DRAFT ONLY NOT APPROVED FOR INTRODUCTION

HOUSE BILL NO. [BILL NUMBER]

Research and wildlife information-confidentiality.

Sponsored by: Joint Travel, Recreation, Wildlife & Cultural Resources Interim Committee

A BILL

- for

 1 AN ACT relating to public records; limiting public

 2 inspection of details of confidential research projects,

 3 sensitive wildlife location data and geospatial information

 4 related to wildlife as specified; and providing for an

 5 effective date.

 6

 7 Be It Enacted by the Legislature of the State of Wyoming:

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- 9 **Section 1.** W.S. 16-4-203(b)(iii), by creating a new 10 paragraph (viii) and (d)(v) is amended to read:

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0.4

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        16-4-203. Right of inspection; grounds for denial;
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    access of news media; order permitting or restricting
 3
    disclosure; exceptions.
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5
             The custodian may deny the right of inspection of
    the following records, unless otherwise provided by law, on
    the ground that disclosure to the applicant would be
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    contrary to the public interest:
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             (iii) The specific confidential details of bona
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    fide
          research projects being conducted by a
    institution or agency;
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                          STAFF COMMENT
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    The Committee may wish to consider unintended consequences
    of adding "confidential" to the above paragraph. "'Public
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    records' when not otherwise specified includes any
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    information in a physical form created, accepted, or
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    obtained by the state or any agency, institution or
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    political subdivision of the state in furtherance of its
    official function and transaction of public business which
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    is not privileged or confidential by law." W.S. 16-4-
    201(a)(v)(emphasis added). If the details of a bona fide
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    research project were confidential by law, would the
    details even be considered a public record subject to the
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    Act and if not, what is the effect of this paragraph?
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             (viii) Sensitive wildlife location data in the
    custody of the game and fish department which could be used
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1	to determine the specific location of an individual animal
2	or a group of animals.
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4	(d) The custodian shall deny the right of inspection
5	of the following records, unless otherwise provided by law:
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7	(v) Trade secrets, privileged information and
8	confidential commercial, financial, geological, geospatial
9	information related to wildlife or geophysical data
10	furnished by or obtained from any person;
11 12 13 14 15 16 17 18 19 20 21	**************************************
23	(END)