

**Title 20—DEPARTMENT OF  
COMMERCE AND INSURANCE  
Division 2245—Real Estate Appraisers  
Chapter 2—General Rules**

**PROPOSED AMENDMENT**

**20 CSR 2245-2.030 Records.** The commission is deleting sections (4) and (5).

*PURPOSE: This regulation is being amended to update how record requests are handled.*

*[(4) Responding to Requests for Access.*

- (A) Whenever a request for access to public records is made and the custodian is uncertain whether or not that access is required under the provisions of Chapter 610, RSMo, the custodian shall consult with the Office of the Attorney General before making a determination whether to deny access to records. In the event that contact by the custodian with the Office of the Attorney General is not practicable or is impossible, the custodian may make a decision to deny access pending consultation with the attorney general's office and within three (3) days shall give this reason for delay to the person requesting the information. However, in those circumstances, the custodian shall consult with the Office of the Attorney General concerning the decision within five (5) working days of the decision.*
- (B) Whenever a decision is made to deny access, the custodian will comply with the requirements in section 610.023, RSMo concerning informing the individual requesting access to the records of the grounds for denial of the request.*
- (C) Whenever the custodian denies access to the records and the person requesting access requests in writing that the request and denial be reviewed by the commission, the custodian shall supply to members of the commission copies of the written response where the denial was conveyed to the requesting individual. At the next meeting of the commission, the commission shall either affirm the decision of the custodian or reverse the decision of the custodian. In the event that the commission decides to reverse the decision of the custodian, the commission shall direct the custodian to so advise the person requesting access to the information and supply the access to the information during regular business hours.*
- (D) Whenever document access, which access may be granted or denied in the discretion of the commission, is requested and the custodian is not certain of the position of the commission regarding the request, the custodian shall inform the person requesting access that the request is denied pending review of the request by the commission at the next meeting.*

*(5) The custodian shall maintain a file in which is retained, for a period of at least two (2) years, copies of all written requests for access to records and responses to those requests. The file shall be maintained as a public record of the commission open for*

*inspection by any member of the general public during regular business hours.]*

*AUTHORITY: section 339.509, RSMo 2016.\* This rule originally filed as 4 CSR 245-2.030. Emergency rule filed Dec. 6, 1990, effective Dec. 16, 1990, expired April 14, 1991. Emergency rule filed April 4, 1991, effective April 14, 1991, expired Aug. 11, 1991. Original rule filed Jan. 3, 1991, effective April 29, 1991. Moved to 20 CSR 2245-2.030, effective Aug. 28, 2006. Amended: Filed April 6, 2018, effective Oct. 30, 2018. Amended: filed August 17, 2022.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Real Estate Appraisers Commission, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489 or via email at [reacom@pr.mo.gov](mailto:reacom@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*