

Amendment to HB 396-FN-LOCAL

1 Amend the bill by replacing section 1 with the following:

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3 1 Right-to-Know; Minutes and Records Available for Public Inspection. RSA 91-A:4, IV is
4 repealed and reenacted to read as follows:

5 IV.(a) Each public body or agency shall, upon request for any governmental record
6 reasonably described, make available for inspection and copying any such governmental record
7 within its files when such records are immediately available for such release.

8 (b) If a public body or agency is unable to make a governmental record available for
9 immediate inspection and copying the public body or agency shall, within 5 business days of a
10 request:

11 (1) Make such record available;

12 (2) Deny the request; or

13 (3) Provide a written statement of the time reasonably necessary to determine
14 whether the request shall be granted or denied and the reason for the delay.

15 (c) A public body or agency denying, in whole or part, inspection or copying of any
16 record shall provide a written statement of the specific exemption authorizing the withholding of
17 the record and a brief explanation of how the exemption applies to the record withheld.

18 (d) If a computer, photocopying machine, or other device maintained for use by a public
19 body or agency is used by the public body or agency to copy the governmental record requested, the
20 person requesting the copy may be charged the actual cost of providing the copy, which cost may be
21 collected by the public body or agency. No fee shall be charged for the inspection or delivery,
22 without copying, of governmental records, whether in paper, electronic, or other form. Nothing in
23 this section shall exempt any person from paying fees otherwise established by law for obtaining
24 copies of governmental records or documents, but if such fee is established for the copy, no
25 additional costs or fees shall be charged.