

Faulkner

Sms

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

**SS SCS HCS HBs 145 & 59** \_\_\_\_\_ entitled:

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**AN ACT**

To repeal sections 476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313, and 610.021, RSMo, and to enact in lieu thereof eight new sections relating to the disclosure of certain records.

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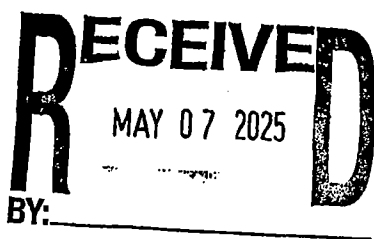
With SA 1, SA 2

In which the concurrence of the House is respectfully requested.

Respectfully,

*Kristina Martin*

Kristina Martin  
Secretary of the Senate



**SENATE AMENDMENT NO. 1**Offered by Brattin of B1Amend SS/SCS/HCS/House Bill Nos. 145 & 59, Page 18, Section 610.021, Line 234,

2 by inserting after all of said line the following:

3 "610.026. 1. Except as otherwise provided by law,  
4 each public governmental body shall provide access to and,  
5 upon request, furnish copies of public records subject to  
6 the following:

7 (1) Fees for copying public records, except those  
8 records restricted under section 32.091, shall not exceed  
9 ten cents per page for a paper copy not larger than nine by  
10 fourteen inches, with the hourly fee for duplicating time  
11 not to exceed the average hourly rate of pay for clerical  
12 staff of the public governmental body. Research time  
13 required for fulfilling records requests may be charged at  
14 the actual cost of research time. Based on the scope of the  
15 request, the public governmental body shall produce the  
16 copies using employees of the body that result in the lowest  
17 amount of charges for search, research, and duplication  
18 time. Prior to producing copies of the requested records,  
19 the person requesting the records may request the public  
20 governmental body to provide an estimate of the cost to the  
21 person requesting the records. Documents may be furnished  
22 without charge or at a reduced charge when the public  
23 governmental body determines that waiver or reduction of the  
24 fee is in the public interest because it is likely to  
25 contribute significantly to public understanding of the

*Offered 5/8/25*  
*Adopted 5/8/25*

26 operations or activities of the public governmental body and  
27 is not primarily in the commercial interest of the requester;

28 (2) Fees for providing access to public records  
29 maintained on computer facilities, recording tapes or disks,  
30 videotapes or films, pictures, maps, slides, graphics,  
31 illustrations or similar audio or visual items or devices,  
32 and for paper copies larger than nine by fourteen inches  
33 shall include only the cost of copies, staff time, which  
34 shall not exceed the average hourly rate of pay for staff of  
35 the public governmental body required for making copies and  
36 programming, if necessary, and the cost of the disk, tape,  
37 or other medium used for the duplication. Fees for maps,  
38 blueprints, or plats that require special expertise to  
39 duplicate may include the actual rate of compensation for  
40 the trained personnel required to duplicate such maps,  
41 blueprints, or plats. If programming is required beyond the  
42 customary and usual level to comply with a request for  
43 records or information, the fees for compliance may include  
44 the actual costs of such programming.

45 2. (1) Payment of ~~such copying~~ fees may be  
46 requested prior to ~~the making of copies~~ fulfilling the  
47 request.

48 (2) A request for public records to a public  
49 governmental body shall be considered withdrawn if the  
50 requester fails to remit all fees within ninety days, or  
51 within one hundred fifty days if the requested fees are  
52 greater than one thousand dollars, of a request for payment  
53 of the fees by the public governmental body, prior to  
54 fulfilling the request. The public governmental body shall  
55 include notice to the requester that if the requester fails  
56 to remit payment of the fees within ninety days, or within  
57 one hundred fifty days if the requested fees are greater  
58 than one thousand dollars, then the request for public

59 records shall be considered withdrawn. If the public  
60 governmental body responds to a request for public records  
61 in order to seek a clarification of the request and no  
62 response to the request for clarification is received by the  
63 public governmental body within ninety days, or within one  
64 hundred fifty days if the requested fees are greater than  
65 one thousand dollars, of sending the request for  
66 clarification, then such request for public records shall be  
67 considered withdrawn. The request for clarification by the  
68 public governmental body shall include notice to the  
69 requester that if the requester fails to respond within  
70 ninety days, or within one hundred fifty days if the  
71 requested fees are greater than one thousand dollars, then  
72 the request shall be considered withdrawn. If the same or a  
73 substantially similar request for public records is made  
74 within six months after the expiration of the ninety-day  
75 period, or within one hundred fifty days if the requested  
76 fees are greater than one thousand dollars, and no fee was  
77 remitted for such request or no response was received to the  
78 request for clarification, then the public governmental body  
79 may request payment of the same fees made for the original  
80 request that has expired in addition to any allowable fees  
81 necessary to fulfill the subsequent request. Any request  
82 for records to a public governmental body that is pending on  
83 August 28, 2025, shall be considered withdrawn if the  
84 requester fails to remit all fees by January 1, 2026. The  
85 provisions of this subdivision shall not apply if a lawsuit  
86 has been filed against the public governmental body with  
87 regard to the records that are the subject of the request  
88 under this subdivision.

89       3. Except as otherwise provided by law, each public  
90 governmental body of the state shall remit all moneys  
91 received by or for it from fees charged pursuant to this

92 section to the director of revenue for deposit to the  
93 general revenue fund of the state.

94 4. Except as otherwise provided by law, each public  
95 governmental body of a political subdivision of the state  
96 shall remit all moneys received by it or for it from fees  
97 charged pursuant to sections 610.010 to 610.028 to the  
98 appropriate fiscal officer of such political subdivision for  
99 deposit to the governmental body's accounts.

100 5. The term "tax, license or fees" as used in Section  
101 22 of Article X of the Constitution of the State of Missouri  
102 does not include copying charges and related fees that do  
103 not exceed the level necessary to pay or to continue to pay  
104 the costs for providing a service, program, or activity  
105 which was in existence on November 4, 1980, or which was  
106 approved by a vote of the people subsequent to November 4,  
107 1980."; and

108 Further amend the title and enacting clause accordingly.

**SENATE AMENDMENT NO. 2**Offered by Shashy For of 9Amend SS/SCS/HCS/House Bill Nos. 145 & 59, Page 2, Section 476.1300, Line 16,

- 2 by inserting after the word "including" the following:  
3 "all"; and further amend lines 17-18 by striking the words  
4 "assistant prosecuting or circuit attorney" and inserting in  
5 lieu thereof the following: "any employee of a prosecuting  
6 or circuit attorney".

*Offered 5/8/25**Adopted 5/8/25*