

SECOND REGULAR SESSION

SENATE BILL NO. 1196

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODMAN.

Read 1st time February 26, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5281S.011

AN ACT

To repeal section 610.023, RSMo, and to enact in lieu thereof one new section relating to requests for public records in certain format.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 610.023, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 610.023, to read as follows:

610.023. 1. Each public governmental body is to appoint a custodian who
2 is to be responsible for the maintenance of that body's records. The identity and
3 location of a public governmental body's custodian is to be made available upon
4 request.

5 2. Each public governmental body shall make available for inspection and
6 copying by the public of that body's public records. No person shall remove
7 original public records from the office of a public governmental body or its
8 custodian without written permission of the designated custodian. No public
9 governmental body shall, after August 28, 1998, grant to any person or entity,
10 whether by contract, license or otherwise, the exclusive right to access and
11 disseminate any public record unless the granting of such right is necessary to
12 facilitate coordination with, or uniformity among, industry regulators having
13 similar authority.

14 3. Each request for access to a public record shall be acted upon as soon
15 as possible, but in no event later than the end of the third business day following
16 the date the request is received by the custodian of records of a public
17 governmental body. If records are requested in a certain format, the public body
18 shall provide the records in the requested format, if such format is available **and**
19 **the record cannot be altered in such format by the person receiving the**
20 **record.** If access to the public record is not granted immediately, the custodian

21 shall give a detailed explanation of the cause for further delay and the place and
22 earliest time and date that the record will be available for inspection. This period
23 for document production may exceed three days for reasonable cause.

24 4. If a request for access is denied, the custodian shall provide, upon
25 request, a written statement of the grounds for such denial. Such statement shall
26 cite the specific provision of law under which access is denied and shall be
27 furnished to the requester no later than the end of the third business day
28 following the date that the request for the statement is received.

Unofficial

Bill

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