

RESOLUTION IN SUPPORT OF HOUSE BILL H 5457 ENTITLED
'AN ACT RELATING TO PUBLIC RECORDS – ACCESS TO PUBLIC RECORDS'

WHEREAS, RIGL §38-2-4 establishes costs for copies of public records requests; and

WHEREAS, Representative Samuel Azzinaro and Representative Brian Kennedy have introduced into the Rhode House of Representatives that certain Bill H 5457 to amend the above cited general law to:

1. increase the hourly costs for a search or retrieval of documents from fifteen dollars (\$15.00) per hour to twenty-five dollars (\$25.00) per hour and no costs shall be charged for the first hour of a search or retrieval, and
2. require any person requesting a document under §38-2-2 shall pay any outstanding balance owed for prior records requests before a new request will be processed.

WHEREAS, the Westerly Town Council wishes to express its support for H 5457 because of the time and research involved for a search and retrieval of requested documents and for requests that remain unpaid and unclaimed; now therefore, be it hereby

RESOLVED: That the Westerly Town Council urges the Rhode Island House of Representatives, the Rhode Island Senate and Governor Daniel J. McKee to pass and enact into law House Bill H 5457; and

BE IT FURTHER RESOLVED: That a copy of this Resolution be forwarded to each of the town and city councils of the other thirty-eight (38) municipalities of the State of Rhode Island urging their support and adoption of a resolution in support of House Bill H 5457; and

BE IT FURTHER RESOLVED: That a copy of this Resolution be forwarded to the Honorable Daniel J. McKee, the Governor of the State of Rhode Island, the Honorable K. Joseph Shekarchi, Speaker of the House for the State of Rhode Island, and the Honorable Dominic J. Ruggerio, President of the Rhode Island Senate.

ADOPTED: February 24, 2025

A true copy dated: February 27, 2025

ATTEST:

Mary L. LeBlanc, MMC

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Council Clerk



2025 – H 5457

LC000043

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

AN ACT

RELATING TO PUBLIC RECORDS – ACCESS TO PUBLIC RECORDS

Introduced By: Representatives Azzinaro, Finkelman, Fellela, Serpa, McNamara,
Kennedy, and Hull

Date Introduced: February 12, 2025

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 38-2-4 of the General Laws in Chapter 38-2 entitled "Access to Public
2 Records" is hereby amended to read as follows:

3 38-2-4. Cost.

4 (a) Subject to the provisions of § 38-2-3, a public body must allow copies to be made or
5 provide copies of public records. The cost per copied page of written documents provided to the
6 public shall not exceed fifteen cents (\$.15) per page for documents copyable on common business
7 or legal-size paper. A public body may not charge more than the reasonable actual cost for
8 providing electronic records or retrieving records from storage where the public body is assessed a
9 retrieval fee.

10 (b) A reasonable charge may be made for the search or retrieval of documents. Hourly costs
11 for a search and retrieval shall not exceed ~~fifteen dollars (\$15.00)~~ twenty-five dollars (\$25.00) per
12 hour and no costs shall be charged for the first hour of a search or retrieval. For the purposes of this
13 subsection, multiple requests from any person or entity to the same public body within a thirty (30)
14 day time period shall be considered one request.

15 (c) Copies of documents shall be provided and the search and retrieval of documents
16 accomplished within a reasonable time after a request. A public body upon request, shall provide
17 an estimate of the costs of a request for documents prior to providing copies.

18 (d) Upon request, the public body shall provide a detailed itemization of the costs charged
19 for search and retrieval.

1 (e) A court may reduce or waive the fees for costs charged for search or retrieval if it
2 determines that the information requested is in the public interest because it is likely to contribute
3 significantly to public understanding of the operations or activities of the government and is not
4 primarily in the commercial interest of the requester.

5 (f) Any person requesting a document under § 38-2-3 shall pay any outstanding balance
6 owed for prior records requests before a new request will be processed.

7 SECTION 2. This act shall take effect upon passage.

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