

SECOND REGULAR SESSION

# HOUSE BILL NO. 1142

91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE HOSMER.

Pre-filed December 5, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2563L.011

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## AN ACT

To amend chapter 386, RSMo, by adding thereto one new section relating to protective orders for municipal utilities.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 386, RSMo, is amended by adding thereto one new section, to be known as section 386.485, to read as follows:

**386.485. Notwithstanding any other law to the contrary, no public record or other information furnished to the commission by a municipal utility, except such matters as are specifically required to be open to public inspection by the provisions of this chapter or chapter 610, RSMo, shall be open to public inspection or made public except on order of the commission, or by the commission or a commissioner in the course of a hearing or proceeding. A municipal utility receiving a request from the commission or from any person, corporation, or other legal entity for a public record or other information considered by the municipal utility to be proprietary, highly confidential, or critical to the security of the utility, or for a public record or information that would compromise the security of the utility system, may within three business days of the request file a motion with the commission for the issuance of a protective order. A copy of the motion for protective order shall be served on the party making the public records request at the time of the filing of the motion and within ten days after service of such motion, the requesting party may file a response challenging the request for the protective order. Within thirty days after receipt of the motion for protective order the commission shall review the request and any response and issue a written order granting or denying the motion.**