

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Angelo M. Scaccia

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to public records.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Angelo M. Scaccia

14th Suffolk

William F. Galvin

Secretary of the Commonwealth

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO PUBLIC RECORDS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 10 (b) of Chapter 66 of the General Laws, as appearing in the 2006 Official Edition, is
2 hereby amended by striking the language in section 10(b) and replacing it with the following:—

3
4 (b) A custodian of a public record shall, within ten days following receipt of a request for inspection or
5 copy of a public record, comply with such request. Such request may be made orally or in writing. If the
6 custodian refuses or fails to comply with such a request within ten calendar days, the person making the
7 request may petition the supervisor of records for a determination whether the record requested is public.
8 Upon the determination by the supervisor of records that the record is public, he shall order the custodian
9 of the public record to comply with the person's request. If the custodian refuses or fails to comply with
10 any such order, the supervisor of records may utilize the provisions provided in chapter one hundred and
11 ten A, as the supervisor deems necessary. The administrative remedy provided by this section shall in no
12 way limit the availability of judicial remedies otherwise available to any person requesting a public
13 record. If a custodian of a public record refuses or fails to comply with the request of any person for
14 inspection or copy of a public record or with an administrative order under this section, the supervisor of
15 records, supreme judicial or superior court shall have jurisdiction to order compliance.

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