

1 SJR79
2 200734-4
3 By Senator Ward
4 RFD:
5 First Read: 21-MAY-19

CREATING THE ALABAMA OPEN RECORDS STUDY TASK FORCE.

WHEREAS, access to public records has important implications for governmental functions, public oversight, and accountability, as well as personal privacy, the state economy, and security concerns; and

WHEREAS, from time to time, the Legislature reviews the state open records laws and updates them as necessary to ensure that the state has appropriate processes for accessing public records; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is created the Alabama Open Records Study Task Force to study current state law and make recommendations as to whether revisions to the state open records laws are warranted. The task force shall take into consideration: The public good served by access to government records; the integrity of government processes, including public services, regulation, investigation, and enforcement; the need to facilitate robust internal deliberation and debate prior to determinations of public policy; costs and

1 administrative burdens for governmental offices; costs and
2 burdens to requesters and regulated businesses and others in
3 the private sector; the privacy interests of individual
4 citizens, associations, and businesses; the need to protect
5 trade secrets and other confidential business information to
6 promote the economy of the state; and the protection of the
7 public welfare and safety, including law enforcement, the
8 armed forces, and infrastructure.

9 (a) The task force shall consist of the following
10 members:

11 (1) Two members of the general public appointed by
12 the Governor.

13 (2) Two members of the general public appointed by
14 the Lieutenant Governor.

15 (3) One member appointed by the Attorney General.

16 (4) One member of the House of Representatives
17 appointed by the Speaker of the House of Representatives.

18 (5) One member of the Senate appointed by the Senate
19 President Pro Tempore of the Senate.

20 (6) Two members of the general public appointed by
21 the Chair of the House Judiciary Committee.

22 (7) Two members of the general public appointed by
23 the Chair of the Senate Judiciary Committee.

24 (8) One member appointed by the Secretary of State.

25 (9) One member appointed by the State Superintendent
26 of Education who is familiar with student privacy laws.

1 (10) One member representing the Public Service
2 Commission appointed by the President of the Public Service
3 Commission.

4 (11) One member representing the Retirement Systems
5 of Alabama appointed by the Chief Executive Officer of the
6 Retirement Systems of Alabama.

7 (12) One member representing the Alabama State Law
8 Enforcement Agency appointed by the Secretary of the Alabama
9 State Law Enforcement Agency.

10 (13) One member representing the Association of
11 County Commissions of Alabama.

12 (14) One member representing the League of
13 Municipalities.

14 (15) One member appointed by the Administrative
15 Office of Courts.

16 (16) One member appointed by the Alabama Law
17 Institute.

18 (17) One member appointed by the Chief Examiner of
19 the Department of Examiners of Public Accounts.

20 (18) One member representing the Alabama Medicaid
21 Agency appointed by the Commissioner of the Alabama Medicaid
22 Agency.

23 (19) One member representing the Alabama Department
24 of Mental Health appointed by the Commissioner of the Alabama
25 Department of Mental Health.

26 (20) Two members appointed by the universities
27 established under the Constitution of Alabama of 1901.

1 (b) The appointing authorities shall coordinate
2 their appointments to assure that the membership of the task
3 force is inclusive and reflects the racial, gender,
4 geographic, urban, rural, and economic diversity of the state.

5 (c) (1) The chair and vice chair of the task force
6 shall be elected at the first meeting.

7 (2) The task force shall hold its first meeting
8 within 45 days of the enactment of this resolution at a time
9 and place designated by the Governor.

10 (d) (1) Legislative members of the task force shall
11 be entitled to their legislative compensation, per diem, and
12 travel expenses for each day they attend a meeting of the task
13 force in accordance with Amendment 871 to the Constitution of
14 Alabama of 1901. These payments shall be paid out of funds
15 appropriated to the use of the Legislature by means of
16 warrants drawn by the state Comptroller on the State Treasury.

17 (2) Non-Legislative members of the task force shall
18 serve without compensation but may be reimbursed for expenses
19 related to attending meetings consistent with the policies of
20 the various appointing authorities.

21 (e) Upon the request of the chair, the Legislative
22 Services Agency shall provide necessary clerical assistance
23 for the work of the task force.

24 (f) The task force shall report its findings,
25 conclusions, and recommendations for proposed reform
26 legislation to the Legislature not later than February 1,

1 2020, whereupon the task force shall stand dissolved and
2 discharged of any further duties and liabilities.

3 (g) Each appointing authority named herein shall be
4 provided a copy of this resolution upon its enactment.