

Page 1-line 3 Delete "agency,".

Page 1-line 4 Delete "institution and political subdivision of the"; after "state" insert "entity".

Page 2-lines 2 through 5 Delete entirely and insert:

Section 1. W.S. 16-4-201(a)(ii), (v),(vi)(A) and (B),(ix), by creating new paragraphs (xii) and (xiii) and by creating a new subsection (b), 16-4-202(a) through (c), (d)(ii) through (iv) and by creating a new subsection (e), 16-4-203(b)(iii), (iv), (vi)(intro),(C) and (D) and (d)(xiv)(intro), (B) and (xv), (f) and 16-4-205 are amended to read:".

Page 2-after line 9 Insert:

"(ii) "Official custodian" means any officer or employee of ~~the state or any agency, institution or political subdivision thereof~~ a state entity, who is responsible for the maintenance, care and keeping of public records, regardless of whether the records are in his actual personal custody and control;

(v) "Public records" when not otherwise specified includes any information in a physical form created, accepted, or obtained by ~~the state or any agency, institution or political subdivision of the~~ a state entity in furtherance of its official function and transaction of public business which is not privileged or confidential by law. Without limiting the foregoing, the term "public records" includes any written communication or other information, whether in paper, electronic, or other physical form, received by ~~the state or any agency, institution or political subdivision of the~~ a state entity in furtherance of the transaction of public business of ~~the state or agency, institution or political subdivision of the~~ state entity, whether at a meeting or outside a meeting. Electronic communications solely between students attending a school in Wyoming and electronic communications solely between students attending a school in Wyoming and a sender or recipient using a nonschool user address are not a public record of that school. As used in this paragraph, a "school in Wyoming" means the University of Wyoming, any community college and any public school within a school district in the state;

(vi) Public records shall be classified as follows:

1 (A) "Official public records" includes all
2 original vouchers, receipts and other documents necessary to
3 isolate and prove the validity of every transaction relating to
4 the receipt, use and disposition of all public property and public
5 income from all sources whatsoever; all agreements and contracts
6 to which ~~the state or any agency or subdivision~~ a state entity
7 thereof is a party; all fidelity, surety and performance bonds;
8 all claims filed against ~~the state or any agency or subdivision~~ a
9 state entity thereof; all records or documents required by law to
10 be filed with or kept by ~~any agency or the~~ a state entity of
11 Wyoming; and all other documents or records determined by the
12 records committee to be official public records;

13
14 (B) "Office files and memoranda" includes all
15 records, correspondence, exhibits, books, booklets, drawings,
16 maps, blank forms, or documents not defined and classified in
17 subparagraph (A) of this subsection as official public records;
18 all duplicate copies of official public records filed with any
19 agency of the ~~a state or subdivision~~ entity thereof; all documents
20 and reports made for the internal administration of the office to
21 which they pertain but not required by law to be filed or kept
22 with the office; and all other documents or records, determined by
23 the records committee to be office files and memoranda."

24
25 Page 2-line 18 Delete "." and insert "i".

26
27 Page 2-after line 18 Insert:

28
29 "(xiii) "State entity" means the state of Wyoming, an
30 agency, political subdivision or state institution of Wyoming.".

31
32 Page 3-line 6 After "entity" insert "." and strike "or
33 political subdivision".

34
35 Page 3-line 17 After stricken "person" delete balance of
36 line.

37
38 Page 3-line 18 Delete all new language and insert "state
39 entity".

40
41 Page 4-line 10 After stricken "person" delete balance of
42 line.

43
44 Page 4-line 11 Delete "political subdivision" and insert
45 "state entity".

46
47 Page 5-line 7 Strike "agency's"; delete all new language.

1
2 Page 5-line 8 Delete all new language and insert "state
3 entity's".
4
5 Page 5-line 21 Delete "agency, institution or political
6 subdivision" and insert "entity".
7
8 Page 6-line 11 Delete "agency's, institution's or
9 political".
10
11 Page 6-line 12 Delete "subdivision's" and insert "entity's".
12
13 Page 6-after line 15 Insert:
14
15 "(d) If a public record exists primarily or solely in an
16 electronic format, the custodian of the record shall so inform the
17 requester. Electronic record inspection and copying shall be
18 subject to the following:
19
20 (ii) ~~An agency~~ A state entity shall provide an
21 electronic record in alternative formats unless doing so is
22 impractical or impossible;
23
24 (iii) ~~An agency~~ A state entity shall not be required to
25 compile data, extract data or create a new document to comply with
26 an electronic record request if doing so would impair the ~~agency's~~
27 state entity's ability to discharge its duties;
28
29 (iv) ~~An agency~~ A state entity shall not be required to
30 allow inspection or copying of a record in its electronic format
31 if doing so would jeopardize or compromise the security or
32 integrity of the original record or of any proprietary software in
33 which it is maintained;".
34
35 Page 6-line 17 Delete "agency, institution and political".
36
37 Page 6-line 18 Delete "subdivision" and insert "entity".
38
39 Page 6-line 19 Delete "agency, institution or".
40
41 Page 6-line 20 Delete "political subdivision" and insert
42 "state entity".
43
44 Page 7-line 3 Delete "agency, institution or political".
45
46 Page 7-line 4 Delete "subdivision" and insert "state
47 entity".

Page 7-after line 8 Insert:

"(b) The custodian may deny the right of inspection of the following records, unless otherwise provided by law, on the ground that disclosure to the applicant would be contrary to the public interest:

(iii) The specific details of bona fide research projects being conducted by a state ~~institution, agency~~ entity or any other person;

(iv) Except as otherwise provided by Wyoming statutes or for the owner of the property, the contents of real estate appraisals made for the state ~~or a political subdivision thereof~~ entity, relative to the acquisition of property or any interest in property for public use, until such time as title of the property or property interest has passed to the state ~~or political subdivision~~ entity. The contents of the appraisal shall be available to the owner of the property or property interest at any time;

(vi) To the extent that the inspection would jeopardize the security of any structure owned, leased or operated by ~~the a~~ state ~~or any of its political subdivisions~~ entity, facilitate the planning of a terrorist attack or endanger the life or physical safety of an individual, including:

(C) Records of any other building or structure owned, leased or operated by ~~the a~~ state ~~or any of its political subdivisions~~ entity that reveal the building's or structure's life and safety systems, surveillance techniques, alarm or security systems or technologies, operational and evacuation plans or protocols or personnel deployments; and

(D) Records prepared to prevent or respond to terrorist attacks or other security threats identifying or describing the name, location, pharmaceutical cache, contents, capacity, equipment, physical features, or capabilities of individual medical facilities, storage facilities or laboratories established, maintained, or regulated by ~~the a~~ state ~~or any of its political subdivisions~~ entity.

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

(xiv) Information concerning an agricultural operation, farming or conservation practice, or the land itself, if the information was provided by an agricultural producer or owner of agricultural land in order to participate in a program of ~~the a state or any agency, institution or political subdivision of the state~~ entity. The custodian shall also deny the right of inspection to geospatial information maintained about the agricultural land or operations. Provided, however, that if otherwise permitted by law, the inspection of the information described in this paragraph shall be allowed in accordance with the following:

(B) The custodian shall allow the right of inspection of payment information under a program of ~~the a state or of any agency, institution or political subdivision of the state~~ entity, including the names and addresses of recipients of payments;

(xv) Within any record held by ~~an agency a state entity~~, any income tax return or any individual information derived by the ~~agency state entity~~ from an income tax return, however information derived from these documents may be released if sufficiently aggregated or redacted so that the persons or entities involved cannot be identified individually;".

Page 7-line 12 Delete "agency, institution or political subdivision" and insert "entity".

Page 7-line 14 Delete "agency,".

Page 7-line 15 Delete "institution or political subdivision" and insert "entity".

Page 8-line 2 Delete "agency, institution or political subdivision" and insert "entity".

Page 8-line 7 Delete "agency, institution or political subdivision" and insert "entity".

Page 8-line 13 Delete "agency, institution or political subdivision" and insert "entity". EYRE