

# RESOLUTION OF THE CITY COUNCIL

No. 203

Approved April 23, 2025

WHEREAS, RIGL §38-2-4 establishes costs for copies of public records requests; and  
WHEREAS, Representative Samuel Azzinaro and Representative Brian Kennedy have introduced to the Rhode Island House of Representatives H 5457 to amend the above cited general law to:

1. Increase the hourly costs for a search or retrieval of documents from fifteen dollars (\$15.00) per hour to twenty-five dollar (\$25.00) per hour and no costs shall be charged for the first hour of a search or retrieval, and
2. Require any person requesting a document under §38-2-2 shall pay any outstanding balance owed for prior records requests before a new request will be processed.



WHEREAS, The Providence City Council wishes to express support for H-5457 because of the time and research involved for a search and retrieval of requested documents and for requests that remain unpaid and unclaimed.

NOW, THEREFORE, BE IT REOLVED, That the Providence City Council urges the Rhode Island State House of Representatives, the Rhode Island State Senate and Governor Daniel J. McKee to pass and enact into law H-5457 and Senate Companion Bill; and

BE IT FURTHER RESOLVED, That upon passage, a copy of this resolution be sent to the Honorable Daniel J. McKee, the Governor of the State of Rhode Island, the Honorable K. Joseph Shekarchi, Speaker of the House for the State of Rhode Island, and the Honorable Dominick J. Ruggerio, President of the Rhode Island Senate.

IN CITY COUNCIL

APR 17 2025  
READ AND PASSED

  
RACHEL M. MILLER, PRESIDENT  
  
Tina L. Mastroianni  
CLERK

I HEREBY APPROVE.

  
Brett P. Smith  
Mayor

Date: 4/23/25

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC RECORDS

Introduced By: Representatives Azzinaro, Finkelman, Fellela, Serpa, McNamara, Kennedy, and Hull

Date Introduced: February 12, 2025

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 38-2-4 of the General Laws in Chapter 38-2 entitled "Access to Public  
2 Records" is hereby amended to read as follows:

3 **38-2-4. Cost.**

4 (a) Subject to the provisions of § 38-2-3, a public body must allow copies to be made or  
5 provide copies of public records. The cost per copied page of written documents provided to the  
6 public shall not exceed fifteen cents (\$.15) per page for documents copyable on common business  
7 or legal-size paper. A public body may not charge more than the reasonable actual cost for  
8 providing electronic records or retrieving records from storage where the public body is assessed a  
9 retrieval fee.

10 (b) A reasonable charge may be made for the search or retrieval of documents. Hourly costs  
11 for a search and retrieval shall not exceed ~~fifteen dollars (\$15.00)~~ twenty-five dollars (\$25.00) per  
12 hour and no costs shall be charged for the first hour of a search or retrieval. For the purposes of this  
13 subsection, multiple requests from any person or entity to the same public body within a thirty (30)  
14 day time period shall be considered one request.

15 (c) Copies of documents shall be provided and the search and retrieval of documents  
16 accomplished within a reasonable time after a request. A public body upon request, shall provide  
17 an estimate of the costs of a request for documents prior to providing copies.

18 (d) Upon request, the public body shall provide a detailed itemization of the costs charged  
19 for search and retrieval.

1 (e) A court may reduce or waive the fees for costs charged for search or retrieval if it  
2 determines that the information requested is in the public interest because it is likely to contribute  
3 significantly to public understanding of the operations or activities of the government and is not  
4 primarily in the commercial interest of the requester.

5 [\(f\) Any person requesting a document under § 38-2-3 shall pay any outstanding balance](#)  
6 [owed for prior records requests before a new request will be processed.](#)

7 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC RECORDS

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1           This act would allow a reasonable charge not to exceed twenty-five dollars (\$25.00) to be  
2 charged for the search or retrieval of documents. This act would also require a member of the public  
3 to pay any outstanding balances due and owing for previous requests before being provided copies  
4 of records and documents on a new request from law enforcement agencies.

5           This act would take effect upon passage.

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