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HOUSE BILL 456

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Dona G. Irwin

AN ACT

RELATING TO PUBLIC RECORDS; PROVIDING FOR RECOVERING COSTS OF
REPRODUCTION OF 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.

underscored material = new
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B. A custodian:

(1) may charge reasonable fees for copying the public records, unless a different fee is otherwise prescribed by law, but in no event in a sum greater than the actual cost to the public body of reproduction;

(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) may require advance payment of the fees before making copies of public records;

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

(5) shall provide a receipt, upon request. "