

Draft Survey of Public Records Laws and Authorities in Other States - Data Practices Office

State	Law	Application	Costs	Response time	Enforcement	Office	Statute	Of note
Alabama	Public Records Request law		Fees allowed, no waiver	No specific deadline		?	Al. Code §36-25A-1 et seq.	
Alaska	Alaska Public Records Act (APRA)		Fees allowed but can be waived	10 days		NA	Section AS 40.25.220(3)	
Arizona	Public Records Law	Judicial branch exempt	Fees allowed, no waiver	No specific deadline	Civil penalties and action for damages; criminal penalty of Class 4 or 6 felony	Arizona Ombudsman Citizens' Aide: <a href="https://www.azoca.gov/">https://www.azoca.gov/</a>	§39-121 et seq.	
Arkansas	FOIA	All branches	Fees allowed, can be waived	3 days	Civil suit; negligently violates the law = Class C misdemeanor		Ark. Code Ann. §25-19-101 et seq. including §25-19-106	
California	Public Records Act		Fees allowed, no waiver	10 days	Expedited judicial process			
Colorado	Open Records Act (CORA)		Fees allowed but can be waived	3 days to respond, up to 7 days to acknowledge up to 12 weeks to respond?	\$100 and up to 90 days in jail; civil remedy		C.R.S. § 24-72-201 to 206	
Connecticut	FOIA	All branches	Fees allowed but can be waived	Prompt response per website	\$1000 fine; 30 days to file a complaint	<a href="#">FOI Commission</a>		Has "vexatious request" provision
Delaware	FOIA	All branches	Fees allowed but can be waived	15 days		AGO received FOIA Petitions from citizens	<a href="http://delcode.delaware.gov/title29/c100/index.shtml">http://delcode.delaware.gov/title29/c100/index.shtml</a>	
Florida	Sunshine Law	Executive branch exempt	Fees allowed, but no waiver	No specific deadline	Civil remedies and criminal penalties			
Georgia	Open Records Act	All branches	Fees allowed but can be waived	3 days	Civil remedies and criminal penalties (Misdemeanor \$100 fine)	AGO provides informal mediation and receives citizen complaints: <a href="https://law.georgia.gov/open-government-mediation-program">https://law.georgia.gov/open-government-mediation-program</a>		
Hawaii	Uniform Information Practices Act	All branches	Fees allowed but can be waived	10 days	Up to \$1000	<a href="#">Office of Informaton Practices</a>	<a href="https://oip.hawaii.gov/laws-rules-opinions/uipa/uniform-information-practices-act-uipa/">https://oip.hawaii.gov/laws-rules-opinions/uipa/uniform-information-practices-act-uipa/</a>	
Idaho	Public Records Law		Fees allowed but can be waived	10 days	Sole remedy - court process		<a href="#">Section 74-102 – Idaho State Legis</a> <a href="http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=85&amp;ChapterID=2">http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=85&amp;ChapterID=2</a>	
Illinois	FOIA	All branches	Fees allowed but can be waived	5 days to respond	PAC can issue binding/nonbinding ops enforceable in court	Public Access Counselor in AGO		Burdensome request and voluminous request provisions
Indiana	Access to Public Records Act	All branches	Fees allowed but can be waived	Reasonable amount of time		<a href="#">Public Access Counselor</a>		
Iowa	Open Records Act	Legislative branch exempt	Fees allowed, but no waiver	20 days	up to \$2,500	<a href="#">Public Information Board</a>		

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Kansas	Open Records Act	All branches	Fees allowed, but no waiver	3 days	\$500 per violation	KORA complaints can be sent to the AGO and the local attorney		Access may be denied if the request places an unreasonable burden in producing the record or is intended to disrupt the agency. K.S.A. 45-218(e)
Kentucky	Open Records Act	All branches	Fees allowed, but no waiver	5 days	Not specified			
Louisiana			Fees allowed, no waiver					
Maine		Judicial branch exempt	\$25/hr after first two hours, fees for copying and redaction allowed	5 days to acknowledge	\$500 first offense, up to \$1000 within 4 years of violation, up to \$2000 within 4 years after two or more violations		https://www.maine.gov/foaa/faq/index.shtml https://www.marylandattorneygeneral.gov/Pages/OpenGov/pia.aspx	
Maryland	Public Information Act	All branches	Fees allowed but can be waived	30 days	up tp \$1000			
Massachusetts			Fees allowed but can be waived	10 days		<a href="#">Supervisor of Records</a>		Enforced by AGO and courts
Michigan	FOIA	Exective branch	Fees allowed but can be reduced if response is not timely	15 days				If request pulls an officer off of their core functions over extended period of time, they can charge more.
Minnesota	MGDPA	Executive branch	Fees allowed, but no waiver	Appropriate and prompt - public data; 10 days data subjects	Court remedies - action to compel compliance, injunctive relief, damages. OAH action to compel compliance	<a href="#">Data Practices Office</a>	https://www.revisor.mn.gov/statutes/cite/13	
Mississippi				7 days				
Missouri	Sunshine Law	All branches	Fees allowed but can be waived	3 days	Up to \$5000			
Montana			Fees allowed, no waiver					
Nebraska			Fees allowed, no waiver	4 days				
Nevada	Open Records Act	All branches	Fees allowed but can be waived	5 days	\$1,000 for the first offense, \$5,000 for the second offense, and \$10,000 per third or subsequent offense within 10 years			
New Hampshire	Right to Know	All branches	Fees allowed, no waiver	5 days	Up to \$2000			
New Jersey	Open Public Records Act	All branches	Fees allows but can be waived	7 days	\$1,000 or \$2,500; repeat offenders face up to 10 years in jail.		https://www.state.nj.us/grc/act.html	

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New Mexico	Inspection of Public Records Act						<a href="https://www.nmag.gov/uploads/files/Publications/ComplianceGuides/Inspection%20of%20Public%20Records%20Compliance%20Guide%202015.pdf">https://www.nmag.gov/uploads/files/Publications/ComplianceGuides/Inspection%20of%20Public%20Records%20Compliance%20Guide%202015.pdf</a>	
New York	FOIL	All branches Judicial branch exempt	Fees allowed, no waiver	15 days to respond	\$100/day for noncompliance			
North Carolina			Fees allowed, no waiver	5 days to respond	No penalties for noncompliance		https://otda.ny.gov/legal/foil/	Provision if request affects core functions - can deny
North Dakota	Open Records Act	All branches	Fees allowed, no waiver	No specific deadline		\$1,000		
Ohio	Open Records Act	All branches	Fees allowed, no waiver	No specific deadline		\$1,000		
Oklahoma	Open Records Act	All branches	Fees allowed but can be waived			\$500		
Oregon			Fees allowed but can be waived	10 days				
Pennsylvania	Right to Know	All branches	Fees allowed but can be waived	5 days	up to \$1500; still refuses - \$500/day	<a href="#">Office of Open Records</a>		
Rhode Island	APRA	All branches	Fees allowed but can be waived	10 days to respond, 20 day extension for good cause				
South Carolina		All branches	Fees allowed but can be waived	10 days to respond up to 20 days if the record is older than 24 months	Noncompliance = \$500 fine			
South Dakota	Sunshine Law		Fees allowed but can be waived	No specific deadline				
Tennessee	Open Records Act	All branches	Fees allowed, but no waiver	7 days	Not specified			
Texas	Public Information Act	All branches	Fees allowed but can be waived	10 days	Up to \$1000	<a href="#">Texas AGO</a>	Texas Government Code Chapter 552	AGO reviews and provides guidance to public and government
Utah	Government Records Access and Management Act (GRAMA)	All branches	Fees over 15 minutes	10 days	Employees can be charged with Class B misdemeanor		https://insurance.utah.gov/consumer/other/grama	
Vermont				3 days				
Virginia		Executive branch	Allow fees	5 days to respond	\$1000 fine, up to \$2500 for future offenses			

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Washington	Public Records Act							Joint Legislative Audit and Review Committee (JLARC) is a body that receives, analyzes, and reports on metrics of agencies spending over \$100,000 per year responding to public records requests annually. These reporting metrics include costs, response timeframes, number and type of requests, and other response-related measures.
			Fees allowed, no waiver	5 days to respond	Penalty of up to \$100/day, plus costs and fees	AGO can review State agency denials; all others go to court	<a href="#">C. 42.56</a>	
West Virginia		All branches	Fees allowed, but no waiver	5 days to respond	\$1000 fine			
Wisconsin	Open Records Act	All branches	Fees allowed but can be waived	No specific deadline	\$1,000			
Wyoming	Sunshine Law	All branches	Fees allowed, but no waiver	30 days	up to \$750			
District of Columbia		Judicial branch exempt		15 days				