
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 55

Session of
2001

INTRODUCED BY BELL, JANUARY 22, 2001

REFERRED TO STATE GOVERNMENT, JANUARY 22, 2001

AN ACT

1 Requiring certain tourism agencies to make their records open
2 for public inspection and copying; and providing for a right
3 of action.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Tourism
8 Agency Open Records Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Record." Any account, voucher or contract dealing with the
14 receipt or disbursement of funds by a tourism agency or its
15 acquisition, use or disposal of services or of supplies,
16 materials, equipment or other property and any minute, order or
17 decision by a tourism agency fixing the personal or property
18 rights, privileges, immunities, duties or obligations of any

1 person or group of persons. The term does not include any
2 record, document, material, exhibit, pleading, report,
3 memorandum or other paper, access to or the publication of which
4 is prohibited, restricted or forbidden by statute or order or
5 decree of court, or which would operate to the prejudice or
6 impairment of a person's reputation or personal security,
7 excepting therefrom however the record of any conviction for any
8 criminal act. The term includes expense reports of the officers,
9 employees or delegated representatives of the tourism agency.

10 "Tourism agency." A State, county, city or municipal tourism
11 promotion or information agency which receives any form of
12 public moneys, whether in the form of a grant, loan or
13 appropriation from any public source.

14 Section 3. Accessibility of records.

15 Every record of a tourism agency shall, at reasonable times,
16 be open for examination and inspection by any resident of this
17 Commonwealth.

18 Section 4. Copying authorized.

19 A resident of this Commonwealth may take extracts or make
20 copies of records and may make photographs or photostats of the
21 same while these records are in the possession, custody and
22 control of the lawful custodian thereof or his authorized
23 deputy. The lawful custodian of these records may adopt and
24 enforce reasonable rules governing the making of extracts,
25 copies, photographs or photostats.

26 Section 5. Right of action.

27 A resident of this Commonwealth who is denied any right
28 granted to that resident under this act may bring a cause of
29 action to enforce compliance with this act. If the court
30 determines that the denial was not for just and proper cause

1 under this act, it may enter an order for disclosure as it may
2 deem proper.

3 Section 6. Effective date.

4 This act shall take effect in 60 days.