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26-ORD-497

November 2, 2026

In re: Natalie Taylor/Okolona Fire Protection District

Summary: The Okolona Fire Protection District ("the District") violated the Open Records Act ("the Act") when it failed to issue timely written responses to two requests for records.

Open Records Decision

On August 11, 2026, Natalie Taylor ("the Appellant") submitted a request to the District for 17 separate categories of records. In response, the District provided a link to a set of documents in online storage, which were responsive to only some portions of the request. The District issued no written response explaining whether any additional responsive records existed and, if so, on what legal basis the District had withheld them.

On September 21, 2026, the Appellant submitted a second request for 18 categories of records. Having received no response to that request by October 5, 2026, the Appellant initiated this appeal.

When a public agency receives a request to inspect records, that agency must decide within five business days "whether to comply with the request" and notify the requester "of its decision." KRS 61.880(1). Thus, if the agency does not provide records for any portion of the request, or if it withholds any responsive records, it must explain itself in writing. An agency may not ignore portions of a request or simply provide a partially responsive set of records without explanation. *See, e.g.,* 21-ORD-090. If the requested records exist and an exemption allows the agency to deny inspection, it must cite the exemption and explain how it applies. Conversely, if the records do not exist or the agency does not possess them, then the agency must affirmatively say so. *See Bowling v. Lexington–Fayette Urb. Cnty. Gov't,* 172 S.W.3d 333, 341 (Ky. 2005). Here, because the District provided no written response to the

Appellant's first request explaining "its decision," as required by KRS 61.880(1), it violated the Act.[1]

As to the Appellant's second request, the District admits it did not respond to the request within five business days because the "Chief . . . was out of town attending a conference [and] then on vacation" from September 21 to October 7. However, a public agency must "make proper provision for the uninterrupted processing of open records requests" by having "an individual available to timely process" those requests during the official custodian's absence. 04-ORD-008; *see also* 26-ORD-027; 24-ORD-039. Because the District did not timely respond to the Appellant's second request, it violated the Act.[2]

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court pursuant to KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Pursuant to KRS 61.880(3), the Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to OAGAppeals@ky.gov.

Russell Coleman
Attorney General

/s/ Zachary M. Zimmerer
Zachary M. Zimmerer
Assistant Attorney General

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Distributed to:

Natalie Taylor
Mark Little
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[1] On appeal, the District claims it "is providing the records again" to the Appellant with "a specific response for each record requested." That response is not part of the record on appeal and therefore is not currently at issue.

[2] The District states it "produced the responsive records to [the Appellant] on October 21, 2026." That response is not at issue in this appeal.