

## West Virginia – State Public Record Laws

<b>Citations</b>	West Virginia Code, 29B-1 ( <a href="http://www.legis.state.wv.us/wvcode/code.cfm?chap=29b">http://www.legis.state.wv.us/wvcode/code.cfm?chap=29b</a> )
<b>Exemptions to Disclosure</b>	The following records are exempt from disclosure: <ul style="list-style-type: none"><li>• Certain trade secrets;</li><li>• Records, archives, documents or manuscripts describing the location of undeveloped historic, prehistoric, archaeological, paleontological and battlefield sites</li><li>• Internal memoranda or letters received or prepared by any public body.</li></ul>
<b>Access Rights</b>	<ul style="list-style-type: none"><li>• Every person</li><li>• During business hours</li><li>• Must respond within 5 days</li><li>• Denials must be in writing</li><li>• Fees can only reimburse actual costs</li><li>• Requester must specify with reasonable specificity documents sought.</li></ul>
<b>Destruction of Public Records</b>	<ul style="list-style-type: none"><li>• §61-5-22. Alteration, concealment or destruction of public record by officer; penalty. If any clerk of a court, or other public officer, fraudulently make a false entry, or erase, alter or destroy any record in his keeping and belonging to his office, or shall willfully secrete any such record from any person having the right to inspect the same, he shall be guilty of a misdemeanor, and, upon conviction, shall be confined in jail not more than one year and be fined not exceeding one thousand dollars; and, in addition thereto, he shall forfeit his office and be forever incapable of holding any office of honor, trust or profit in this state.</li><li>• Records can be destroyed pursuant to retention schedule made by Records Management and Preservation Board</li></ul>