

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H2/3/05
A Bill

HOUSE BILL 1182

5 By: Representative Verkamp
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For An Act To Be Entitled

9 AN ACT CONCERNING FEES FOR COPIES REQUESTED UNDER
10 THE FREEDOM OF INFORMATION ACT OF 1967; AND FOR
11 OTHER PURPOSES.
12

Subtitle

13 AN ACT CONCERNING FEES FOR COPIES
14 REQUESTED UNDER THE FREEDOM OF
15 INFORMATION ACT OF 1967.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 25-19-105(d), concerning citizen access to
22 public records, is amended to read as follows:

23 (d)(1) Reasonable access to public records and reasonable comforts and
24 facilities for the full exercise of the right to inspect and copy those
25 records shall not be denied to any citizen.

26 (2)(A) Upon request and payment of a fee as provided in
27 subdivision (d)(3) of this section, the custodian shall furnish copies of
28 public records if the custodian has the necessary duplicating equipment.

29 (B) A citizen may request a copy of a public record in any
30 medium in which the record is readily available or in any format to which it
31 is readily convertible with the custodian's existing software.

32 (C) A custodian is not required to compile information or
33 create a record in response to a request made under this section.

34 (3)(A)(i)(a) Except as provided in subdivision (3)(A)(i)(b) of
35 this section, § 25-19-109, or by law, any fee for copies shall not exceed the
36 actual costs of reproduction, including the costs of the medium of



1 reproduction, supplies, equipment, and maintenance, but not including
2 existing agency personnel time associated with searching for, retrieving,
3 reviewing, or copying the records.

4 (b) However, the custodian may charge a
5 maximum of twenty-five cents (25¢) per page for copies requested under this
6 section without establishing the actual costs of reproduction.

7 (ii) The custodian may also charge the actual costs
8 of mailing or transmitting the record by facsimile or other electronic means.

9 (iii) If the estimated fee exceeds twenty-five
10 dollars (\$25.00), the custodian may require the requester to pay that fee in
11 advance.

12 (iv) Copies may be furnished without charge or at a
13 reduced charge if the custodian determines that the records have been
14 requested primarily for noncommercial purposes and that waiver or reduction
15 of the fee is in the public interest.

16 (B) The custodian shall provide an itemized breakdown of
17 charges under subdivision (d)(3)(A) of this section.

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19 /s/ Verkamp
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