



Reprinted  
February 26, 2014

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## ENGROSSED HOUSE BILL No. 1306

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DIGEST OF HB 1306 (Updated February 25, 2014 4:32 pm - DI 87)

**Citations Affected:** IC 5-14.

**Synopsis:** Search fee for public records requests. Allows a state or local government public agency to charge a fee for the time required by the public agency in excess of two hours, to search for a public record. Restricts the hourly rate charged for the search. Prohibits a public agency from charging a fee for the public agency to: (1) transmit a public record by electronic mail; or (2) permit a person (not including a commercial entity) to use a cellular phone to copy a public record that contains the person's name. Provides that if a public record is in an electronic format, a public agency (excluding the office of the county recorder) shall provide an electronic copy or a paper copy, at the option of the person making the request for a public record. Provides that a search fee collected by a department, agency, or office of a county, city, town, or township shall be deposited in the general fund of the county, city, town, or township.

**Effective:** July 1, 2014.

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### Friend, Richardson, Hale

(SENATE SPONSORS — HOLDMAN, HEAD, ARNOLD J)

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January 15, 2014, read first time and referred to Committee on Government and Regulatory Reform.

January 28, 2014, reported — Do Pass.

January 30, 2014, read second time, ordered engrossed. Engrossed.

February 3, 2014, read third time, passed. Yeas 86, nays 8.

#### SENATE ACTION

February 10, 2014, read first time and referred to Committee on Local Government.

February 20, 2014, amended, reported favorably — Do Pass.

February 25, 2014, read second time, amended, ordered engrossed.

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EH 1306—LS 6739/DI 87





Reprinted  
February 26, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1306

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A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 5-14-3-2, AS AMENDED BY P.L.248-2013,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2014]: Sec. 2. (a) The definitions set forth in this section apply  
4 throughout this chapter.

5 (b) **"Computer processing time" means the amount of time a**  
6 **computer takes to process a command or script to extract or copy**  
7 **electronically stored data that is the subject of a public records**  
8 **request.**

9 (c) "Copy" includes transcribing by handwriting, photocopying,  
10 xerography, duplicating machine, duplicating electronically stored data  
11 onto a disk, tape, drum, or any other medium of electronic data storage,  
12 and reproducing by any other means.

13 (d) "Criminal intelligence information" means data that has been  
14 evaluated to determine that the data is relevant to:

- 15 (1) the identification of; and  
16 (2) the criminal activity engaged in by;

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1 an individual who or organization that is reasonably suspected of  
2 involvement in criminal activity.

3 ~~(d)~~ (e) "Direct cost" means one hundred five percent (105%) of the  
4 sum of the cost of:

- 5 (1) the initial development of a program, if any;
- 6 (2) the labor required to retrieve electronically stored data; and
- 7 (3) any medium used for electronic output;

8 for providing a duplicate of electronically stored data onto a disk, tape,  
9 drum, or other medium of electronic data retrieval under section 8(g)  
10 of this chapter, or for reprogramming a computer system under section  
11 6(c) of this chapter.

12 ~~(e)~~ (f) "Electronic map" means copyrighted data provided by a  
13 public agency from an electronic geographic information system.

14 ~~(f)~~ (g) "Enhanced access" means the inspection of a public record  
15 by a person other than a governmental entity and that:

- 16 (1) is by means of an electronic device other than an electronic  
17 device provided by a public agency in the office of the public  
18 agency; or
- 19 (2) requires the compilation or creation of a list or report that does  
20 not result in the permanent electronic storage of the information.

21 ~~(g)~~ (h) "Facsimile machine" means a machine that electronically  
22 transmits exact images through connection with a telephone network.

23 ~~(h)~~ (i) "Inspect" includes the right to do the following:

- 24 (1) Manually transcribe and make notes, abstracts, or memoranda.
- 25 (2) In the case of tape recordings or other aural public records, to  
26 listen and manually transcribe or duplicate, or make notes,  
27 abstracts, or other memoranda from them.
- 28 (3) In the case of public records available:

- 29 (A) by enhanced access under section 3.5 of this chapter; or
- 30 (B) to a governmental entity under section 3(c)(2) of this  
31 chapter;

32 to examine and copy the public records by use of an electronic  
33 device.

- 34 (4) In the case of electronically stored data, to manually transcribe  
35 and make notes, abstracts, or memoranda or to duplicate the data  
36 onto a disk, tape, drum, or any other medium of electronic  
37 storage.

38 ~~(i)~~ (j) "Investigatory record" means information compiled in the  
39 course of the investigation of a crime.

40 ~~(j)~~ (k) "Offender" means a person confined in a penal institution as  
41 the result of the conviction for a crime.

42 ~~(k)~~ (l) "Patient" has the meaning set out in IC 16-18-2-272(d).



1           ⊕ **(m)** "Person" means an individual, a corporation, a limited  
 2 liability company, a partnership, an unincorporated association, or a  
 3 governmental entity.

4           ~~(m)~~ **(n)** "Provider" has the meaning set out in IC 16-18-2-295(b) and  
 5 includes employees of the state department of health or local boards of  
 6 health who create patient records at the request of another provider or  
 7 who are social workers and create records concerning the family  
 8 background of children who may need assistance.

9           ~~(n)~~ **(o)** "Public agency", except as provided in section 2.1 of this  
 10 chapter, means the following:

11           (1) Any board, commission, department, division, bureau,  
 12 committee, agency, office, instrumentality, or authority, by  
 13 whatever name designated, exercising any part of the executive,  
 14 administrative, judicial, or legislative power of the state.

15           (2) Any:

16               (A) county, township, school corporation, city, or town, or any  
 17 board, commission, department, division, bureau, committee,  
 18 office, instrumentality, or authority of any county, township,  
 19 school corporation, city, or town;

20               (B) political subdivision (as defined by IC 36-1-2-13); or

21               (C) other entity, or any office thereof, by whatever name  
 22 designated, exercising in a limited geographical area the  
 23 executive, administrative, judicial, or legislative power of the  
 24 state or a delegated local governmental power.

25           (3) Any entity or office that is subject to:

26               (A) budget review by either the department of local  
 27 government finance or the governing body of a county, city,  
 28 town, township, or school corporation; or

29               (B) an audit by the state board of accounts that is required by  
 30 statute, rule, or regulation.

31           (4) Any building corporation of a political subdivision that issues  
 32 bonds for the purpose of constructing public facilities.

33           (5) Any advisory commission, committee, or body created by  
 34 statute, ordinance, or executive order to advise the governing  
 35 body of a public agency, except medical staffs or the committees  
 36 of any such staff.

37           (6) Any law enforcement agency, which means an agency or a  
 38 department of any level of government that engages in the  
 39 investigation, apprehension, arrest, or prosecution of alleged  
 40 criminal offenders, such as the state police department, the police  
 41 or sheriff's department of a political subdivision, prosecuting  
 42 attorneys, members of the excise police division of the alcohol



1 and tobacco commission, conservation officers of the department  
 2 of natural resources, gaming agents of the Indiana gaming  
 3 commission, gaming control officers of the Indiana gaming  
 4 commission, and the security division of the state lottery  
 5 commission.

6 (7) Any license branch staffed by employees of the bureau of  
 7 motor vehicles commission under IC 9-16.

8 (8) The state lottery commission established by IC 4-30-3-1,  
 9 including any department, division, or office of the commission.

10 (9) The Indiana gaming commission established under IC 4-33,  
 11 including any department, division, or office of the commission.

12 (10) The Indiana horse racing commission established by IC 4-31,  
 13 including any department, division, or office of the commission.

14 ~~(p)~~ **(p)** "Public record" means any writing, paper, report, study, map,  
 15 photograph, book, card, tape recording, or other material that is  
 16 created, received, retained, maintained, or filed by or with a public  
 17 agency and which is generated on paper, paper substitutes,  
 18 photographic media, chemically based media, magnetic or machine  
 19 readable media, electronically stored data, or any other material,  
 20 regardless of form or characteristics.

21 ~~(p)~~ **(q)** "Standard-sized documents" includes all documents that can  
 22 be mechanically reproduced (without mechanical reduction) on paper  
 23 sized eight and one-half (8 1/2) inches by eleven (11) inches or eight  
 24 and one-half (8 1/2) inches by fourteen (14) inches.

25 ~~(q)~~ **(r)** "Trade secret" has the meaning set forth in IC 24-2-3-2.

26 ~~(r)~~ **(s)** "Work product of an attorney" means information compiled  
 27 by an attorney in reasonable anticipation of litigation. The term  
 28 includes the attorney's:

29 (1) notes and statements taken during interviews of prospective  
 30 witnesses; and

31 (2) legal research or records, correspondence, reports, or  
 32 memoranda to the extent that each contains the attorney's  
 33 opinions, theories, or conclusions.

34 This definition does not restrict the application of any exception under  
 35 section 4 of this chapter.

36 SECTION 2. IC 5-14-3-3, AS AMENDED BY P.L.134-2012,  
 37 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2014]: Sec. 3. (a) Any person may inspect and copy the public  
 39 records of any public agency during the regular business hours of the  
 40 agency, except as provided in section 4 of this chapter. A request for  
 41 inspection or copying must:

42 (1) identify with reasonable particularity the record being



- 1 requested; and  
 2 (2) be, at the discretion of the agency, in writing on or in a form  
 3 provided by the agency.  
 4 No request may be denied because the person making the request  
 5 refuses to state the purpose of the request, unless such condition is  
 6 required by other applicable statute.
- 7 (b) A public agency may not deny or interfere with the exercise of  
 8 the right stated in subsection (a). Within a reasonable time after the  
 9 request is received by the agency, the public agency shall either:  
 10 (1) provide the requested copies to the person making the request;  
 11 or  
 12 (2) allow the person to make copies:  
 13 (A) on the agency's equipment; or  
 14 (B) on the person's own equipment.
- 15 (c) Notwithstanding subsections (a) and (b), a public agency may or  
 16 may not do the following:  
 17 (1) In accordance with a contract described in section 3.5 of this  
 18 chapter, permit a person to inspect and copy through the use of  
 19 enhanced access public records containing information owned by  
 20 or entrusted to the public agency.  
 21 (2) Permit a governmental entity to use an electronic device to  
 22 inspect and copy public records containing information owned by  
 23 or entrusted to the public agency.
- 24 (d) Except as provided in subsection (e), a public agency that  
 25 maintains or contracts for the maintenance of public records in an  
 26 electronic data storage system shall make reasonable efforts to provide  
 27 to a person making a request a copy of all disclosable data contained  
 28 in the records on paper, disk, tape, drum, or any other method of  
 29 electronic retrieval if the medium requested is compatible with the  
 30 agency's data storage system. This subsection does not apply to an  
 31 electronic map.
- 32 (e) A state agency may adopt a rule under IC 4-22-2, and a political  
 33 subdivision may enact an ordinance, prescribing the conditions under  
 34 which a person who receives information on disk or tape under  
 35 subsection (d) may or may not use the information for commercial  
 36 purposes, including to sell, advertise, or solicit the purchase of  
 37 merchandise, goods, or services, or sell, loan, give away, or otherwise  
 38 deliver the information obtained by the request to any other person for  
 39 these purposes. Use of information received under subsection (d) in  
 40 connection with the preparation or publication of news, for nonprofit  
 41 activities, or for academic research is not prohibited. A person who  
 42 uses information in a manner contrary to a rule or ordinance adopted



1 under this subsection may be prohibited by the state agency or political  
 2 subdivision from obtaining a copy or any further data under subsection  
 3 (d).

4 (f) Notwithstanding the other provisions of this section, a public  
 5 agency is not required to create or provide copies of lists of names and  
 6 addresses (including electronic mail account addresses) unless the  
 7 public agency is required to publish such lists and disseminate them to  
 8 the public under a statute. However, if a public agency has created a  
 9 list of names and addresses (excluding electronic mail account  
 10 addresses) it must permit a person to inspect and make memoranda  
 11 abstracts from the list unless access to the list is prohibited by law. The  
 12 lists of names and addresses (including electronic mail account  
 13 addresses) described in subdivisions (1) through (3) may not be  
 14 disclosed by public agencies to any individual or entity for political  
 15 purposes and may not be used by any individual or entity for political  
 16 purposes. In addition, the lists of names and addresses (including  
 17 electronic mail account addresses) described in subdivisions (1)  
 18 through (3) may not be disclosed by public agencies to commercial  
 19 entities for commercial purposes and may not be used by commercial  
 20 entities for commercial purposes. The prohibition in this subsection  
 21 against the disclosure of lists for political or commercial purposes  
 22 applies to the following lists of names and addresses (including  
 23 electronic mail account addresses):

24 (1) A list of employees of a public agency.

25 (2) A list of persons attending conferences or meetings at a state  
 26 educational institution or of persons involved in programs or  
 27 activities conducted or supervised by the state educational  
 28 institution.

29 (3) A list of students who are enrolled in a public school  
 30 corporation if the governing body of the public school corporation  
 31 adopts a policy:

32 (A) with respect to disclosure related to a commercial purpose,  
 33 prohibiting the disclosure of the list to commercial entities for  
 34 commercial purposes;

35 (B) with respect to disclosure related to a commercial purpose,  
 36 specifying the classes or categories of commercial entities to  
 37 which the list may not be disclosed or by which the list may  
 38 not be used for commercial purposes; or

39 (C) with respect to disclosure related to a political purpose,  
 40 prohibiting the disclosure of the list to individuals and entities  
 41 for political purposes.

42 A policy adopted under subdivision (3)(A) or (3)(B) must be uniform



1 and may not discriminate among similarly situated commercial entities.  
 2 For purposes of this subsection, "political purposes" means influencing  
 3 the election of a candidate for federal, state, legislative, local, or school  
 4 board office or the outcome of a public question or attempting to solicit  
 5 a contribution to influence the election of a candidate for federal, state,  
 6 legislative, local, or school board office or the outcome of a public  
 7 question.

8 (g) A public agency may not enter into or renew a contract or an  
 9 obligation:

10 (1) for the storage or copying of public records; or

11 (2) that requires the public to obtain a license or pay copyright  
 12 royalties for obtaining the right to inspect and copy the records  
 13 unless otherwise provided by applicable statute;

14 if the contract, obligation, license, or copyright unreasonably impairs  
 15 the right of the public to inspect and copy the agency's public records.

16 (h) If this section conflicts with IC 3-7, the provisions of IC 3-7  
 17 apply.

18 **(i) This subsection applies to a public record that is in an**  
 19 **electronic format. This subsection does not apply to a public record**  
 20 **recorded in the office of the county recorder. The public agency**  
 21 **shall provide an electronic copy or a paper copy, at the option of**  
 22 **the person making the request for a public record. This subsection**  
 23 **does not require a public agency to change the format of a public**  
 24 **record.**

25 SECTION 3. IC 5-14-3-8, AS AMENDED BY P.L.16-2008,  
 26 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2014]: Sec. 8. (a) For the purposes of this section, "state  
 28 agency" has the meaning set forth in IC 4-13-1-1.

29 (b) Except as provided in this section, a public agency may not  
 30 charge any fee under this chapter **for the following:**

31 (1) **For a person** to inspect a public record. ~~or~~

32 (2) **For a person to search for a public record.**

33 (3) **For the public agency to search for a public record, if the**  
 34 **search does not exceed two (2) hours.**

35 ~~(2) (4) For the public agency to search for,~~ examine or review a  
 36 record to determine whether the record may be disclosed.

37 (5) **For the public agency to transmit an electronic copy of a**  
 38 **public record by electronic mail. However, a public agency**  
 39 **may charge a fee for a public record transmitted by electronic**  
 40 **mail if the fee for the public record is authorized under:**

41 (A) subsection (f) or (j); or

42 (B) section 6(c) of this chapter.



1           **(6) For a person (not including a commercial entity) to use a**  
 2           **cellular telephone to copy a public record for a**  
 3           **noncommercial purpose, if the public record contains the**  
 4           **person's name.**

5           (c) The Indiana department of administration shall establish a  
 6           uniform copying fee for the copying of one (1) page of a standard-sized  
 7           document by state agencies. The fee may not exceed the average cost  
 8           of copying records by state agencies or ten cents (\$0.10) per page,  
 9           whichever is greater. A state agency may not collect more than the  
 10          uniform copying fee for providing a copy of a public record. However,  
 11          a state agency shall establish and collect a reasonable fee for copying  
 12          nonstandard-sized documents.

13          (d) This subsection applies to a public agency that is not a state  
 14          agency. The fiscal body (as defined in IC 36-1-2-6) of the public  
 15          agency, or the governing body, if there is no fiscal body, shall establish  
 16          a fee schedule for the certification or copying of documents. The fee for  
 17          certification of documents may not exceed five dollars (\$5) per  
 18          document. The fee for copying documents may not exceed the greater  
 19          of:

- 20               (1) ten cents (\$0.10) per page for copies that are not color copies  
 21               or twenty-five cents (\$0.25) per page for color copies; or  
 22               (2) the actual cost to the agency of copying the document.

23          As used in this subsection, "actual cost" means the cost of paper and  
 24          the per-page cost for use of copying or facsimile equipment and does  
 25          not include labor costs or overhead costs. A fee established under this  
 26          subsection must be uniform throughout the public agency and uniform  
 27          to all purchasers.

28          (e) If:

- 29               (1) a person is entitled to a copy of a public record under this  
 30               chapter; and  
 31               (2) the public agency which is in possession of the record has  
 32               reasonable access to a machine capable of reproducing the public  
 33               record;

34          the public agency must provide at least one (1) copy of the public  
 35          record to the person. However, if a public agency does not have  
 36          reasonable access to a machine capable of reproducing the record or if  
 37          the person cannot reproduce the record by use of enhanced access  
 38          under section 3.5 of this chapter, the person is only entitled to inspect  
 39          and manually transcribe the record. A public agency may require that  
 40          the payment for **search and** copying costs be made in advance.

41          (f) Notwithstanding subsection ~~(b)~~, **(b)(1), (b)(2), (b)(3)**, (c), (d),  
 42          (g), (h), or (i), a public agency shall collect any certification, copying,



1 facsimile machine transmission, or search fee that is specified by  
 2 statute or is ordered by a court. **Notwithstanding subsection (b)(4), a**  
 3 **public agency shall collect any certification or search fee that is**  
 4 **specified by statute or is ordered by a court.**

5 (g) Except as provided by subsection (h), for providing a duplicate  
 6 of a computer tape, computer disc, microfilm, or similar or analogous  
 7 record system containing information owned by the public agency or  
 8 entrusted to it, a public agency may charge a fee, uniform to all  
 9 purchasers, that does not exceed the sum of the following:

10 (1) The agency's direct cost of supplying the information in that  
 11 form.

12 (2) The standard cost for selling the same information to the  
 13 public in the form of a publication if the agency has published the  
 14 information and made the publication available for sale.

15 (3) In the case of the legislative services agency, a reasonable  
 16 percentage of the agency's direct cost of maintaining the system  
 17 in which the information is stored. However, the amount charged  
 18 by the legislative services agency under this subdivision may not  
 19 exceed the sum of the amounts it may charge under subdivisions  
 20 (1) and (2).

21 (h) This subsection applies to the fee charged by a public agency for  
 22 providing enhanced access to a public record. A public agency may  
 23 charge any reasonable fee agreed on in the contract under section 3.5  
 24 of this chapter for providing enhanced access to public records.

25 (i) This subsection applies to the fee charged by a public agency for  
 26 permitting a governmental entity to inspect public records by means of  
 27 an electronic device. A public agency may charge any reasonable fee  
 28 for the inspection of public records under this subsection, or the public  
 29 agency may waive any fee for the inspection.

30 (j) Except as provided in subsection (k), a public agency may charge  
 31 a fee, uniform to all purchasers, for providing an electronic map that is  
 32 based upon a reasonable percentage of the agency's direct cost of  
 33 maintaining, upgrading, and enhancing the electronic map and for the  
 34 direct cost of supplying the electronic map in the form requested by the  
 35 purchaser. If the public agency is within a political subdivision having  
 36 a fiscal body, the fee is subject to the approval of the fiscal body of the  
 37 political subdivision.

38 (k) The fee charged by a public agency under subsection (j) to cover  
 39 costs for maintaining, upgrading, and enhancing an electronic map may  
 40 be waived by the public agency if the electronic map for which the fee  
 41 is charged will be used for a noncommercial purpose, including the  
 42 following:



1           (1) Public agency program support.  
2           (2) Nonprofit activities.  
3           (3) Journalism.  
4           (4) Academic research.  
5           **(i) This subsection applies to a public agency that charges a fee**  
6 **for the public agency to search for a public record. A public agency**  
7 **may not charge a fee for the first two (2) hours required to search**  
8 **for a record. A public agency may charge a search fee for any time**  
9 **in excess of two (2) hours. If the public agency charges a search fee,**  
10 **the agency shall charge an hourly fee that does not exceed the**  
11 **lesser of:**  
12           **(1) the hourly rate of the person making the search; or**  
13           **(2) twenty dollars (\$20) per hour.**  
14 **A public agency charging an hourly fee under this subsection for**  
15 **searching for a record may charge only for time that the person**  
16 **making the search actually spends in searching for the record. A**  
17 **public agency may not charge for computer processing time, and**  
18 **may not establish a minimum fee for searching for a record. A**  
19 **public agency must make a good faith effort to complete a search**  
20 **for a record within a reasonable time in order to minimize the**  
21 **amount of a search fee. The fee shall be prorated to reflect any**  
22 **search time of less than one (1) hour. If a fee is charged by a public**  
23 **agency under subsection (g), (h), (i), or (j) for a public record, the**  
24 **public agency may not charge a fee for searching for the record**  
25 **under this subsection. A search fee collected by a department, an**  
26 **agency, or an office of a county, city, town, or township shall be**  
27 **deposited in the general fund of the county, city, town, or township.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1306, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1306 as introduced.)

Committee Vote: Yeas 11, Nays 0

Representative Mahan

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COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred House Bill No. 1306, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 7, between lines 41 and 42, begin a new line block indented and insert:

**"(5) A copy of a public record that is made with a cellular telephone:**

**(A) by a noncommercial entity; and**

**(B) for a noncommercial purpose;**

**if the public record contains the noncommercial entity's name."**

and when so amended that said bill do pass.

(Reference is to HB 1306 as printed January 28, 2014.)

HEAD, Chairperson

Committee Vote: Yeas 7, Nays 3.



## SENATE MOTION

Madam President: I move that Engrossed House Bill 1306 be amended to read as follows:

Page 7, line 31, delete "To" and insert "**For a person to**".

Page 7, delete lines 32 through 33, begin a new line block indented and insert:

**"(2) For a person to search for a public record.**

**(3) For the public agency to search for a public record, if the search does not exceed two (2) hours."**

Page 7, line 34, delete "(3) To" and insert "**(4) For the public agency to**".

Page 7, delete lines 36 through 42, begin a new line block indented and insert:

**"(5) For the public agency to transmit an electronic copy of a public record by electronic mail. However, a public agency may charge a fee for a public record transmitted by electronic mail if the fee for the public record is authorized under:**

**(A) subsection (f) or (j); or**

**(B) section 6(c) of this chapter.**

**(6) For a person (not including a commercial entity) to use a cellular telephone to copy a public record for a noncommercial purpose, if the public record contains the person's name."**

Page 8, delete lines 1 through 5.

Page 10, line 6, after "(1)" insert "**This subsection applies to a public agency that charges a fee for the public agency to search for a public record."**

(Reference is to EHB 1306 as printed February 21, 2014.)

HOLDMAN



SENATE MOTION

Madam President: I move that Engrossed House Bill 1306 be amended to read as follows:

Page 10, line 24, after "subsection." insert "**A search fee collected by a department, an agency, or an office of a county, city, town, or township shall be deposited in the general fund of the county, city, town, or township.**".

(Reference is to EHB 1306 as printed February 21, 2014.)

SMITH J

