

SENATE FILE NO. SF0049

Public records act revisions.

Sponsored by: Joint Corporations, Elections & Political Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to public records; revising documents that
2 constitute official public records; revising time periods
3 for acknowledgement of public records requests and release
4 of public records; providing for an extension of time to
5 release public records; authorizing the ombudsman to refer
6 a matter to the attorney general or district attorney;
7 specifying fees for public records; increasing a penalty;
8 authorizing attorney fees; and providing for an effective
9 date.

10

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

12

13 **Section 1.** W.S. 16-4-201(a)(vi)(A), 16-4-202(a) and
14 (c)(ii) through (iv), 16-4-203(f)(intro) and (ii) by

1 creating a new subparagraph (D), 16-4-204(e) and 16-4-205
2 are amended to read:

3

4 **16-4-201. Definitions; short title; designation of**
5 **ombudsman.**

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7 (a) As used in this act:

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9 (vi) Public records shall be classified as
10 follows:

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12 (A) "Official public records" includes all
13 original vouchers, receipts and other documents necessary
14 to isolate and prove the validity of every transaction
15 relating to the receipt, use and disposition of all public
16 property and public income from all sources whatsoever; all
17 agreements and contracts to which a governmental entity is
18 a party; all fidelity, surety and performance bonds; all
19 claims filed against a governmental entity; plea agreements
20 and nonconfidential portions of sentencing memoranda; all
21 records or documents required by law to be filed with or
22 kept by a governmental entity of Wyoming; and all other

1 documents or records determined by the records committee to
2 be official public records;

3

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

6

7 (a) All public records shall be open for inspection
8 by any person at reasonable times, during business hours of
9 the governmental entity, except as provided in this act or
10 as otherwise provided by law, but the governmental entity
11 may make rules and regulations with reference to the
12 inspection of the records as is reasonably necessary for
13 the protection of the records and the prevention of
14 unnecessary interference with the regular discharge of the
15 duties of the governmental entity. All applications for
16 public records shall be made to the designated public
17 records person. The governmental entity shall acknowledge
18 receipt of a request to the person making the request not
19 later than three (3) business days after receipt of the
20 request.

21

1 (c) If the public records requested are in the
2 custody and control of the governmental entity to whom
3 application is made, the following shall apply:

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5 (ii) If a public record is readily available, it
6 shall be released immediately to the applicant when the
7 request is acknowledged so long as the release does not
8 impair or impede the governmental entity's ability to
9 discharge its other duties;

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11 (iii) All public records shall be released not
12 later than ~~thirty (30)~~ ten (10) calendar days from the date
13 of acknowledged receipt of the request unless ~~good cause~~
14 ~~exists preventing release~~ the government entity requests an
15 extension from the ombudsman as authorized by paragraph
16 (iv) of this subsection;

17

18 (iv) Upon request by a government entity, the
19 ombudsman may authorize an extension to release public
20 records if good cause exists preventing release within the
21 time period specified in paragraph (ii) or (iii) of this
22 subsection. ~~or~~ The public records shall be released on a date
23 specified by the ombudsman, which shall not exceed an

1 additional thirty (30) calendar days, or another specified
2 date if mutually agreed to by the applicant and the
3 governmental entity; ~~If a release date cannot be agreed~~
4 ~~upon, the applicant may file a complaint with the ombudsman~~
5 ~~as provided by paragraph (v) of this subsection;~~

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7 **16-4-203. Right of inspection; grounds for denial;**
8 **access of news media; order permitting or restricting**
9 **disclosure; exceptions.**

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11 (f) Any person aggrieved by the failure of a
12 governmental entity to release records on the specified
13 date ~~mutually agreed upon~~ determined pursuant to W.S.
14 16-4-202(c)(iv) or by the failure of a governmental entity
15 to comply with an order of the ombudsman pursuant to W.S.
16 16-4-202(c)(v) may:

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18 (ii) File a complaint with the ombudsman who
19 may:

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21 (D) Refer the matter to the attorney
22 general or district attorney, who may apply to the Wyoming
23 district court to enforce compliance.

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2 **16-4-204. Right of inspection; copies, printouts or**
3 **photographs; fees.**

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5 (e) The department of administration and information
6 shall adopt uniform rules for the use of state agencies
7 establishing procedures, fees, costs and charges for
8 inspection, copies and production of public records under
9 W.S. 16-4-202(d)(i), 16-4-203(h)(i) and 16-4-204. Any
10 governmental entity that is not a state agency shall use
11 the uniform fees, costs and charges for inspection, copies
12 and production of public records established by the
13 department of administration and information under this
14 subsection unless:

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16 (i) The governmental entity charges lower fees,
17 costs and charges; or

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19 (ii) Upon request to the ombudsman for approval
20 to charge higher fees, costs or charges, the ombudsman
21 approves the request for good cause.

22

23 **16-4-205. Penalties; remedies.**

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2 Any person who knowingly or intentionally violates the
3 provisions of this act is liable for a penalty not to
4 exceed ~~seven hundred fifty dollars (\$750.00)~~ two thousand
5 dollars (\$2,000.00). The penalty may be recovered in a
6 civil action and damages may be assessed by the court. The
7 court may award the prevailing applicant reasonable
8 attorney fees.

9

10 **Section 2.** This act is effective July 1, 2026.

11

12 (END)