PROPOSED AMENDMENTS TO SENATE BILL NO. 2128

Page 1, line 1, after "11-13-02.1" insert "and subsection 2 of section 44-04-18"

Page 1, line 2, remove "by county officials"

Page 1, line 8, overstrike the comma

Page 1, line 9, overstrike "or furnish copies of records to,"

Page 1, line 11, overstrike ", or furnish copies of records to,"

Page 1, line 16, overstrike "or preparing", remove "the", and overstrike "copies of records"

Page 1, after line 18, insert:

> "**SECTION 2. AMENDMENT.** Subsection 2 of section 44-04-18 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:
>
> 2. Upon request for a copy of specific public records, any entity subject to subsection 1 shall furnish the requester one copy of the public records requested. A request need not be made in person or in writing, and the copy must be mailed upon request. The entity may charge a reasonable fee for making or mailing the copy, or both. An entity may require payment before making or mailing the copy, or both. If the entity is not authorized to use the fees to cover the cost of providing or mailing the copy, or both, or if a copy machine is not readily available, the entity may make arrangements for the copy to be provided or mailed, or both, by another entity, public or private, and the requester shall pay the fee to that other entity. As used in this subsection, "reasonable fee" means the actual cost to the public entity of making or mailing a copy of a record, or both, including labor, materials, postage, and equipment, but excluding any cost associated with locating, reviewing, or providing access to the requested record, or any cost associated with excising confidential or closed material under section 44-04-18.8. An entity may impose a fee not exceeding twenty-five dollars per hour for locating and compiling a record if locating or compiling the record requires more than one hour. This subsection does not apply to copies of public records for which a different fee is specifically provided by law."

Renumber accordingly