

2021 -- S 0520

LC002245

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC RECORDS

Introduced By: Senators Mack, Acosta, Calkin, Anderson, Bell, Miller, and Murray

Date Introduced: March 04, 2021

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 38-2 of the General Laws entitled "Access to Public Records" is  
2 hereby amended by adding thereto the following section:

3 **38-2-17. Restricted use of prior names.**

4 (a) Every state and municipal employee shall refrain from the disclosure, use, reference or  
5 inclusion of the prior name, gender (or gender pronoun) or prior identity of any person who has  
6 legally changed their name, gender or identity to include, but not limited to, changes to correspond  
7 to the person's gender identity. The prohibition shall include, but not be limited to: official records,  
8 reports, communication and oral statements to the press or public.

9 (b) Any reference in records to the prior name, gender or identity of a person who has  
10 legally changed their name, may only be maintained by a public official, body or department when  
11 necessary to perform a governmental function and when the information is of a nature so as to be  
12 exempt from public disclosure pursuant to the provisions of the chapter 2 of title 38 ("access to  
13 public records act").

14 (c) Any person, official, body or department violating the provisions of this section, shall  
15 immediately upon notice of the violation, offer to issue a corrected statement and a written apology  
16 to the person whose prior name was used or disclosed.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC RECORDS

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- 1 This act would prohibit the disclosure or use of a person's prior name by public officials if
- 2 the person's name has been legally changed.
- 3 This act would take effect upon passage.

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