

# Your voice is needed to oppose efforts to dim Sunshine

This column is a call for help to each one of you. All of you are interested in Missouri's Sunshine Law and you are the ones we need over the next few weeks to help support it. You desperately need to pay attention here to what is about to happen.

In 2023, the Missouri Sunshine Law will be 50 years old. The Missouri Sunshine Coalition is already beginning to plan activities to celebrate that important anniversary. The Missouri Press Association is working to have this important date recognized by resolution within the Missouri legislative bodies during this upcoming session. That all sounds well and good, but that is not the whole story.

Legislators are hard at work on several bills as this session begins that would make severe inroads into the language of the present Sunshine Law. In their minds, guarantees of openness in the present law are harmful to their interests and they want those freedoms removed. They do not see sunshine in government as beneficial.

For example, House Bill 394, filed by Representative Bill Falkner, of St. Joseph, makes several negative changes to the law. Access to many records would be removed by this proposed change. Examples include:

- allowing members of the public body to meet in secret so long as no vote or other final action on a proposal was made;

- allowing public bodies to extend response time for Sunshine requests from three days to five days;

- allowing public bodies to charge for their cost of redacting closed materials from public records, including the cost of the attorneys fees for lawyers they hire to review records before they are released in response to a Sunshine request;

- closing copies of drafts of proposed actions after the final version is passed, closing memos and other

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advisory materials public body members receive in connection with proposed actions, and closing a large number of inter-agency or intra-agency records;

closing correspondence a legislator receives from constituents; and

closing much correspondence a legislator receives regarding pending legislation.

There are additional changes in that bill, but those are some of the most egregious. This bill also has the support, we believe of Sen. Andrew Koenig, of St. Louis County.

All of these changes are devastating. Especially the one allowing for charging for attorneys' fees for redacting of content in public records. Sunshine law advocates across the state fought to get that ruling from the Missouri Supreme Court a few years ago.

One of the biggest hindrances in recent years to the public getting access to records has been the huge costs charged for the review process separating open records from closed records, although the law for years had been clear that the cost of that separation was the responsibility of the public body.

You need to do two things as soon as possible to help Missouri Press with this crisis. First, you need to get in touch with your local legislators and make sure they are aware of your concerns about this bill.

Tell them about any situations you've had where the cost to get records was a hinderence. Tell them that if you had to pay for costs in the range of hundreds of dollars to get copies of records, you won't be able to do it.

Remind them that local citizens need access to what their local officials are doing on their behalf. Tell them your stories. Explain to them that changes like this make it harder to provide the public information they are entitled to receive about local government, as well as state government.

Remind them of this 50th anniversary and it seems a shame to be "gutting" the rights guaranteed by the Sunshine Law at such a special time.

And then, write an editorial this month about the benefits of the Sunshine Law. Make a note to write another editorial every month about the importance of this law in Missouri. Send a copy to your local legislator each month to remind them of how important this law is to you.

If legislators stop by your offices, bend their ear about this subject. Suggest one of your reporters contact the Missouri Sunshine Coalition (<https://www.facebook.com/mosunshinecoalition/>) for background historical information on this anniversary.

This is a critical time for those of us working to support your right to access. Doug Crews and Mark Maassen can only do so much in Jefferson City on their own. We need you behind them adding additional support.



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