



# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1797

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H.P. 1203

House of Representatives, April 24, 2025

**An Act to Implement the Recommendations of the Right to Know  
Advisory Committee Concerning Denials of Public Records  
Requests**

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Reported by Representative KUHN of Falmouth for the Joint Standing Committee on  
Judiciary pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph  
G.

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint  
Rule 218.

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

ROBERT B. HUNT  
Clerk

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

2 **Sec. 1. 1 MRSA §408-A, sub-§4**, as repealed and replaced by PL 2015, c. 494, Pt.  
3 A, §1, is amended to read:

4 **4. Refusals; denials.** If a body or an agency or official having custody or control of  
5 any public record refuses permission to inspect or copy or abstract a public record, the body  
6 or agency or official shall provide, within 5 working days of the receipt of the request for  
7 inspection or copying, written notice of the denial, stating the reason for the denial or the  
8 expectation that the request will be denied in full or in part following a review. A written  
9 notice of a denial must contain a citation to the statutory authority used as the basis for the  
10 denial. A request for inspection or copying may be denied, in whole or in part, on the basis  
11 that the request is unduly burdensome or oppressive if the procedures established in  
12 subsection 4-A are followed. Failure to comply with this subsection is considered failure  
13 to allow inspection or copying and is subject to appeal as provided in section 409.

14 **SUMMARY**

15 This bill is reported out by the Joint Standing Committee on Judiciary to implement  
16 statutory changes recommended by the Right to Know Advisory Committee. The joint  
17 standing committee has not taken a position on the substance of this bill. By reporting this  
18 bill out, the joint standing committee is not suggesting and does not intend to suggest that  
19 it agrees or disagrees with any aspect of this bill; instead, the joint standing committee is  
20 reporting the bill out for the sole purpose of having a bill printed that can be referred to the  
21 joint standing committee for an appropriate public hearing and subsequent processing in  
22 the normal course. The joint standing committee is taking this action to ensure clarity and  
23 transparency in the legislative review of the proposals contained in the bill.

24 The bill requires that a written notice of a denial of a request for inspection or copying  
25 of a public record include a citation to the statutory authority used as the basis for the denial.