

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 362, Page 4, Section 610.021, Line 120,
2 by inserting after all of said section and line the following:

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

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

14 3. Each request for access to a public record shall be acted upon as soon as possible, but in
15 no event later than the end of the third business day following the date the request is received by the
16 custodian of records of a public governmental body, unless published notice is provided at least
17 seventy-two hours prior to the request for records that the public governmental body will be closed
18 for an extended period outside of normal hours of operation. If records are requested in a certain
19 format, the public body shall provide the records in the requested format, if such format is available.
20 If access to the public record is not granted immediately, the custodian shall give a detailed
21 explanation of the cause for further delay and the place and earliest time and date that the record
22 will be available for inspection. This period for document production may exceed three days for
23 reasonable cause.

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

28
29 Further amend said bill by amending the title, enacting clause, and intersectional references
30 accordingly.

Action Taken _____ Date _____