



**Section 2:**

Expands the provisions as to which residents of the Commonwealth may request public records through written application sent via email to the public agency’s records custodian or his or her designee.

Forbids inspection of records by a party to a law suit with any public agency if those records are obtainable through the civil discovery. This includes a person or entity acting on behalf of that party, or a person or entity who has made a filing in that civil lawsuit or appeal of that civil lawsuit.

**Section 3:**

Requires the custodians mailing address and email address to be included in the agency’s rules and regulations regarding access to public records. The custodian’s mailing address and email address, the agencies rules and regulations, and the form to be used when requesting public records shall be not only displayed in a prominent locations but also made available on the agencies web site. The form to be used to request public records will be developed by the Attorney General and shall be used by every public agency. HB 312 GA provides guidance regarding what information is required to be provided on the form.

**The fiscal impact of HB 312 GA on local governments will be indeterminable but is expected to be minimal.** We may assume that although the handling of Open Records Request is standardized among local governments and agencies in as far as current statute dictates, each county and each agency adapts to their specific environment.

The great majority, if not all, local agencies have the ability to accept email request. Those that don’t may have up front computer expenses including the capability to get online.

Form design is the responsibility of the Attorney General. Local agencies might see minor expense in regards to updating their rules and regulations to conform to this proposal.

**Part III: Differences to Local Government Mandate Statement from Prior Versions**

Part II, above, refers to HB 312 GA. HB 312 GA keeps all the provisions of HCS 1 and amends the title to read “AN ACT relating to public records.” The introduced version of HB 312 did not require a local mandate designation.

**Data Source(s):** LRC Staff

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