

House Bill 833

By: Representatives Fleming of the 79<sup>th</sup>, Boggs of the 145<sup>th</sup>, Richardson of the 26<sup>th</sup>, Stokes of the 72<sup>nd</sup>, Walker of the 115<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated,  
2 relating to inspection of public records, so as to change certain provisions relating to  
3 inspection of public records, printing of computerized indexes of county real estate records,  
4 time for determination of whether requested records are subject to access, and electronic  
5 access to records; to provide that certain requests may be required to be in writing; to provide  
6 for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to  
10 inspection of public records, is amended by striking subsection (f) of Code Section 50-18-70,  
11 relating to inspection of public records, printing of computerized indexes of county real  
12 estate records, time for determination of whether requested records are subject to access, and  
13 electronic access to records, and inserting in its place the following:

14 "(f)(1) The individual in control of such public record or records shall have a reasonable  
15 amount of time to determine whether or not the record or records requested are subject  
16 to access under this article and to permit inspection and copying. In no event shall this  
17 time exceed three business days. Where responsive records exist but are not available  
18 within three business days of the request, a written description of such records, together  
19 with a timetable for their inspection and copying, shall be provided within that period;  
20 provided, however, that records not subject to inspection under this article need not be  
21 made available for inspection and copying or described other than as required by  
22 subsection (h) of Code Section 50-18-72, and no records need be made available for  
23 inspection or copying if the public officer or agency in control of such records shall have  
24 obtained, within that period of three business days, an order based on an exception in this  
25 article of a superior court of this state staying or refusing the requested access to such  
26 records.

1 (2) An agency may require that requests for records authorized by this article be  
2 submitted in writing; except that written requests shall not be required for the agenda,  
3 summary of matters acted on, and minutes of an agency's most recent meeting created  
4 pursuant to subsection (e) of Code Section 50-14-1, and any other records an agency  
5 determines to be available without a written request. Where requests are required to be  
6 in writing, the writing may be delivered to an agency by mail, facsimile, courier, or other  
7 delivery in person. The agency shall prepare and make available to persons requesting  
8 records forms upon which a person may make his or her written request, but the person  
9 shall not be required to use an agency's form."

10 **SECTION 2.**

11 All laws and parts of laws in conflict with this Act are repealed.