

1 SECTION 4. Any portion of an agreement or contract which
2 has the purpose or effect of concealing a public hazard, concealing
3 any information concerning a public hazard, or concealing any
4 information which may be useful to members of the public in
5 protecting themselves from injury which may result from the
6 public hazard, is void, contrary to public policy and may not be
7 enforced.

1 SECTION 5. Trade secrets as defined in M.G. Laws which are
2 not pertinent to public hazards shall be protected pursuant to
3 appropriate statutes.

1 SECTION 6. Any substantially affected person, including but
2 not limited to representatives of news media, has standing to
3 contest an order, judgment, agreement or contract that violates
4 this section. A person may contest an order, judgment, agreement
5 or contract that violates this section by motion in the court that
6 entered the order or judgment, or by bringing a declaratory
7 judgment action.

1 SECTION 7. Upon motion and good cause shown by a party
2 attempting to prevent disclosure of information or materials
3 which have not previously been disclosed, including but not
4 limited to alleged trade secrets, the court shall examine the dispute
5 information or materials in camera. If the court finds that the
6 information or materials or portions thereof consist of
7 information concerning a public hazard or information which
8 may be useful to members of the public in protecting themselves
9 from injury which may result from a public hazard, the court shall
10 allow disclosure of the information or materials. If allowing
11 disclosure, the court shall allow disclosure of only that portion
12 of the information or materials necessary or useful to the public
13 regarding the public hazard. The court shall, for the portion of
14 the information or materials it finds to be unnecessary or not
15 useful to the public regarding the public hazard, set forth its
16 finding in writing setting forth the reason and grounds therefor.
17 There shall be a presumption in favor of disclosure and the party
18 seeing to prevent such disclosure shall have the burden of proving

19 beyond a reasonable doubt that the information or materials it
20 seeks to keep secret is unnecessary or not useful to the public
21 regarding the public hazard.

1 SECTION 8. This act shall apply to all actions in this chapter,
2 or claims pending or occurring on or after the effective date of
3 this statute.

