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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC RECORDS

Introduced By: Representatives Azzinaro, Finkelman, Fellela, Serpa, McNamara,  
Kennedy, and Hull

Date Introduced: February 12, 2025

Referred To: House State Government & Elections

(by request)

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  
8 providing electronic records or retrieving records from storage where the public body is assessed a  
9 retrieval 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)~~ twenty-five dollars (\$25.00) per  
12 hour and no costs shall be charged for the first hour of a search or retrieval. For the purposes of this  
13 subsection, multiple requests from any person or entity to the same public body within a thirty (30)  
14 day time 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 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 § 38-2-3 shall pay any outstanding balance  
6 owed for prior records requests before a new request will be processed.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
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1           This act would allow a reasonable charge not to exceed twenty-five dollars (\$25.00) to be  
2 charged for the search or retrieval of documents. This act would also require a member of the public  
3 to pay any outstanding balances due and owing for previous requests before being provided copies  
4 of records and documents on a new request from law enforcement agencies.

5           This act would take effect upon passage.

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