely to contribute
3 significantly to public understanding of the operations or activities of the government and is not
4 primarily in the commercial interest of the requester.

5 (f) Upon request by any state legislator acting in their official capacity and in the
6 furtherance of legislative business or oversight, the public body shall provide records pursuant to
7 this chapter with no cost charged for search and retrieval to the legislator.

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PUBLIC RECORDS - ACCESS TO PUBLIC RECORDS

- 1 This act would provide copies of public records at no cost to state legislators acting in
- 2 their official capacity and in the furtherance of legislative business or oversight.
- 3 This act would take effect upon passage.

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