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HOUSE BILL 205

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Dona G. Irwin

AN ACT

RELATING TO PUBLIC RECORDS; LIMITING CHARGES FOR COPYING PUBLIC RECORDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 14-2-9 NMSA 1978 (being Laws 1993, Chapter 258, Section 6) is amended to read:

"14-2-9. PROCEDURE FOR INSPECTION. --

A. Requested public records containing information that is exempt and nonexempt from disclosure shall be separated by the custodian prior to inspection, and the nonexempt information shall be made available for inspection. If necessary to preserve the integrity of computer data or the confidentiality of exempt information contained in a database, a partial printout of data containing public records or information may be furnished in lieu of an entire database.

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B. A custodian:

(1) may charge reasonable fees not to exceed
the custodian's actual costs for copying the public records,
unless a different fee is otherwise prescribed by law;

~~[(2) shall not charge fees in excess of one
dollar (\$1.00) per page for documents eleven inches by
seventeen inches in size or smaller;~~

~~(3)]~~ (2) may require advance payment of the
fees before making copies of public records;

~~[(4)]~~ (3) shall not charge a fee for the cost
of determining whether any public record is subject to
disclosure; [and

~~(5)]~~ (4) shall provide a receipt, upon
request; and

(5) shall copy electronic data by the means
least expensive to the public."