

2024 -- H 7327

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC RECORDS

Introduced By: Representatives Azzinaro, Hull, Noret, Solomon, and Kennedy

Date Introduced: January 26, 2024

Referred To: House State Government & Elections

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 Public  
2 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 providing  
8 electronic records or retrieving records from storage where the public body is assessed a retrieval  
9 fee.

10           (b) A reasonable charge may be made for the search or retrieval of documents. Hourly costs  
11 for a search and retrieval shall not exceed fifteen dollars (\$15.00) per hour and no costs shall be  
12 charged for the first hour of a search or retrieval. For the purposes of this subsection, multiple  
13 requests from any person or entity to the same public body within a thirty (30) day time period shall  
14 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 charged  
19 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) Any person requesting a document under § 38-2-2(4)(D) shall pay any outstanding  
6 balance owed for prior records requests from law enforcement agencies before a new request will  
7 be processed.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would require a member of the public to pay any outstanding balances due and  
2   owing for previous requests before being provided copies of records and documents on a new  
3   request from law enforcement agencies.

4           This act would take effect upon passage.

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