

Mississippi – State Public Record Laws

Citations	<p>Miss. Code, §§25-61-1, et seq.</p> <ul style="list-style-type: none"> ▪ (http://www.lexisnexis.com/hottopics/mscode/)
Exemptions to Disclosure	<p>The following records are exempt:</p> <ul style="list-style-type: none"> • Public interest best served by nondisclosure; • Archaeological records (see § 39-7-41); • Attorney work product (see § 25-1-102); • Environmental self-evaluation reports (see § 49-2-71); • Records which best serve the public interest by non-public disclosure. Miss. Code Ann. § 25-59-27 • Confidential information § 25-61-11. <p>The following records are not subject to examination or copying:</p> <ul style="list-style-type: none"> • Trade secrets and confidential commercial and financial information of a proprietary nature developed by a college or university under contract with a firm, business, partnership, association, corporation, individual or other like entity shall not be subject to inspection, examination, copying or reproduction under this chapter.
Access Rights	<ul style="list-style-type: none"> • Any person • In accordance with “reasonable written procedures,” notice of which must be publicly given; if agency lacks written procedures, requestor’s written request must be granted within one working day; in no event can agency authorize itself to respond to request later than 7 working days • If records cannot be produced within 7 working days, custodian must provide written explanation as to why, and absent mutual agreement, date for production cannot be any later than 14 working days following original request • Denials must be in writing, contain statement of specific exemptions relied upon, and kept on file for at least 3 years; must be available for inspection and/or copying during regular office hours to any person upon written request • Fees charged must be reasonable; cannot exceed actual cost; custodians who charge unreasonable fees may be personally liable civilly for up to \$100/violation • Can appeal denial to chancery court; have option of first requesting opinion of Mississippi Ethics Commission on whether access is required; court can move on its own to privately view the records to aid in determination as to whether public or not
Destruction of Public Records	<ul style="list-style-type: none"> • Must have consent of director • Must submit lists and schedules of records proposed for disposal • The Director has 60 days to respond to any request for the destruction of public records.