

House Bill 283

By: Representatives Hatfield of the 177th, Tumlin of the 38th, and Lane of the 167th

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 provide that certain requests may be required
3 to be in writing; to provide for related matters; to provide an effective date; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to
8 inspection of public records, is amended by revising subsection (f) of Code Section 50-18-70,
9 relating to inspection of public records, as follows:

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

23 (2) An agency or public officer may require that requests for records made pursuant to
24 this article be submitted in writing, except that written requests shall not be required
25 when a requesting party requests:

1 (A) An agenda, summary of matters acted upon, or minutes of an agency's or public
2 officer's most recent meeting; or

3 (B) Any other records an agency or public officer determines, by ordinance, resolution,
4 or other official act of the agency, to be available without a written request.

5 Where requests are required to be in writing, the party requesting the records shall be
6 informed that the request shall be made in writing. The written request may be delivered
7 to an agency by mail, facsimile, courier, e-mail, or other delivery in person. The agency
8 or public officer shall prepare, and make available to persons requesting records, forms
9 upon which a person may make his or her written request, but the person shall not be
10 required to use an agency's or public officer's form. The agency or public officer shall
11 make a reasonable effort to assist a person making a request for records, as needed."

12 **SECTION 2.**

13 This Act shall become effective upon its approval by the Governor or upon its becoming law
14 without such approval.

15 **SECTION 3.**

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