

LEGISLATIVE COUNSEL COMMITTEE	Policy and Administrative Procedure Manual
Section: Administrative, Legal and Publication Services	
Subject: Claiming In-Session Exemption for Public Records Requests	Number: 142-113
Approved by: Legislative Counsel Committee	Date: 9-24-18

Purpose: To establish policies and procedures by which the legislature claims the in-session exemption.

Policy: Legislative Counsel will follow these procedures when the same or similar requests are made to more than one of the legislative bodies, members or employees during session and the requests are combined consistent with the procedures established in Legislative Counsel Committee Policy 142-109.

Legislative Counsel will analyze the request and estimate the amount of time required to comply with the request. Legislative Counsel will then notify each legislative body or member that receives a request of the estimated time necessary to comply with their portion of the total request and will ask each of them if they would like to waive the in-session exemption. If a legislative body or member does not affirmatively waive the exemption within 24 hours, Legislative Counsel will notify the requester that the in-session exemption applies and that the public records request has been closed. Otherwise, Legislative Counsel will notify the requester that the in-session exemption has been waived and will proceed with the request.

If Legislative Counsel receives an additional public records request during the same session from the same or a related entity, and the additional request is substantially the same as a request for which the in-session exemption has been claimed, Legislative Counsel may, at its discretion, inform the requester that the in-session exemption applies to the subsequent request and close the request without taking any further action.