



April 14, 2025

Steven A. Elliott
sae8425@ellisharmony.us

RE: Advisory Opinion on RTKL Records OOR is Required to Make Available on Website

Dear Mr. Elliott:

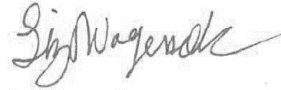
The Office of Open Records (“OOR”) received your requests for advisory opinions on March 26, 2025 and April 7, 2025. The OOR may issue advisory opinions to agencies and requesters pursuant to Section 1310 of the Right-to-Know Law (“RTKL”), 65 P.S. § 67.1310(a)(2). Your requests essentially advance the argument that the RTKL requires the OOR to publish on its website all records received or used by an appeals officer during the appeal process, as well as every record relied upon by agencies in complying with the RTKL. This premise is incorrect.

The plain language of Section 1310(a)(7) confers discretion upon the OOR regarding the content of its website, thereby obviating the need for an advisory opinion or legal analysis of legislative intent. *See* 1 Pa.C.S. § 1921(b) (Unambiguous words of a statute control construction). Section 1310(a)(7), 65 P.S. § 67.1310(a)(7), requires the OOR to “[e]stablish an Internet website with information relating to this act, including information on fees, advisory opinions and decisions and the names and addresses of all open records officers in this Commonwealth.” The OOR’s website fully satisfies these statutory requirements—and, in fact, exceeds them—by providing access to a wide range of RTKL-related materials.

Although the OOR makes available a broad array of RTKL information online, the RTKL does not mandate that the OOR maintain a comprehensive docket or database of all documents or filings submitted under the RTKL. Nevertheless, while certain appeal documents or RTKL records may not be directly posted on the OOR website, they remain generally accessible to the public and subject to disclosure upon request under the RTKL. Such access preserves public scrutiny of the process envisioned by the Legislature. You can find information about the requests the OOR receives, and the OOR’s responses, at <https://www.openrecords.pa.gov/RTKL/RequestSearch.cfm>.

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,

A handwritten signature in cursive script, appearing to read "Liz Wagenseller". The ink is dark and the signature is fluid, with a long horizontal stroke extending to the right.

Liz Wagenseller