

By: Senator(s) Tollison, Dearing

To: Accountability,
Efficiency, Transparency

SENATE BILL NO. 2678

1 AN ACT TO AMEND SECTION 37-11-51, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT SCHOOL SAFETY PLAN DOCUMENTS ARE EXEMPT FROM THE
3 MISSISSIPPI PUBLIC RECORDS ACT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 37-11-51, Mississippi Code of 1972, is
6 amended as follows:

7 37-11-51. (1) Test questions and answers in the possession
8 of a public body, as defined by paragraph (a) of Section 25-61-3,
9 which are to be used in future academic examinations, shall be
10 exempt from the provisions of the Mississippi Public Records Act
11 of 1983.

12 (2) Letters of recommendation in the possession of a public
13 body, as defined by paragraph (a) of Section 25-61-3, respecting
14 admission to any educational agency or institution, shall be
15 exempt from the provisions of the Mississippi Public Records Act
16 of 1983.

17 (3) (a) Except as provided in paragraph (b) of this
18 subsection, documents, records, papers, data, protocols,



19 information or materials in the possession of a community college
20 or state institution of higher learning that are created,
21 collected, developed, generated, ascertained or discovered during
22 the course of academic research, shall be exempt from the
23 provisions of the Mississippi Public Records Act of 1983.

24 (b) The exemption under paragraph (a) of this
25 subsection shall not apply to a public record that has been
26 published, copyrighted, trademarked or patented.

27 (4) Unpublished manuscripts, preliminary analyses, drafts of
28 scientific or academic papers, plans or proposals for future
29 research and prepublication peer reviews in the possession of a
30 community college or state institution of higher learning, or
31 submitted and accepted for publication by publishers shall be
32 exempt from the provisions of the Mississippi Public Records Act
33 of 1983.

34 (5) Nothing in this section shall otherwise create a public
35 record right over, or shall impede or infringe upon, the copyright
36 in any work.

37 (6) School safety plan documents containing preventive
38 services listed in Section 37-3-83 shall be exempt from the
39 provisions of the Mississippi Public Records Act of 1983.

40 **SECTION 2.** This act shall take effect and be in force from
41 and after July 1, 2016.

