

## Missouri – State Public Record Laws

<b>Citations</b>	<p>Miss. Rev. Stat. § 109.005 et. Seq.</p> <ul style="list-style-type: none"> <li>▪ (<a href="http://revisor.mo.gov/main/OneChapter.aspx?chapter=109">http://revisor.mo.gov/main/OneChapter.aspx?chapter=109</a>)</li> </ul>
<b>Exemptions to Disclosure</b>	<ul style="list-style-type: none"> <li>• Preliminary deliberations not retained nor presented by agency at public meeting</li> <li>• Work product</li> <li>• Confidential</li> <li>• Privileged</li> <li>• Negotiations [any minutes, voting records, etc. to be made available upon execution of agreement]</li> <li>• There may be some protection for records that relate to proprietary “scientific and technological innovations.” Miss. Rev. Stat. § 610.021(15). The Sunshine Law does provide that “public records relating to scientific and technological innovations in which the owner has a proprietary interest” may be closed. Miss. Rev. Stat. § 610.021(15).</li> </ul>
<b>Access Rights</b>	<ul style="list-style-type: none"> <li>• Any member of the public</li> <li>• Upon request, response within reasonable period of time, no more than 3 business days</li> <li>• Detailed explanation must be given re: cause of any delay and place and earliest time and date record will be available – may exceed 3 days for reasonable cause</li> <li>• Written statement of grounds for denial, citing specific provision of law (w/in 3 business days of original request)</li> <li>• Description of exempt data severed from record with exempt and nonexempt, if separation/redaction is readily apparent to requestor – unless description would defeat purpose of exemption</li> <li>• Fees for both copying and inspection access</li> <li>• Up to \$5K penalty for purposeful, up to \$1K for knowing, violation by custodian (preponderance of the evidence)</li> <li>• Good faith non-employee reporters and employee whistleblowers exempt from liability and discipline [610.028]</li> <li>• Custodian strongly encouraged, but not required, to provide online access to its records kept in electronic format</li> </ul>
<b>Destruction of Public Records</b>	<ul style="list-style-type: none"> <li>• 109.210: No records shall be destroyed or disposed of unless state records commission or local records board first determines the records have no administrative, fiscal, research, or historical value; no records can be destroyed until they meet the minimum retention period</li> </ul>