



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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| 2009 Assembly Bill 638 | Assembly Amendment 1 |
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Current Law

Under current law, a requester has the right to inspect and make or receive a copy of a public record that appears in written form. For records that are not in a readily comprehensible form, a requester is permitted to obtain a copy of the record reduced to written form on paper. A requester may also obtain a transcript of a record that is on audio tape, or a photograph of a record when the form does not permit copying.

Also under current law, a governmental unit or officer may contract with another party for the contractor to produce or collect a public record. The statutes do not set a maximum fee that contractors may charge a requester who requests a copy of a record that the contractor produced or collected.

2009 Assembly Bill 638

2009 Assembly Bill 638 (hereinafter, “the bill”) clarifies that a requester is entitled to receive a copy of a public record *in the same format* that the record is maintained, regardless of whether the record appears in written form.

The bill also provides that the maximum fee a contractor may charge for obtaining a copy of a record the contractor produced or collected may not exceed the actual, necessary, and direct cost of reproduction or transcription of the record incurred by the person making the reproduction or transcription, unless a fee is otherwise established or authorized to be established by law.

Assembly Amendment 1

Assembly Amendment 1 (AA1) specifies that only copies of land information records may be obtained *in the same format* that the record is maintained.

Legislative History

On March 4, 2010, Representative Dexter introduced AA1. On March 9, 2010, the Assembly Committee on Urban and Local Affairs took executive action on the bill. The committee adopted AA1 by a vote of Ayes, 7; Noes, 0; Absent, 2. The committee also voted to recommend the bill, as amended, by a vote of Ayes, 7; Noes, 0; Absent, 2.

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