

SS SCS HCS HBs 145 & 59 -- DISCLOSURE OF CERTAIN RECORDS

This bill allows for the closure of certain records under the Sunshine law.

This bill authorizes a public governmental body to close records that contain individually identifiable information of a minor 17 years of age and under held by a city, town, village, or park board, except when the records are requested by the Division of Labor Standards within the Department of Labor and Industrial Relations for the purpose of enforcing Chapter 294 RSMo, regarding child labor. It also authorizes the closing of records containing individually identifiable billing and usage records for customers of a utility operated by a political subdivision or customer information for visitors who make a camping, lodging, or shelter reservation for a Missouri state park, a county or municipal park, or a state historic site unless the records are requested by the visitor or authorized for release by the visitor. Records that protect the specific location of a plant or animal species that is considered endangered, threatened, imperiled, or vulnerable may also be closed under the provisions of this bill when the known location of the plant or animal can increase the risk to the specific species.

This bill also amends the Judicial Privacy Act to replace the definition for "judicial officer" with a definition for "court-related officer", which includes various judges, prosecuting and circuit attorneys, circuit clerks, court administrators, deputy circuit clerks, division clerks, municipal clerks, and juvenile officers and chief deputy juvenile officers. The definition of "written request" is amended to exclude a court-related officer's personal information. The bill specifies that the prohibition on a government agency publicly posting or displaying publicly available content of a court-related officer does not apply to a court-related officer's personal information that is included in any records of court proceedings of this State contained in any Statewide court automation system.

Currently, the payment of copying fees for public records can be requested before copies have been made. This changes that option to allow the payment of fees before the request is fulfilled, and provides that requests for public records to public governmental bodies are to be considered withdrawn if the individual requesting those records fails to remit fees within 90 days, or 150 days if the fees exceed \$1,000, of a request for payment of fees by the public body prior to the fulfillment of the request. The governmental body is required to give notice to the individual requesting the records that the request will be considered withdrawn if payment is not received by the specified time frames.

Additionally, if the governmental body reaches out to obtain clarification on a request, and that request is not responded to following the same time frames as the payment of fees, the request must be considered withdrawn. If the same or a substantially similar request is made within six months following the expiration of the 90-day or 150-day time frames, and no fee had been remitted or no clarification offered during the previous request, the governmental body has the authority to request payment of fees for the original request as well as any allowable fees required to fulfill the subsequent request.

Any request for records to a public governmental body that is pending as of August 28, 2025, is to be considered withdrawn if the requester fails to remit payment for fees by January 1, 2026. However, these provisions do not apply if a lawsuit has been filed against the public governmental body regarding the records that are the subject of the relevant request.