

# HOUSE BILL No. 1311

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-14-3.

**Synopsis:** Obtaining copies of recorded documents. Prohibits a person from using the person's own equipment to copy a recorded document. Specifies that a county recorder is required to charge the fees in the county recorder's statutes for copying documents.

**Effective:** July 1, 2026.

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**Meltzer**

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January 6, 2026, read first time and referred to Committee on Local Government.

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Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

## HOUSE BILL No. 1311

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 5-14-3-3, AS AMENDED BY P.L.64-2023,  
2       SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2026]: Sec. 3. (a) Any person may inspect and copy the public  
4       records of any public agency during the regular business hours of the  
5       agency, except as provided in section 4 of this chapter. A request for  
6       inspection or copying must:  
7       (1) identify with reasonable particularity the record being  
8       requested; and  
9       (2) be, at the discretion of the agency, in writing on or in a form  
10      provided by the agency.  
11      No request may be denied because the person making the request  
12      refuses to state the purpose of the request, unless such condition is  
13      required by other applicable statute. If a request is for inspection or  
14      copying of a law enforcement recording, the request must provide the  
15      information required under subsection (i).  
16      (b) A public agency may not deny or interfere with the exercise of  
17      the right stated in subsection (a). If the public agency does not deny the



request, within a reasonable time after the request is received by the agency the public agency shall ~~either:~~ **do one (1) of the following:**

(1) Provide the requested copies to the person making the request.

~~or~~

(2) Allow the person to make copies ~~(A)~~ on the agency's equipment. ~~or~~

~~(B)~~ **(3) Allow the person to make copies** on the person's own equipment. **However, a person may not make copies of a document recorded in the office of the county recorder using the person's own equipment.**

(c) Notwithstanding subsections (a) and (b), a public agency may or may not do the following:

(1) In accordance with a contract described in section 3.5 of this chapter, permit a person to inspect and copy through the use of enhanced access public records containing information owned by or entrusted to the public agency.

(2) Permit a governmental entity to use an electronic device to inspect and copy public records containing information owned by or entrusted to the public agency.

(d) Except as provided in subsection (e) and subject to subsection (j), a public agency that maintains or contracts for the maintenance of public records in an electronic data storage system shall make reasonable efforts to provide to a person making a request a copy of all disclosable data contained in the records on paper, disk, tape, drum, or any other method of electronic retrieval if the medium requested is compatible with the agency's data storage system. This subsection does not apply to an electronic map.

(e) A state agency may adopt a rule under IC 4-22-2, and a political subdivision may enact an ordinance, prescribing the conditions under which a person who receives information on disk or tape under subsection (d) may or may not use the information for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by the request to any other person for these purposes. Use of information received under subsection (d) in connection with the preparation or publication of news, for nonprofit activities, or for academic research is not prohibited. A person who uses information in a manner contrary to a rule or ordinance adopted under this subsection may be prohibited by the state agency or political subdivision from obtaining a copy or any further data under subsection (d).

(f) Notwithstanding the other provisions of this section, a public



agency is not required to create or provide copies of lists of names and addresses (including electronic mail account addresses) unless the public agency is required to publish such lists and disseminate them to the public under a statute. However, if a public agency has created a list of names and addresses (excluding electronic mail account addresses), it must permit a person to inspect and make memoranda abstracts from the list unless access to the list is prohibited by law. The lists of names and addresses (including electronic mail account addresses) described in subdivisions (1) through (3) may not be disclosed by public agencies to any individual or entity for political purposes and may not be used by any individual or entity for political purposes. In addition, the lists of names and addresses (including electronic mail account addresses) described in subdivisions (1) through (3) may not be disclosed by public agencies to commercial entities for commercial purposes and may not be used by commercial entities for commercial purposes. The prohibition in this subsection against the disclosure of lists for political or commercial purposes applies to the following lists of names and addresses (including electronic mail account addresses):

- (1) A list of employees of a public agency.
- (2) A list of persons attending conferences or meetings at a state educational institution or of persons involved in programs or activities conducted or supervised by the state educational institution.
- (3) A list of students who are enrolled in a public school corporation if the governing body of the public school corporation adopts a policy:
  - (A) with respect to disclosure related to a commercial purpose, prohibiting the disclosure of the list to commercial entities for commercial purposes;
  - (B) with respect to disclosure related to a commercial purpose, specifying the classes or categories of commercial entities to which the list may not be disclosed or by which the list may not be used for commercial purposes; or
  - (C) with respect to disclosure related to a political purpose, prohibiting the disclosure of the list to individuals and entities for political purposes.

A policy adopted under subdivision (3)(A) or (3)(B) must be uniform and may not discriminate among similarly situated commercial entities. For purposes of this subsection, "political purposes" means influencing the election of a candidate for federal, state, legislative, local, or school board office or the outcome of a public question or attempting to solicit



a contribution to influence the election of a candidate for federal, state, legislative, local, or school board office or the outcome of a public question.

(g) A public agency may not enter into or renew a contract or an obligation:

- (1) for the storage or copying of public records; or
- (2) that requires the public to obtain a license or pay copyright royalties for obtaining the right to inspect and copy the records unless otherwise provided by applicable statute;

if the contract, obligation, license, or copyright unreasonably impairs the right of the public to inspect and copy the agency's public records.

(h) If this section conflicts with IC 3-7, the provisions of IC 3-7 apply.

(i) A request to inspect or copy a law enforcement recording must be in writing. A request identifies a law enforcement recording with reasonable particularity as required by this section only if the request provides the following information regarding the law enforcement activity depicted in the recording:

- (1) The date and approximate time of the law enforcement activity.
- (2) The specific location where the law enforcement activity occurred.
- (3) The name of at least one (1) individual, other than a law enforcement officer, who was directly involved in the law enforcement activity.

(j) This subsection applies to a public record that is in an electronic format. This subsection does not apply to a public record recorded in the office of the county recorder. A public agency shall provide an electronic copy or a paper copy of a public record, at the option of the person making the request for the public record. This subsection does not require a public agency to change the format of a public record.

SECTION 2. IC 5-14-3-8, AS AMENDED BY P.L.287-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) For the purposes of this section, "state agency" has the meaning set forth in IC 4-13-1-1.

(b) Except as provided in this section, a public agency may not charge any fee under this chapter for the following:

- (1) To inspect a public record.
- (2) This subdivision applies only to a school corporation and a charter school. This subdivision does not apply to a request for a search by an exclusive representative (as defined in IC 20-29-2-9). To search for a record that is in an electronic



format, if the search does not exceed five (5) hours.

(3) Subject to subdivision (2), to search for, examine, or review a record to determine whether the record may be disclosed.

(4) To provide an electronic copy of a public record by electronic mail. However, a public agency may charge a fee for a public record transmitted by electronic mail if the fee for the public record is authorized under:

(A) subsection (f) or (j);

(B) section 6(c) of this chapter; or

(C) IC 36-2-7-10 or IC 36-2-7-10.1 concerning records of the county recorder.

(c) The Indiana department of administration shall establish a uniform copying fee for the copying of one (1) page of a standard-sized document by state agencies. The fee may not exceed the average cost of copying records by state agencies or ten cents (\$0.10) per page, whichever is greater. A state agency may not collect more than the uniform copying fee for providing a copy of a public record. However, a state agency shall establish and collect a reasonable fee for copying nonstandard-sized documents.

(d) This subsection applies to a public agency that is not a state agency. The fiscal body (as defined in IC 36-1-2-6) of the public agency, or the governing body, if there is no fiscal body, shall establish a fee schedule for the certification or copying of documents. The fee for certification of documents may not exceed five dollars (\$5) per document. The fee for copying documents may not exceed the greater of:

(1) ten cents (\$0.10) per page for copies that are not color copies or twenty-five cents (\$0.25) per page for color copies; or

(2) the actual cost to the agency of copying the document.

As used in this subsection, "actual cost" means the cost of paper and the per-page cost for use of copying or facsimile equipment and does not include labor costs or overhead costs. A fee established under this subsection must be uniform throughout the public agency and uniform to all purchasers.

(e) If:

(1) a person is entitled to a copy of a public record under this chapter; and

(2) the public agency which is in possession of the record has reasonable access to a machine capable of reproducing the public record;

the public agency must provide at least one (1) copy of the public record to the person. However, if a public agency does not have



1 reasonable access to a machine capable of reproducing the record or if  
 2 the person cannot reproduce the record by use of enhanced access  
 3 under section 3.5 of this chapter, the person is only entitled to inspect  
 4 and manually transcribe the record. A public agency may require that  
 5 the payment for search and copying costs be made in advance.

6 (f) Notwithstanding subsection (b), (c), (d), (g), (h), or (i), a public  
 7 agency shall collect any certification, copying, facsimile machine  
 8 transmission, or search fee that is specified by statute or is ordered by  
 9 a court.

10 (g) Except as provided by subsection (h), for providing a duplicate  
 11 of a computer tape, computer disc, microfilm, law enforcement  
 12 recording, or similar or analogous record system containing  
 13 information owned by the public agency or entrusted to it, a public  
 14 agency may charge a fee, uniform to all purchasers, that does not  
 15 exceed the sum of the following:

16 (1) The agency's direct cost of supplying the information in that  
 17 form. However, the fee for a copy of a law enforcement recording  
 18 may not exceed one hundred fifty dollars (\$150).

19 (2) The standard cost for selling the same information to the  
 20 public in the form of a publication if the agency has published the  
 21 information and made the publication available for sale.

22 (3) In the case of the legislative services agency, a reasonable  
 23 percentage of the agency's direct cost of maintaining the system  
 24 in which the information is stored. However, the amount charged  
 25 by the legislative services agency under this subdivision may not  
 26 exceed the sum of the amounts it may charge under subdivisions  
 27 (1) and (2).

28 (h) This subsection applies to the fee charged by a public agency for  
 29 providing enhanced access to a public record. A public agency may  
 30 charge any reasonable fee agreed on in the contract under section 3.5  
 31 of this chapter for providing enhanced access to public records.

32 (i) This subsection applies to the fee charged by a public agency for  
 33 permitting a governmental entity to inspect public records by means of  
 34 an electronic device. A public agency may charge any reasonable fee  
 35 for the inspection of public records under this subsection, or the public  
 36 agency may waive any fee for the inspection.

37 (j) Except as provided in subsection (k), a public agency may charge  
 38 a fee, uniform to all purchasers, for providing an electronic map that is  
 39 based upon a reasonable percentage of the agency's direct cost of  
 40 maintaining, upgrading, and enhancing the electronic map and for the  
 41 direct cost of supplying the electronic map in the form requested by the  
 42 purchaser. If the public agency is within a political subdivision having



1 a fiscal body, the fee is subject to the approval of the fiscal body of the  
2 political subdivision.

3 (k) The fee charged by a public agency under subsection (j) to cover  
4 costs for maintaining, upgrading, and enhancing an electronic map may  
5 be waived by the public agency if the electronic map for which the fee  
6 is charged will be used for a noncommercial purpose, including the  
7 following:

8 (1) Public agency program support.

9 (2) Nonprofit activities.

10 (3) Journalism.

11 (4) Academic research.

12 (l) This subsection does not apply to a state agency. A fee collected  
13 under subsection (g) for the copying of a law enforcement recording  
14 may be:

15 (1) retained by the public agency; and

16 (2) used without appropriation for one (1) or more of the  
17 following purposes:

18 (A) To purchase cameras and other equipment for use in  
19 connection with the agency's law enforcement recording  
20 program.

21 (B) For training concerning law enforcement recording.

22 (C) To defray the expenses of storing, producing, and copying  
23 law enforcement recordings.

24 Money from a fee described in this subsection does not revert to the  
25 local general fund at the end of a fiscal year.

26 (m) This subsection applies to a school corporation and a charter  
27 school. For purposes of this subsection, "computer processing time"  
28 means the amount of time a computer takes to process a command or  
29 script to extract or copy electronically stored data that is the subject of  
30 a public records request. A school corporation or charter school may  
31 not charge a fee for the first five (5) hours required to search for  
32 records that are in an electronic format. A school corporation or charter  
33 school may charge a search fee for any time spent searching for records  
34 that are in an electronic format that exceeds five (5) hours. If the school  
35 corporation or charter school charges a search fee, the school  
36 corporation or charter school shall charge an hourly fee that does not  
37 exceed the lesser of:

38 (1) the hourly rate of the person making the search; or

39 (2) twenty dollars (\$20) per hour.

40 A school corporation or charter school charging an hourly fee under  
41 this subsection for searching for records that are in an electronic format  
42 may charge only for time that the person making the search actually





1 spends in searching for the records that are in an electronic format. A  
2 school corporation or charter school may not charge for computer  
3 processing time and may not establish a minimum fee for searching for  
4 records that are in an electronic format. A school corporation or charter  
5 school shall make a good faith effort to complete a search for records  
6 that are in an electronic format that is within a reasonable time in order  
7 to minimize the amount of a search fee. The fee must be prorated to  
8 reflect any search time of less than one (1) hour.

9 **(n) The county recorder shall charge the fees set forth in**  
10 **IC 36-2-7-10 for copying documents.**

