
OLR Bill Analysis

sHB 5011 (as amended by House "A")*

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

SUMMARY

This bill prohibits public agencies from charging individuals a fee to copy public records under the Freedom of Information Act (FOIA) using a handheld scanner (e.g., mobile phone or camera). Under current law, 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.

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)). FOIA 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.

*House Amendment "A" eliminates the underlying bill's fee reductions for public agencies to copy or certify records under FOIA.

EFFECTIVE DATE: October 1, 2021

BACKGROUND

Agency-Copied Records

By law, state governmental entities may generally charge up to \$0.25 per agency-copied page and other public agencies (e.g., municipalities) may charge up to \$0.50 per page.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 18 Nay 0 (03/29/2021)

Planning and Development Committee

Joint Favorable

Yea 15 Nay 10 (04/30/2021)