

Subject: RE: KORA Request (KY-AG-21-1432)
Date: Friday, October 15, 2021 at 4:00:10 PM Eastern Daylight Time
From: English, Chaz (KYOAG) on behalf of KYOAG Open Records
To: AO Records
Attachments: image001.png, image002.png, image003.png, KY-AG-21-1432.pdf

EXTERNAL SENDER

Dear Ms. Shaw:

On October 14, 2021, the Office of the Attorney General received your open records request, which is attached for reference. This letter shall constitute the Office's response to your request pursuant to the Kentucky Open Records Act, KRS 61.870 to 61.884.

The 2021 General Assembly passed House Bill 312, which made several important changes to the Open Records Act. Now, only residents of the Commonwealth may request to inspect public records. *See* KRS 61.872(2)(a). Under KRS 61.878(10), a "resident" is (a) an individual residing in the Commonwealth; (b) a domestic business entity with a location in the Commonwealth; (c) a foreign business entity registered with the Kentucky Secretary of State; (d) an individual that is employed and works at a location within the Commonwealth; (e) an individual or business entity that owns real property within the Commonwealth; (f) an individual or business entity that has been authorized to act on behalf of an individual or business entity listed above; or (g) a news-gathering organization as defined in KRS 189.635(8)(b)1a. to e.

A public agency may deny a request to inspect records that does not include a statement that the person making the request is a resident of the Commonwealth. *See* KRS 61.872(2). The Office requests that you re-submit your request with a statement of residency.

If you wish to appeal this decision, you may do so by filing a complaint with the Attorney General's Office, Open Records/Open Meetings Division, The Capitol, 700 Capital Avenue, Suite 118, Frankfort, KY 40601, pursuant to KRS 61.880(2), or by filing an original civil action in the appropriate circuit court under KRS 61.882. If you first appeal to the Attorney General but are dissatisfied with the Attorney General's decision, you may further appeal to circuit court pursuant to KRS 61.880(5).

Sincerely,



Charles A. English

Assistant Attorney General | Office of Civil & Environmental Law
Office of the Kentucky Attorney General
700 Capital Avenue | Suite 118 | Frankfort, Kentucky 40601
(502) 696-5340 | Chaz.English@ky.gov

Follow the Attorney General's Office @KYOAG  

From: AO Records <records@americanoversight.org>
Sent: Thursday, October 14, 2021 3:22 PM
To: KYOAG Open Records <KYOAGOR@ky.gov>
Subject: KORA Request (KY-AG-21-1432)

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Dear Records Custodian:

Please find attached a request for records under the Kentucky Open Records Act.

Sincerely,

--

Sarah Wishingrad

Pronouns: she/her

Paralegal

American Oversight

records@americanoversight.org

www.americanoversight.org | @weareoversight

KORA: KY-AG-21-1432