

PASCO COUNTY SUPERVISOR OF ELECTIONS

PUBLIC RECORDS POLICY

Background and Laws:

Section 119.07, Florida Statutes, provides that public records shall be permitted to be inspected and copied by any individual desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record or the custodian's designee. The statutes also provide that copies of public records shall be produced upon request, and that the custodian shall charge for such copies. For purposes of requests under the Florida Public Records Law, the custodian of public records is Brian Corley, Supervisor of Elections. As such, public record requests should be directed to custodian of public records.

Florida's statewide voter registration database is a public record (effective January 1, 2006 - repeal of F.S. 98.0979). However, social security numbers, Florida driver license numbers, and Florida ID numbers *cannot be viewed or copied*. Additionally, voter signatures on any election-related document *can be viewed but not copied* (see F.S. 97.0585). The Florida Statutes also provides for the exemption of certain records in their entirety or individual items of information contained within those records. Documents containing exempt information will have the information redacted and the Florida Statute number stating the reason for the redaction.

The requestor is not obligated to fill out any form, give his/her name, give reason for the request, or sign for the request. However, while minor requests may be handled by telephone, substantial public records requests should be received in writing, if possible. Requests by letter, fax or email are acceptable.

Public records requests will be acknowledged within a reasonable timeframe and handled as time permits but will not take precedence over official elections processes and/or deadlines. As such, requests for public records placed during an election cycle may require more time to fulfill. The Supervisor of Elections will advise the requester when the records will be available, if due to the nature and/or volume, the request cannot be fulfilled at the time of the request.

Copies will be provided at the time of the request unless the request requires extra time and/or research to complete. Any request which exceeds **15** minutes processing time will be charged an "extensive use" fee. Charges for public records requests are based upon F.S. 119.07 (see Public Records Requests Charges & Fee Schedule). A deposit may be required for extensive use fees.

Payment is due in advance for all public records requests being fulfilled. Acceptable forms of payment are cash or check. Checks should be made payable to: Pasco County Supervisor of Elections. All returned check fees will be the responsibility of the requester. If an exact cost cannot be determined, an estimate of the costs will be provided to the requesting party.

Extensive use fees will apply to any request that exceeds **15** minutes of processing/assimilation. Requests with extensive use fees may include but are not limited to: the search for hardcopy records, computer research, the removal of exempt data, redaction of exempt data prior to the photocopying of records, photocopying of records, on-site inspections, protection of records during inspection, re-filing/replacement of records, etc. A deposit may be required to complete a voluminous or extensive request.

Inspection of records will only take place during normal business hours. Records will be made available as quickly as is practical after a request is made. The office will provide assistance free of charge for the first **15** minutes. Afterwards, extensive use fees will apply and will be based upon the labor costs of the personnel involved in providing the records.

Data requests will be given in the media format used by the Pasco County Elections Office. Requests for special media format requests will not be processed.

Once processed, the records/data produced for the request may be mailed upon request. Additional fees will apply for postage/delivery related expenses. The delivery costs will be estimated and paid in advance by the requestor. If postage/delivery costs are less than estimated, a refund check will be issued to the requestor.

Requests for Vote-by-Mail ballot information are subject to F.S. 101.62(3). Therefore, a current data acquisition form must be on file, or submitted along with the public records request, and any applicable payment of fees.

Retention and disposal of public records is in accordance with the current General Records Schedule for Election Records and General Records Schedule for Local Government Agencies, as established by the State of Florida Bureau of Archives and Records Management. Records that have met their retention period may be unavailable for reproduction or inspection.

Charges and Fee Schedule: (in accordance with F.S. 119.07(4)(a))

- Duplicated copies – not more than 8.5 x 11 will be charged at a rate of 15 cents per one-sided copy and 20 cents per double-sided copy
- Oversized paper copies will be charged at a rate of 20 cents per one-sided copy and 30 cents per double-sided copy
- Certified copies will be charged at a rate of \$1.00 per page and will include the Supervisor of Elections' seal and signature
- Records that require **15** minutes or less time to process will not be charged an extensive use fee
 - Requests taking longer than **15** minutes to process will include an extensive use fee charged at the hourly pay rate of the available, qualified employee needed to assemble the request
- Digital GIS files are \$5.00 per copy
- Printed map costs vary depending on the type/size of map requested
- Postage/delivery fees are determined upon the carrier being used along with the weight and size of mailing. Postage/delivery fees are charged separately from all other public request fees

Please note: Extensive use fees are in accordance with F.S. 119.07(4)(d):

If the nature or volume of public records requested to be inspected, examined, or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and supervisory assistance required, or both. "Information technology resources" means data processing hardware and software and services, communications, supplies, personnel, facility resources, maintenance, and training. (See Trout vs. Bucher)