

Subpart 2-Administrative Rules
Chapter 01 Public Records Request Procedure

Scope

100 The following regulations are hereby adopted by the Mississippi Department of Agriculture and Commerce (“Department”), pursuant to the Mississippi Public Records Act of 1983 (“Act”), *Mississippi Code Annotated* Sections 25-61-1 *et seq.*

(Amended April 28, 2023.)

Source: *Miss. Code Ann.* §25-61-1 *et seq.*

Schedule of Fees

101 Personnel. Staff time shall be charged as the actual time for costs associated with searching, reviewing and/or duplicating, and, if applicable, mailing copies of public records. Any staff time included in the actual cost shall be at the pay scale of the lowest level employee or contractor competent and available to respond to such request. A cost estimate will be provided to the requestor.

(Amended April 28, 2023.)

Source: *Miss. Code Ann.* §25-61-1 *et seq.*

102 Copies. Copies will be charged at the rate of \$.15 per page for each copy.

(Amended April 28, 2023.)

Source: *Miss. Code Ann.* §25-61-1 *et seq.*

103 REPEAL

104 Mailing fee. The actual cost for mailing such records, if applicable, shall be calculated at the applicable rate for each such mailing.

(Amended April 28, 2023.)

Source: *Miss. Code Ann.* §25-61-1 *et seq.*

105 Payment of fees. Requestor shall send a check to the Department for the estimated costs of answering the request. However, if actual costs exceed the estimated costs, the additional costs shall be paid by the person requesting such records prior to the release of the records.

(Amended April 28, 2023.)

Source: *Miss. Code Ann.* §25-61-1 *et seq.*

106 REPEAL

107 Where to Send Requests. All requests must be mailed, delivered or transmitted electronically to the Department. Oral and telephone requests will not be accepted.
(Amended April 28, 2023.)

Source: *Miss. Code Ann. §25-61-1 et seq.*

108 Written Request Required. Each request must be in the form of a letter addressed to the Department. All requests must include a specific description, identity and name of the records requested.
(Amended April 28, 2023.)

Source: *Miss. Code Ann. §25-61-1 et seq.*

109 Name, Address and Signature of Requestor. Each request must include the full name, telephone number, and mailing address of the requestor.
(Amended April 28, 2023.)

Source: *Miss. Code Ann. §25-61-1 et seq.*

110 Department Response. As provided in *Mississippi Code Annotated* Section 25-61-5, all public records in the possession of the Department not specifically exempt by the Act, or this Regulation, shall be made available upon written request within seven (7) working days from the date of receipt of said request. If the Department is unable to produce the record by the seventh working day, it will provide a written explanation to the requestor. If the request is denied, the Department will notify the requestor in writing that the request is denied and provide the specific reason for the denial.
(Amended June 8, 2010; Amended April 28, 2023.)

Source: *Miss. Code Ann. §25-61-1 et seq.*

111 REPEAL

112 REPEAL