

**From:** Carl Malamud [carl@media.org](mailto:carl@media.org)  
**Subject:** Re: Georgia Code Revision Commission -- Open Records Request  
**Date:** September 18, 2015 at 2:18 PM  
**To:** Keefe, Brendan [bkeefe@11alive.com](mailto:bkeefe@11alive.com)

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well, that was incredibly quick.

On Sep 18, 2015, at 1:31 PM, Keefe, Brendan <[bkeefe@11alive.com](mailto:bkeefe@11alive.com)> wrote:

And here's the reply:

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**From:** "Allen, Wayne" <[Wayne.Allen@legis.ga.gov](mailto:Wayne.Allen@legis.ga.gov)>  
**Date:** Friday, September 18, 2015 at 3:45 PM  
**To:** Brendan Keefe <[bkeefe@11alive.com](mailto:bkeefe@11alive.com)>  
**Subject:** RE: Georgia Code Revision Commission -- Open Records Request

Mr. Brendan Keefe  
Chief Investigative Reporter  
WXIA 11 Alive (NBC/TEGNA Atlanta)

Mr. Keefe,

This is in response to your request below for inspection and reproduction of the Official Code of Georgia Annotated (O.C.G.A.).

To inspect the content of the Official Code of Georgia Annotated, there is no need to resort to an open records request such as you have made. The O.C.G.A. is available at many libraries, such as at the Georgia State University Law School and general public libraries. You are free to peruse it there for research purposes. If you wish to obtain your own copies of the volumes of the O.C.G.A., you may purchase it from LexisNexis, the official publisher, like anyone else.

For your information, the Georgia General Assembly and its agencies are not subject to the Georgia "open records" law. See Coggin v. Davey, 233 Ga. 407, 410-411 (1975) (General Assembly is not an "agency" within the meaning of the "Open Meetings" law); O.C.G.A. Sec. 50-18-70(b) (the term "agency" under Open Records law has same meaning as under Open Meetings law).

As to your intention to electronically reproduce the O.C.G.A. and republish it "on WXIA-TV 11 and [11alive.com](http://11alive.com)", be aware that the O.C.G.A. is copyrighted by the State of Georgia, and the copyright is controlled by the Code Revision Commission of the State of Georgia. Those portions of the O.C.G.A. that are enacted by the General Assembly (i.e., statute text of Code sections and numbers of Titles, Chapters, Articles, Parts, Subparts, and Code sections) are in the public domain and may be used without any need for obtaining permission. Indeed, the statutory portion of the O.C.G.A. is available to the general public at no charge at <http://www.lexisnexis.com/hottopics/gacode/Default.asp> Please see the note to users on that webpage.

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For further information regarding the publication and copyright of the O.C.G.A., I refer you to an informative news release regarding the same as posted at <http://www.housepress.com/?p=5088>

W. R. Allen  
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**From:** Keefe, Brendan [<mailto:bkeefe@11alive.com>]  
**Sent:** Friday, 18 September, 2015 14:54  
**To:** Allen, Wayne  
**Cc:** Keefe, Brendan  
**Subject:** Georgia Code Revision Commission -- Open Records Request

Wayne,

We are requesting inspection of the current **Official Code of Georgia Annotated**. At time of inspection, we will bring our own photographic device for electronic reproduction of this open record, as provided by OCGA 50-18-71(b)(1)(B), for publication on WXIA-TV 11 and [11alive.com](http://www.11alive.com)

Please let us know when such inspection and photographic reproduction is convenient for your office.

Please let us know when such inspection and photographic reproduction is convenient for your office.

If you or anyone else at the Georgia Code Revision Commission are not the custodians of these records, please forward this ORR to the custodians or reply with their contact information. If you are claiming an exemption or exception to the Open Records Act to deny this request in whole or in part, please cite the particular exemption/exception and any relevant case law. In that case, if there is a state agency that holds these records that may not be exempt or excepted from the Open Records Act, please reply with the name and contact information for that agency.

Thank you in advance for this consideration, and for prompt inspection of the people's records.

**BRENDAN KEEFE**

*Chief Investigative Reporter*

WXIA 11 Alive (NBC/TEGNA Atlanta)

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TIPS: [theinvestigators@11alive.com](mailto:theinvestigators@11alive.com)

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