

TOWN OF PARKER
1314 11th Street
Parker, Arizona 85344
(928) 669-9265 Fax (928) 669-5247

CITIZEN REQUEST FOR PUBLIC RECORD

CITIZEN INFORMATION

Name: _____ Phone No: _____

Address: _____

Business/Company Representing: _____

Address: _____ Phone No: _____

CITIZEN REQUEST

Public Record Requested: _____

Number of Copies Requested: _____ COPIES ARE _____ PER PAGE

Reason for Request: _____

I declare that I have read A.R.S. § 39-121.03 which appears on the reverse side of this document. I declare under penalty of perjury that the foregoing is true and correct.

Date

Citizen Signature

OFFICE USE ONLY

Title of Public Record: _____

Number of Pages: _____ Number of Copies: _____

Date given/mailed to citizen: _____ Staff Initials: _____

39-121.03 Request for copies, printouts or photographs; statement of purpose; commercial purpose as abuse of public record; determination by governor; civil penalty; definition

- A. A person requesting copies, printouts or photographs of public records for a commercial purpose shall, upon making such a request, provide a certified statement setting forth the commercial purpose for which the copies, printouts or photographs will be used. Upon being furnished the verified statement the custodian of such records may furnish reproductions, the charge for which shall include the following:
1. A portion of the cost to the state for obtaining the original or copies of the documents, printouts or photographs.
 2. A reasonable fee for the cost of time, equipment and personnel in producing such reproduction.
 3. The value of the reproduction on the commercial market.
- B. If the custodian of a public record determines that the commercial purpose stated in the verified statement is a misuse of public records or is an abuse of the right to receive public records, the custodian may apply to the governor requesting that the governor by executive order prohibit the furnishing of copies, printouts or photographs for such commercial purpose. The governor, upon application from a custodian of public records, shall determine whether the commercial purpose is a misuse or an abuse of the public record. If the governor determines that the public record shall not be provided for such commercial purpose he shall issue an executive order prohibiting the providing of such public records for such commercial purpose. If no order is issued within thirty days of the date of application, the custodian of public records shall provide such copies, printouts or photographs upon being paid the fee determined pursuant to subsection A of this section.
- C. A person who obtains public record for a commercial purpose without indicating the commercial purpose or who obtains a public record for a noncommercial purpose and uses or knowingly allows the use of such public record for a commercial purpose or who obtains a public record for a commercial purpose and uses or knowingly allows the use of such public record for a different commercial purpose or who obtains a public record from anyone other than the custodian of such records and uses them for a commercial purpose shall in addition to other penalties be liable to the state or the political subdivision for the amount of three times the actual damages if it can be shown that the public record would not have been provided had the commercial purpose of actual use been stated at the time of obtaining the records.
- D. As used in this section "commercial purpose" means the use of a public record for the purpose of sale or resale or for the purpose of producing a document containing all or part of the copy, printout or photograph for sale or the obtaining of names and addresses from such public records for the purpose of solicitation or the sale of such names and addresses to another for the purpose of solicitation or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of such public record. Commercial purpose does not mean the use of a public record as evidence or as research for evidence in an action in a judicial or quasi-judicial body of this state or a political subdivision of this state.
Added by Laws 1977, Ch. 54, 3, eff. May 17, 1977. Amended by Laws 1985, Ch 213, 4.

Historical and Statutory Notes

The 1985 amendment deleted former subsec. A which read:

"A. A person requesting copies, printouts or photographs of public records for a non-commercial purpose shall provide a verified statement that the reproductions will not be used for a commercial purpose. The custodian of records shall furnish copies, printouts or photographs for a reasonable fee, not exceeding a commercial rate for like service."

The 1985 amendment also redesignated former subsecs. B through E as subsecs. A to D; inserted, in the second sentence of subsec. B, "a misuse or" following "the commercial purpose is"; and substituted "A" for "B" following "pursuant to subsection" in the last sentence of subsec. B; inserted, in subsec. C, " or the political subdivision" following "liable to the state"; added, to subsec. D, the last sentence; and made grammatical changes throughout the section.