

The House Committee on Judiciary offers the following substitute to HB 833:

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

14 **SECTION 2.**

15 All laws and parts of laws in conflict with this Act are repealed.