



Lynn Fitch
ATTORNEY GENERAL
OPINIONS AND POLICY

October 15, 2026

The Honorable Jansen Owen
Mississippi State Representative
P.O. Box 1018
Jackson, Mississippi 39215

Re: Inspection of Minutes Under Open Meetings Act

Dear Representative Owen:

The Office of the Attorney General has received your request for an official opinion.

Background

Your request seeks an opinion from our office about the application of the Open Meetings Act and the Public Records Act to requests to inspect the official minutes of a public body.¹

Questions Presented

1. Does the Public Records Act authorize a public body to require individuals who only ask to inspect the minutes to submit a formal request and pay a fee before being allowed to inspect the minutes?
2. Does the Open Meetings Act's requirement that the minutes of a public body be made available for inspection during regular business hours preclude a public body from requiring individuals to comply with the Public Records Act before being allowed to inspect the minutes?
3. May a public body require an individual to provide a reason for requesting to inspect the minutes?
4. May a public body require individuals to comply with the Public Records Act if they only request a physical or electronic copy of the minutes?

¹ Your request asks specifically about a school board, a public body to which the Open Meetings Act applies. *See Shipman v. North Panola Consol. School Dist.*, 641 So. 2d 1106, 1115-16 (Miss. 1994); *see also Touchard v. George Cnty. Miss. School Dist.*, 2024 WL 1130277 at *7, n.2 (S.D. Miss. Jan. 12, 2024).

Brief Response

1. No. A public body may not deny individuals the opportunity to inspect the minutes if they do not comply with the procedural requirements of the Public Records Act because the Open Meetings Act specifically provides that a public body's minutes must be open for public inspection during regular business hours at no charge.
2. Yes. The Open Meetings Act specifically governs the right to inspect a public body's minutes and therefore controls over the Public Records Act, which governs the more general right to inspect or copy all non-exempt records of a public body.
3. No. The Open Meetings Act does not authorize a public body to require individuals to provide a reason for their request to inspect the minutes.
4. Yes. A public body may require individuals who request a physical or electronic copy of the minutes to comply with the Public Records Act.

Applicable Law and Discussion

The Open Meetings Act requires that the "minutes" of a public body "be open to public inspection during regular business hours." Miss. Code Ann. § 25-41-11(1). The Public Records Act, on the other hand, provides that "any person shall have the right to inspect, copy or mechanically reproduce or obtain a reproduction of any public record of a public body," subject to the "reasonable written procedures adopted by the public body concerning the cost, time, place and method of access[.]" Miss. Code Ann. § 25-61-5(1)(a). The written procedures adopted by a public body may require the submission of a "written request for a public record" and the payment of "fees reasonably calculated to reimburse it for . . . the actual cost of searching, reviewing and/or duplicating . . . public records." *Id.*; Miss. Code Ann. § 25-61-7(1).

We understand your first, second, and fourth questions to be essentially whether the Open Meetings Act precludes a public body from requiring that individuals who only seek to inspect the minutes comply with the Public Records Act before being given access to the minutes. It is a fundamental rule of statutory construction "that a specific statute controls over a general statute." *State ex rel. Hood v. Madison Cnty. ex rel. Madison Cnty. Bd. of Sup'rs*, 873 So. 2d 85, 91 (Miss. 2004) (citations omitted); see *Benoit v. United Companies Mortgage of Mississippi, Inc.*, 504 So. 2d 196, 198 (Miss. 1987) ("[W]here a special and particular statute deals with a special and particular subject its particular terms as to that special subject control over general statutes dealing with the subject generally."). Since the Open Meetings Act specifically governs the right to inspect the minutes of a public body, it is the opinion of this office that the Open Meetings Act would control over the Public Records Act, which governs the more general right to inspect or copy all non-exempt records of a public body. A public body, therefore, may not require an individual who only asks to inspect the minutes to comply with either the Public Records Act or the public body's procedures adopted thereunder.

You also ask whether public bodies may require individuals to provide a reason for their request to inspect the minutes. They may not. Unlike the Public Records Act, the Open Meetings Act does

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not provide public bodies the legal authority to adopt their own written procedures governing inspections of their minutes. Instead, it simply requires that such bodies make their minutes “open to public inspection.” Miss. Code Ann. § 25-41-11(1). The only limitation placed on such inspections is that they occur “during regular business hours.” *Id.*; see also MS AG Op., *Leggett* at *3 (Apr. 18, 2017). It is thus the opinion of this office that the Open Meetings Act does not authorize public bodies to impose additional preconditions or procedural requirements —such as the one referenced in your third question— that must be met before an individual is allowed to inspect the minutes.

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: */s/ Wilson Douglas Minor*

Wilson Douglas Minor
Special Assistant Attorney General

OFFICIAL OPINION