

1 SB152  
2 109863-1  
3 By Senator Dixon  
4 RFD: Governmental Affairs  
5 First Read: 12-JAN-10

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8 SYNOPSIS: Under existing law, every citizen has a  
9 right to inspect and take a copy of any public  
10 writing of this state, with certain exceptions.

11 Also, under existing law, a public officer  
12 having custody of a public writing which a citizen  
13 has a right to inspect is bound to give the  
14 citizen, on demand, a certified copy of the  
15 writing, on payment of the legal fees therefor.

16 This bill would require the public official  
17 to provide the copy within five working days of the  
18 request and would allow the official to charge a  
19 reasonable fee for accessing, duplicating,  
20 supplying, and searching for the requested writing.

21  
22 A BILL

23 TO BE ENTITLED

24 AN ACT

25  
26 Amending Section 36-12-41 of the Code of Alabama  
27 1975, relating to providing copies of public writings; to

1 require the public official to provide the writing within five  
2 working days and permitting the public official to collect a  
3 reasonable fee.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. Section 36-12-41 of the Code of Alabama  
6 1975, is amended to read as follows:

7 "§36-12-41.

8 "Every public officer having the custody of a public  
9 writing which a citizen has a right to inspect is bound to  
10 give ~~him~~ the citizen, on demand, a certified copy of ~~it~~, ~~on~~  
11 ~~payment of the legal fees therefor, and such~~ the writing  
12 within five business days of the request. The public official  
13 may make reasonable charges not to exceed the actual cost  
14 incurred in accessing, duplicating, supplying, or searching  
15 for the requested writing. The duplication fee may not exceed  
16 the actual cost of duplication. Such copy is admissible as  
17 evidence in like cases and with like effect as the original  
18 writing."

19 Section 2. This act shall become effective on the  
20 first day of the third month following its passage and  
21 approval by the Governor, or its otherwise becoming law.