



General Assembly

February Session, 2020

Raised Bill No. 5277

LCO No. 1725



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT DECREASING FEES FOR COPYING PUBLIC RECORDS
UNDER THE FREEDOM OF INFORMATION ACT.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (a) of section 1-212 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2020*):

4 (a) Any person applying in writing shall receive, promptly upon
5 request, a plain, facsimile, electronic or certified copy of any public
6 record. The type of copy provided shall be within the discretion of the
7 public agency, except (1) the agency shall provide a certified copy
8 whenever requested, and (2) if the applicant does not have access to a
9 computer or facsimile machine, the public agency shall not send the
10 applicant an electronic or facsimile copy. [The] Except as provided in
11 subsection (g) of this section and section 7-34a, as amended by this act,
12 the fee for any copy of a record other than a land record provided by a
13 public agency in accordance with the Freedom of Information Act [:

14 (A) By an executive, administrative or legislative office of the state, a

15 state agency or a department, institution, bureau, board, commission,
16 authority or official of the state, including a committee of, or created by,
17 such an office, agency, department, institution, bureau, board,
18 commission, authority or official, and also including any judicial office,
19 official or body or committee thereof but only in respect to its or their
20 administrative functions, shall not exceed twenty-five cents per page;
21 and

22 (B) By all other public agencies, as defined in section 1-200,] shall not
23 exceed [fifty] fifteen cents per page. If any copy provided in accordance
24 with [said] the Freedom of Information Act requires a transcription, or
25 if any person applies for a transcription of a public record, the fee for
26 such transcription shall not exceed the cost thereof to the public agency.

27 Sec. 2. Subsection (e) of section 1-212 of the general statutes is
28 repealed and the following is substituted in lieu thereof (*Effective October*
29 *1, 2020*):

30 (e) Except as otherwise provided by law, the fee for any person who
31 has the custody of any public records or files for certifying any copy of
32 such records or files, or certifying to any fact appearing therefrom, shall
33 be for the first page of such certificate, or copy and certificate, one dollar;
34 and for each additional page, [fifty] fifteen cents. For the purpose of
35 computing such fee, such copy and certificate shall be deemed to be one
36 continuous instrument.

37 Sec. 3. Subsection (g) of section 1-212 of the general statutes is
38 repealed and the following is substituted in lieu thereof (*Effective October*
39 *1, 2020*):

40 (g) Any individual may copy a public record through the use of a
41 hand-held scanner. A public agency [may establish a fee structure not
42 to exceed twenty dollars for an] shall not charge a fee to any individual
43 [to pay each time the individual] who copies records at the agency with
44 a hand-held scanner, except that in the case of land records, a public
45 agency may establish a fee structure not to exceed twenty dollars per
46 day for the copying of land records using a hand-held scanner. As used

47 in this section, "hand-held scanner" means a battery operated electronic
48 scanning device the use of which (1) leaves no mark or impression on
49 the public record, and (2) does not unreasonably interfere with the
50 operation of the public agency. "Hand-held scanner" includes, but is not
51 limited to, a mobile telephone or camera.

52 Sec. 4. Subdivision (1) of subsection (a) of section 7-34a of the general
53 statutes is repealed and the following is substituted in lieu thereof
54 (*Effective October 1, 2020*):

55 (a) (1) Town clerks shall receive, for recording any document, ten
56 dollars for the first page and five dollars for each subsequent page or
57 fractional part thereof, a page being not more than eight and one-half by
58 fourteen inches. Town clerks shall receive, for recording the information
59 contained in a certificate of registration for the practice of any of the
60 healing arts, five dollars. Town clerks shall receive, for recording
61 documents conforming to, or substantially similar to, section 47-36c,
62 which are clearly entitled "statutory form" in the heading of such
63 documents, as follows: For the first page of a warranty deed, a quitclaim
64 deed, a mortgage deed, or an assignment of mortgage, ten dollars; for
65 each additional page of such documents, five dollars; and for each
66 assignment of mortgage, subsequent to the first two assignments, two
67 dollars. Town clerks shall receive, for recording any document with
68 respect to which certain data must be submitted by each town clerk to
69 the Secretary of the Office of Policy and Management in accordance with
70 section 10-261b, two dollars in addition to the regular recording fee. Any
71 person who offers any written document for recording in the office of
72 any town clerk, which document fails to have legibly typed, printed or
73 stamped directly beneath the signatures the names of the persons who
74 executed such document, the names of any witnesses thereto and the
75 name of the officer before whom the same was acknowledged, shall pay
76 one dollar in addition to the regular recording fee. Town clerks shall
77 receive, for recording any deed, except a mortgage deed, conveying title
78 to real estate, which deed does not contain the current mailing address
79 of the grantee, five dollars in addition to the regular recording fee. Town
80 clerks shall receive, for filing any document, ten dollars; for receiving

81 and keeping a survey or map, legally filed in the town clerk's office, ten
82 dollars; and for indexing such survey or map, in accordance with section
83 7-32, ten dollars, except with respect to indexing any such survey or map
84 pertaining to a subdivision of land as defined in section 8-18, in which
85 event town clerks shall receive twenty dollars for each such indexing.
86 Town clerks shall receive, for a copy, in any format, of any document
87 either recorded or filed in their offices that constitutes a land record, one
88 dollar for each page or fractional part thereof, as the case may be; for
89 certifying any copy of the same, two dollars; for making a copy of any
90 survey or map, the actual cost thereof; and for certifying such copy of a
91 survey or map, two dollars. Town clerks shall receive, for recording the
92 commission and oath of a notary public, twenty dollars; and for
93 certifying under seal to the official character of a notary, five dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020</i>	1-212(a)
Sec. 2	<i>October 1, 2020</i>	1-212(e)
Sec. 3	<i>October 1, 2020</i>	1-212(g)
Sec. 4	<i>October 1, 2020</i>	7-34a(a)(1)

Statement of Purpose:

To reduce the fees paid by the public for copies of public records.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]