

OFFICE OF FISCAL ANALYSIS

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sSB-1222

AN ACT CONCERNING FEES FOR COPYING, REVIEWING AND REDACTING RECORDS CREATED BY POLICE BODY-WORN RECORDING EQUIPMENT AND DASHBOARD CAMERAS.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Department of Emergency Services and Public Protection	GF - Cost	58,360	72,926
State Comptroller - Fringe Benefits ¹	GF - Cost	22,849	31,227
Various State Agencies	GF - Potential Cost	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 24 \$	FY 25 \$
Municipal Police Departments	STATE MANDATE ² - Potential Cost	See Below	See Below
Municipal Police Departments	Potential Revenue Gain	See Below	See Below

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

² State mandate is defined in Sec. 2-32b(2) of the Connecticut General Statutes, "state mandate" means any state initiated constitutional, statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

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4/17/23

Explanation

The bill expands the types of body and dashboard camera recordings that must be redacted prior to disclosure under the Freedom of Information (FOI) Act, and allows public agencies to charge requestors fees for time spent redacting a record, resulting in a cost of \$81,209 in FY 24 and \$104,152 in FY 25 to the Department of Emergency Services and Public Protection (DESPP) and the Office of the State Comptroller, a potential cost to various state agencies³ and municipal police departments, and a potential revenue gain to the state and municipalities.

To meet the bill's redaction requirements, DESPP will need to hire one paralegal specialist starting on October 1, 2023. The annual starting salary for this position is \$71,147, with associated fringe benefits costing \$30,465.⁴ There is also a one-time cost of \$5,000 in FY 24 for training and equipment.

Any state agency that employs peace officers will face potential costs to the extent that the agency receives FOI requests for recordings subject to the bill's redaction requirements. These potential costs will depend on the number of FOI requests that the agency receives for such recordings, the size of each recording, and the capacity of existing staff to field such requests.

Similarly, the potential cost to any given municipal law enforcement agency will depend on the same factors. Some police departments may require additional staff or incur overtime expenses to meet the bill's requirements upon receiving a request.

The bill also allows public agencies to charge a fee for redacting body and dashboard camera recordings and sets requirements for calculating the fee, resulting in a potential revenue gain to the state and municipal

³ Affected agencies include the Office of Legislative Management (Capitol Police), Department of Energy and Environmental Protection, Higher Education Constituent Units, and the Division of Criminal Justice.

⁴ The state impact accounts for nine months of employment in FY 24, reflecting the effective date of the bill.

police departments, depending on how many requests an agency receives and whether the request is eligible for fees. Generally, an agency may charge a rate up to the hourly salary of the employee redacting the record but may not charge more than \$100 per hour of the actual length of time of the requested record. Additionally, an agency may not charge a fee for the first two hours of labor or in some cases, the first four hours, and certain recordings are not subject to fees.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of FOI requests an agency receives subject to the bill's redaction requirements and fee structure.

Sources: Department of Administrative Services website