

SENATE FILE NO. SF0018

Wyoming Public Records Act.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to the Wyoming Public Records Act;  
2 providing procedures for the inspection and copying of  
3 public records maintained in an electronic format; limiting  
4 the release of investigative records as specified;  
5 requiring public agencies to establish fees for release of  
6 public records as specified; and providing for an effective  
7 date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 16-4-202 by creating a new subsection  
12 (d), 16-4-203(d)(ix), (x) and by creating a new paragraph  
13 (xi) and 16-4-204 by creating new subsections (c) and (d)  
14 are amended to read:

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16 **16-4-202. Right of inspection; rules and regulations;**  
17 **unavailability.**

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2 (d) If a public record exists primarily or solely in  
3 an electronic format, the custodian of the record shall so  
4 inform the requester. Electronic record inspection and  
5 copying shall be subject to the following:

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7 (i) The reasonable costs of producing a copy of  
8 the public record shall be borne by the party making the  
9 request. The costs may include the cost of producing a copy  
10 of the public record and the cost of constructing the  
11 record, including the cost of programming and computer  
12 services;

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14 (ii) An agency shall provide an electronic  
15 record in alternative formats unless doing so is  
16 impractical or impossible;

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18 (iii) An agency shall not be required to compile  
19 data, extract data or create a new document to comply with  
20 an electronic record request if doing so would impair the  
21 agency's ability to discharge its duties;

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23 (iv) An agency shall not be required to allow  
24 inspection or copying of a record in its electronic format

1 if doing so would jeopardize or compromise the security or  
2 integrity of the original record or of any proprietary  
3 software in which it is maintained;

4  
5 (v) Nothing in this section shall prohibit the  
6 on-line government commission from enacting any rules  
7 pursuant to its authority under W.S. 9-2-2501.

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9 **16-4-203. Right of inspection; grounds for denial;**  
10 **access of news media; order permitting or restricting**  
11 **disclosure; exception.**

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13 (d) The custodian shall deny the right of inspection  
14 of the following records, unless otherwise provided by law:

15  
16 (ix) Library circulation and registration  
17 records except as required for administration of the  
18 library or except as requested by a custodial parent or  
19 guardian to inspect the records of his minor child; ~~and~~

20  
21 (x) Information obtained through a 911 emergency  
22 telephone system except to law enforcement personnel or  
23 public agencies for the purpose of conducting official

1 business, to the person in interest, or pursuant to a court  
2 order; and

3

4 (xi) Records or information compiled solely for  
5 purposes of investigating violations of, and enforcing,  
6 internal personnel rules or personnel policies the  
7 disclosure of which would constitute a clearly unwarranted  
8 invasion of personal privacy.

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10 **16-4-204. Right of inspection; copies, printouts or**  
11 **photographs; fees.**

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13 (c) After July 1, 2003, any fees or charges assessed  
14 by a custodian of a public record shall first be authorized  
15 by duly enacted or adopted statute, rule, resolution,  
16 ordinance, executive order or other like authority.

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18 (d) All state agencies may adopt rules and  
19 regulations pursuant to the Wyoming Administrative  
20 Procedure Act establishing reasonable fees and charges that  
21 may be assessed for the costs and services set forth in  
22 this section.

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