

Bill Summary
1st Session of the 59th Legislature

Bill No.:	HB 2287
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Author:	Sen. McCortney
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Bill Analysis

HB 2287 creates the position of Public Access Counselor within the Office of the Attorney General. The measure allows a person whose request to inspect or copy a public record is denied by a public body to file a request for review with the Public Access Counselor within 30 days of the denial. The request for review must be in writing in a form prescribed by the Attorney General and contain a copy of the request for records and any responses from the public body. A person whose request to inspect or copy a public record has not been returned in a prompt or reasonable manner may file a request for review with the Public Access Counselor. The measure prohibits a person whose request to inspect a public record is made for a commercial purpose from filing a request for review by the Public Access Counselor. The Public Access Counselor may determine if the denial of the request for review made by the public body is a violation. The Public Access Counselor shall forward a copy of the request to the public body within 7 business days and specify the records or documents that the public body is to furnish to facilitate the review. If a public body fails to comply, the Attorney General may issue a subpoena to any person or public body having the records. The Attorney General shall examine the issues and the records, make findings of fact and conclusions of law, and issue to the requester and the public body an opinion in response to the request for review within 30 days after its receipt. The Public Access Counselor may deny multiple, frivolous requests submitted by a person.

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