

MISSISSIPPI DEVELOPMENT AUTHORITY (MDA) PUBLIC RECORDS PROCEDURES

MDA PUBLIC RECORDS

Public Records as defined in Section 25-61-3, Miss. Code Ann. shall mean all books, records, papers, accounts, letters, maps, photographs, films, cards, tapes, recordings or reproductions thereof, and any other documentary materials, regardless of physical form or characteristics, having been used, being in use, or prepared, possessed or retained for use in the conduct, transaction or performance of any business, transaction, work, duty or function of any public body, or required to be maintained by any public body.

EXCEPTIONS TO PUBLIC RECORDS

Some documents exempted from public records requests include, but are not limited to, personnel records, trade secrets, confidential commercial and financial information of a proprietary nature as set out in Section 79-23-1, Miss. Code Ann. and records containing confidential client information and project proposals as set out in Section 57-1-14, Miss. Code Ann.

SUBMISSION OF REQUESTS

All requests for information under the Public Records Act must be submitted **in writing** to:

MDA Communications Office
Mississippi Development Authority
P.O. Box 849
Jackson, MS 39205

RE: PUBLIC RECORDS REQUEST

No verbal, email or telephone requests can be accepted for any public records request.

ASSESSMENT OF COSTS TO REQUESTOR

The requestor will be required to reimburse MDA for reasonable costs associated with the information request.

Such costs include, but are not limited to, time of the lowest paid but qualified staff member to evaluate and research the request, to retrieve any relevant files, to organize the information, to notify any Third Parties, to develop a cost estimate and schedule, to reproduce any requested material, to observe the inspection of records and to deliver the

information requested. If necessary, the agency may engage third parties to perform these tasks. The requestor is required to pay the actual costs of these engagements.

Payment must be in the form of a certified check, money order, or corporate check made payable to MDA for the amount specified. No cash or personal checks can be accepted. Please note that the following types of public records request tend to require additional research and staff time and can have significant cost associated with filling the request: (1) Requests for very large volumes of material (2) Requests that are too broad (3) Requests that are unspecific in scope (4) Requests for information that has already been archived and (5) Requests for documents that are unusual in size.

If reproduction must be out-sourced due to type and/or volume of documents, requestor will pay actual reproduction costs. The requestor may choose to waive the fourteen-day response requirement to allow sufficient time for MDA to copy the material.

MDA reproduction charges are as follows: (duplex double)

8 ½ x 11”	\$.25 per page
8 ½ x 14”	\$.25 per page
11” x 17”	\$.50 per page

TIMETABLE FOR PROCESSING

Upon receipt of a written request, MDA staff will evaluate the request; research the file to determine what information is available and in what format the information is stored and will furnish the requestor a cost estimate and projected schedule for providing the information. **When payment in the amount of the estimated cost is received from the requestor, MDA will begin compiling the requested information.**

If the actual cost is higher than the estimate, the requestor will be required to pay the difference before receiving the information. If the actual cost is lower than the estimate, MDA will refund the difference.

Except for Third Party Information referred to below, MDA staff will provide the requested information within 14 working days of the receipt of the cost estimate payment.

ACCESS OF PUBLIC RECORDS

Documents requested may be inspected at the MDA’s main office at 501 North West Street, Jackson, MS 39201 after a formal written request has been submitted and the agency has responded. Appointments will be scheduled with the requestor. Such inspection will be held at MDA’s main office at 501 North West Street, Jackson, Mississippi 39201. Original documents may not be removed from the MDA office. Inspections will be observed by an MDA staff person and the requestor will be charged based upon the hourly rate of the lowest paid but qualified staff person multiplied by the

number of hours incurred. Cost estimates provided to the requestor will include the cost of an observer.

In lieu of physical inspection, the requestor may choose the reproduction of such documents. If so, the cost of copying and mailing will be included in the estimate provided.

THIRD PARTY INFORMATION

MDA must give notice to third parties who have provided records that contain trade secrets or confidential commercial or financial information and allow said third party a reasonable period of time to obtain a court order to protect the records before said information can be released pursuant to Section 25-61-9, Miss. Code Ann.