OLR Bill Analysis

HB 5011

AN ACT CONCERNING THE COPYING OF PUBLIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT.

SUMMARY

This bill reduces or eliminates fees for copying public records under the Freedom of Information Act (FOIA) as follows:

1. reduces the maximum fee public agencies (see BACKGROUND) may charge to $0.15 per page, excluding land records, which may be charged up to $1 per agency-copied page (under current law, state governmental entities may charge up to $0.25 per page and other public agencies may charge up to $0.50 per page);

2. reduces the fee that public agencies can charge for additional certified pages from $0.50 to $0.15 (the $1.00 fee for the first certified page remains unchanged); and

3. prohibits public agencies from charging individuals a fee for copying public records, excluding land records, using a handheld scanner (e.g., mobile phone or camera).

Currently, public agencies may establish their own fee structure, up to a maximum of $20 for each time an individual copies public records at the agency using a handheld scanner. For land records, the bill maintains public agencies’ ability to charge these individuals up to $20 per day. FOIA currently defines “handheld scanner” as a battery-operated electronic scanning device that (1) leaves no mark or impression on the public record and (2) does not unreasonably interfere with the public agency’s operation.

EFFECTIVE DATE: October 1, 2021
BACKGROUND

Public Agency

Generally, under FOIA, a public agency is any (1) state, municipal, regional, or quasi-public agency or (2) entity that is the functional equivalent of these agencies (CGS § 1-200(1)).

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable
Yea 18 Nay 0 (03/29/2021)