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HOUSE BILL 632

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

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.**

underscored material = new
[bracketed material] = delete

underscored material = new
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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."