

9TH SENATORIAL DISTRICT
DOMINIC PILEGGI

The Majority Leader

□ THE STATE CAPITOL
HARRISBURG, PA 17120-3009
PHONE (717) 787-4712
FAX (717) 783-7490

□ 100 EVERGREEN DRIVE
SUITE 113
GLEN MILLS, PA 19342
PHONE (610) 358-5183
FAX (610) 358-5184

□ 631 W. BALTIMORE PIKE
WEST GROVE, PA 19390
PHONE (610) 345-1084
FAX (610) 345-1087

□ 415 AVENUE OF THE STATES
CHESTER, PA 19013
PHONE (610) 447-5845
FAX (610) 447-5848

www.senatorpileggi.com

dpileggi@pasen.gov


TOLL FREE 1-888-9TH-DIST



Senate of Pennsylvania

December 1, 2010

TO: All Senators

FROM: Senator Dominic Pileggi 

RE: Co-sponsorship of Open Records Amendments

Pennsylvania's new Right-to-Know Law has now been in effect for two years. A number of issues have come to light which I believe should be addressed.

I plan to introduce legislation which will include some - but not all - of the provisions included in Senate Bill 1469 of the 2009-10 legislative session.

My intent is to introduce a bill with only the amendments detailed below, then hold at least one public hearing on the Right-to-Know Law generally so that every interested party has a chance to offer comments and suggestions to improve the law.

The legislation I introduce will make the following amendments to the Right-to-Know Law:

- Conform the definitions of "state-affiliated entity" and "independent agency" to other existing statutes. Language will be included to ensure that this change has no practical impact on the application of the Open Records Law (i.e., all agencies currently covered by the law will continue to be covered). This is designed to eliminate some confusion caused by cross-references in other statutes.
- Allow requests to be made to the head of an agency (e.g., a department secretary) in addition to an agency's open-records officer.

- Add an exception for an agency's bank account numbers, bank routing numbers, credit card numbers or passwords.
- Change the time frame for responses depending on how the original request was submitted. In most cases, the existing five-day response time remains in effect. For requests submitted by postal mail, agencies will have 10 days from the postmark date to provide a response.
- Make changes to the time frame for the appeal process, reflecting the real-world experience of the Office of Open Records (OOR) over the past two years, and allowing the appeals officer to extend the deadline for a response by 15 days. This will provide the OOR with the flexibility to have some additional time for more complicated appeals when necessary.
- Allow access to records to be provided by an agency at a reasonable, specific time if the request is voluminous, or requires records to be retrieved from a remote location.
- Clarify that certain tax forms (e.g., federal Form W-2) are "personal financial information" and thus exempt from disclosure.
- Clarify that if a public record exists in a specific computer file format, the agency must provide the record in that format upon request.

If you would like to cosponsor this legislation, please contact Michelle Kreiger at 787-4712 or mkreiger@pasen.gov.

DP/ea/nt