



132nd MAINE LEGISLATURE

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Legislative Document

No. 152

H.P. 85

House of Representatives, January 14, 2025

**An Act to Amend the Freedom of Access Act to Require a Specific
Time Frame for Agencies to Comply with Requests for Public
Records**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative LIBBY of Auburn.
Cosponsored by Representatives: LOOKNER of Portland, SINCLAIR of Bath.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 1 MRSA §408-A, first ¶**, as enacted by PL 2011, c. 662, §5, is amended to
3 read:

4 Except as otherwise provided by statute, a person has the right to inspect and copy any
5 public record in accordance with this section within ~~a reasonable time of making~~ 30 days
6 after the date on which the request to inspect or copy the public record is made.

7 **Sec. 2. 1 MRSA §408-A, sub-§3**, as amended by PL 2023, c. 155, §1, is further
8 amended to read:

9 **3. Acknowledgment; clarification; time estimate; cost estimate.** The agency or
10 official having custody or control of a public record shall acknowledge receipt of a request
11 made according to this section within 5 working days of receiving the request and may
12 request clarification concerning which public record or public records are being requested.
13 Within a reasonable time of receiving the request, the agency or official shall provide a
14 good faith, nonbinding estimate of the time frame within which the agency or official will
15 comply with the request and a cost estimate as provided in subsection 9. The agency or
16 official shall make a good faith effort to fully respond to the request within the estimated
17 time frame but must fully respond within 30 days after the date on which the request was
18 made. For purposes of this subsection, the date a request is received is the date a sufficient
19 description of the public record is received by the agency or official at the office responsible
20 for maintaining the public record. An agency or official that receives a request for a public
21 record that is maintained by that agency but is not maintained by the office that received
22 the request shall forward the request to the office of the agency or official that maintains
23 the record, without willful delay, and shall notify the requester that the request has been
24 forwarded and that the office to which the request has been forwarded will acknowledge
25 receipt within 5 working days of receiving the request.

26 **SUMMARY**

27 Under current law, the Freedom of Access Act requires that an agency or official
28 having custody or control of a public record must comply with a request for public records
29 made under the Act within a reasonable time. This bill amends the Act to require that
30 agencies or officials comply with a request within 30 days after the date on which the
31 request is made.