

2017 -- H 5988

=====
LC002221
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

—————
A N A C T

RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC RECORDS -- COST

Introduced By: Representatives Filippi, Edwards, Solomon, Morgan, and Giarrusso

Date Introduced: March 23, 2017

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 section 38-2-3, a public body must allow copies to be
5 made or provide copies of public records. The cost per copied page of written documents
6 provided to the public shall not exceed fifteen cents (\$.15) per page for documents copyable on
7 common business or legal size paper. A public body may not charge more than the reasonable
8 actual cost for providing electronic records or retrieving records from storage where the public
9 body is assessed 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) The fees for costs charged for search, retrieval or copies shall be waived for a member
6 of the general assembly who certifies that they are acting in their official capacity and requires the
7 copies for the discharge of their legislative duties.

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

=====
LC002221
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC RECORDS -- COST

1 This act would provide that fees for costs charged for search, retrieval or copies of public
2 records shall be waived for a member of the general assembly who certifies that they are acting in
3 their official capacity.

4 This act would take effect upon passage.

=====
LC002221
=====