



The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

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House Passes Legislation to Improve Public Records Laws

BOSTON – Representative Todd M. Smola (R-Warren, Ranking Member, Committee on Ways & Means) joined his colleagues in the Massachusetts House of Representatives to pass legislation that updates its public records laws and enhances accountability measures. The bill strikes a balance between making government documents more easily accessible to the general public while also acknowledging concerns raised by town clerks and local officials about compliance.

“This bill represents the first significant changes to the public records law in more than 40 years,” said Representative Smola. “These changes will help create more openness and transparency throughout state and local government. The House was able to find a reasonable compromise between the need for public information and the practical limitations of government offices.”

H3858 standardizes the process through which the public can access records and establishes guidelines for the fees associated with obtaining documents. Cities, towns and state agencies will now be required to designate a Records Access Officer (RAO) which will be responsible for handling requests for public documents. Requests must be processed within 10 business days. If the request cannot be completed within the specified time period, they must notify the person making the request in writing. Depending on the nature of the request, the time frame for compliance could be extended to a maximum of 60 days for a state agency and up to 75 days for a municipality.

The bill limits fees for printed black and white copies at 5 cents per page, but allows state agencies and municipalities to factor other costs into the amount charged for a records request, including time spent retrieving and preparing the requested documents. If the RAO fails to comply with a public record request, or denies the request by claiming the information is not a public document, the person making the request can file an appeal

through the superior court system. The bill now heads to the Senate for further action.

For additional information please contact Representative Smola at Todd.Smola@mahouse.gov or (617)722-2100.

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