

By: Representative Zuber

To: Judiciary B

HOUSE BILL NO. 979

1 AN ACT TO AMEND SECTION 25-61-7, MISSISSIPPI CODE OF 1972, TO
2 DELETE CERTAIN PROVISIONS UNDER THE MISSISSIPPI PUBLIC RECORDS ACT
3 OF 1983 THAT AUTHORIZE A PUBLIC BODY TO ESTABLISH AND COLLECT FEES
4 FOR SEARCHING AND REVIEWING PUBLIC RECORDS; AND FOR RELATED
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 25-61-7, Mississippi Code of 1972, is
8 amended as follows:

9 25-61-7. (1) Except as provided in subsection (2) of this
10 section, each public body may establish and collect fees
11 reasonably calculated to reimburse it for, and in no case to
12 exceed, the actual cost of * * * duplicating and, if applicable,
13 mailing copies of public records. Such fees shall be collected by
14 the public body in advance of complying with the request.

15 (2) A public body may establish a standard fee scale to
16 reimburse it for the costs of creating, acquiring and maintaining
17 a geographic information system or multipurpose cadastre as
18 authorized and defined under Section 25-61-1 et seq., or any other
19 electronically accessible data. Such fees must be reasonably
20 related to the cost of creating, acquiring and maintaining the
21 geographic information system, multipurpose cadastre or other
22 electronically accessible data, for the data or information
23 contained therein or taken therefrom and for any records, papers,
24 accounts, maps, photographs, films, cards, tapes, recordings or
25 other materials, data or information relating thereto, whether in
26 printed, digital or other format. In determining the fees or
27 charges under this subsection, the public body may consider the
28 type of information requested, the purpose or purposes for which

29 the information has been requested and the commercial value of the
30 information.

31 **SECTION 2.** This act shall take effect and be in force from
32 and after July 1, 2004.