

HOUSE No. 3027

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to public records..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 10 (b) of Chapter 66 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by striking the language in section 10(b) and replacing it with the
3 following:—

4 (b) A custodian of a public record shall, within ten days following receipt of a request for
5 inspection or copy of a public record, comply with such request. Such request may be made
6 orally or in writing. If the custodian refuses or fails to comply with such a request within ten
7 calendar days, the person making the request may petition the supervisor of records for a
8 determination whether the record requested is public. Upon the determination by the supervisor
9 of records that the record is public, he shall order the custodian of the public record to comply
10 with the person's request. If the custodian refuses or fails to comply with any such order, the
11 supervisor of records may utilize the provisions provided in chapter one hundred and ten A, as
12 the supervisor deems necessary. The administrative remedy provided by this section shall in no
13 way limit the availability of judicial remedies otherwise available to any person requesting a
14 public record. If a custodian of a public record refuses or fails to comply with the request of any

15 person for inspection or copy of a public record or with an administrative order under this
16 section, the supervisor of records, supreme judicial or superior court shall have jurisdiction to
17 order compliance.