

Model State Public Decision Accountability and Correction Act

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This is not an official uniform act and has not been verified against all 50 state constitutions and codes. Before introduction, legislative counsel must conform agency definitions, appointments, courts, judicial-review timing, immunity, fees, appropriations, records law, local authority, and existing program protections. Functional office descriptions below are deliberate; they are not a claim that every state uses the same structure.

Separately printable legislative packet. The operative text is identical to the corresponding proposal in The Duty to Correct. Submit it as a proposal for review, not as enacted law or an officially endorsed bill.

Model state operative provisions

1. Purpose and scope

This Act establishes duties for executive administrative agencies of this State and political subdivisions within the State's lawful legislative authority when a record, determination, disclosure, instruction, or omission materially affects an individual's eligibility, access, obligations, or protected interests.

The legislature, courts acting judicially, criminal proceedings, and institutions outside the State's jurisdiction are not governed by this Act except through a separately applicable law. Existing more protective rights and procedures remain available. This Act does not claim authority over tribal governments or federal agencies.

2. Defined terms

Affected person means an individual materially affected by a covered administrative act or a lawfully authorized representative. Material error means an established information or identity defect capable of affecting that act. A challenge does not itself establish error.

Independent reviewer means a lawfully assigned competent official who did not control the challenged determination and has no disqualifying interest or controlling relationship. Verified effect means a defined consequence supported by an observation stating method, time, scope, result, and limitations. Day means calendar day, with ordinary filing deadlines extended to the next open day when the receiving office is closed; urgent duties remain available through a designated channel.

3. Authority and reasons

Before a covered adverse act, the agency shall identify its action-specific legal authority, jurisdiction, responsible actor, effective period, and required factual and procedural conditions. It shall preserve the governing rule and evidence versions and provide understandable reasons.

A title, login, software permission, or old approval is not alone sufficient. Unresolved support shall remain identified as unresolved with a lawful next step. The agency shall distinguish permission to act from a duty to provide assistance and shall not convert missing information automatically into a final denial where law requires another procedure.

4. Evidence and privacy

The agency shall distinguish observation, reported information, inference, and finding; preserve material source relationships and contradictions; and provide lawful access to the basis of a covered determination.

Collection, use, disclosure, and retention shall be limited to lawful purposes and necessary information. Protected case evidence and public accountability reports shall have distinct access rules. Superseded history shall not improperly drive current action. Withholding and preservation shall follow applicable law and remain subject to competent review.

5. Notice and accessible challenge

The agency shall provide notice of the action, effect, principal reasons, authority, responsible office, review route, deadline, and available interim protection. Notice timing and lawful exceptions remain subject to governing law.

An affected person may challenge authority, facts, identity, procedure, privacy, delay, or continuing effects without an admission of error by the original office. The agency shall accept accessible oral, written, assisted, and electronic requests, acknowledge receipt within two days, and preserve receipt time on transfer.

An ordinary request shall be made within 180 days after adequate notice. Continuing material effects, later-discovered errors, inadequate notice, and agency-created access barriers shall not be barred by that period. More protective existing rights remain available.

6. Independent review

Within five days, the agency head or lawful designee shall assign a competent independent reviewer with appropriate authority and evidence access. The reviewer shall consider material supporting and contradictory information, apply the governing standard, and issue reasons and required relief or reasons for denial.

An ordinary determination is due within 30 days after receipt. One documented extension of no more than 15 days is permitted for specific necessity with notice and reassessment of interim protection. Transfer, outage, or staff change shall not restart the clock. Optional further administrative review shall not defeat timely judicial access under this Act.

7. Urgent protection

A request presenting a risk of serious imminent harm shall receive a competent assessment of available lawful interim protection within 24 hours and sooner when necessary. The assessment shall consider action and inaction, third-party interests, reversibility, uncertainty, and legal authority.

Each interim measure shall state its source, scope, duration, reasons, and review conditions. No emergency label creates indefinite authority, and this Act does not authorize spending without required appropriations or an act prohibited by controlling law. The agency shall maintain a backup urgent channel.

8. Correction and dependencies

When correction is required, the agency shall promptly issue a plan identifying the defective assertion or unsupported act, responsible executor, versions, deadline, known recipients, and required completion evidence.

It shall correct systems within its lawful control, notify other known relevant recipients through appropriately limited notices, enforce lawful contractor obligations, and document follow-up and unresolved boundaries. Receipt, application, and observed effect shall be recorded

separately. A search limited to known recipients shall not support a claim of universal correction.

9. Verified completion and residual claims

Completion shall be supported by an observation proportionate to the promised effect and sufficiently independent for the dispute and risk. An acknowledgment or unsupported source status is not alone proof of restoration. Missing observations remain unresolved.

The agency shall assess a person's report of continuing harm and provide a notice distinguishing completed work, remaining duties, and residual claims. Restoration shall not be represented as compensation for past loss. Other available remedies are preserved; this Act creates no new general compensatory or punitive damages remedy.

10. Conflicts and continuity

A person with a material financial stake specifically dependent on a contested outcome, or another disqualifying interest under law, shall not control that determination or its independent verification. Ordinary fixed service compensation is not alone disqualifying, and a claimant is not disqualified by seeking a benefit.

The agency shall assess organizational payment and control paths, assign a timely lawful replacement when needed, protect review from outcome-based retaliation, and preserve urgent duties. It shall transfer open obligations to lawful successors when staff or offices change. Contractor execution shall not erase agency responsibility.

11. Responsible official and enforcement

Each agency head shall designate a responsible official to coordinate compliance within lawful authority. Complaints about missed duties shall receive an assigned response without resetting original clocks.

An affected person may seek declaratory or injunctive enforcement of an express duty under this Act in the state court of general civil jurisdiction competent to hear civil actions against the agency, after a determination or expiration of its deadline. Exhaustion is excused where the court finds

serious imminent harm, an unavailable route, or futility as to the relief sought.

To the extent permitted by the State Constitution, the State and covered political subdivisions waive immunity for this Act's declaratory and injunctive relief, but not for new compensatory or punitive damages. The court may order lawful performance, correction, preservation, and verification. It shall not order an expenditure lacking required appropriation. Fees and costs remain governed by otherwise applicable law.

An action challenging a final determination shall be filed within 180 days after adequate notice, subject to equitable tolling and more protective law. Continuing failure of an express duty remains subject to prospective relief. This section does not reopen final judgments in other proceedings.

12. Reporting and common interfaces

Agencies shall publish annual privacy-protecting reports of volume, timing, urgent requests, determinations, corrections, verified effects, unresolved work, conflicts, recurrence, costs, and material failures. Denominators, missing outcomes, and observation periods shall be explicit.

The executive official lawfully responsible for statewide administrative coordination shall publish common evidence-interface guidance after required public participation. Guidance shall preserve substantive law, stronger protections, local lawful powers, and accessible nonproprietary use. A shared format shall not require central collection of all personal records.

13. Resources and transition

Such sums as are necessary are authorized to be appropriated for implementation. This authorization is not an appropriation. Agencies shall submit staffing, accessibility, system, and review-capacity estimates through the State's lawful budget process within 180 days.

Planning and designation duties begin upon enactment. Remaining duties take effect 365 days after enactment and apply to new acts and continuing material effects to the extent correction is lawfully available. Agencies shall preserve records and open duties during transition and publish available routes and material limitations.

14. Evaluation and severability

The State's lawfully designated independent audit authority shall evaluate implementation within three years after the effective date and report costs, outcomes, accessibility, unresolved harm, and unintended effects to the legislature. The evaluation shall distinguish simulations from field evidence and preserve severe individual and subgroup failures in its analysis.

Invalid provisions or applications are severable to the extent the remainder can operate consistently with the State Constitution and legislative intent. No invalidity finding authorizes destruction of required evidence or abandonment of an independently existing duty.