

April 7, 2023

Kelly McPherson  
[KellyMcPherson123@proton.me](mailto:KellyMcPherson123@proton.me)

RE: Advisory Opinion on Boards and Commissions

Dear Kelly:

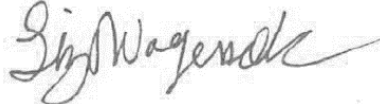
The Office of Open Records (“OOR”) received your request for an advisory opinion on April 4, 2023. The OOR may issue advisory opinions pursuant to Section 1310 of the Right-to-Know Law (“RTKL”), 65 P.S. § 67.1310(a)(2). Your request for an advisory opinion is respectfully **DENIED**, but we note, as follows:

The request for an advisory opinion asks: “...[A]re government agencies like boards, commissions, etc. for jurisdictions like municipalities and counties subject to RTKL? And should they not post contact [information] on the OOR database?” The RTKL’s definition of “Local agency” includes councils, boards, and commissions. See 65 P.S. § 67.102. However, the determination of whether a specific council, board, or commission is an agency is fact-specific and cannot be answered in an Advisory Opinion. A requester is not prohibited from filing a request with any entity they believe to be a local agency, and appealing to the OOR, if necessary.

If council, board, or commission is an agency subject to the RTKL, they are encouraged to register with the OOR, using the registration form found at <https://www.openrecords.pa.gov/Documents/RTKL/Form-AORORegistration.pdf>. Their open-records officer’s contact information is required under the RTKL to be posted at the agency, and if they have a website, on that website. 65 P.S. § 67.504(b).

This response to your Advisory Opinion request will be posted on the OOR’s website at <https://www.openrecords.pa.gov/RTKL/AdvisoryOpinions.cfm>.

Respectfully,



Liz Wagenseller  
Executive Director