



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0674/P1
JK&MPG:klm

DOA:.....Kraus, BB0208 - Open records location fee

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

GENERAL STATE GOVERNMENT

Public records location fee

Current law allows an authority to impose a fee on any person requesting a public record to cover the cost of locating that record, if the cost is \$50 or more. The location fee may not exceed the actual, necessary, and direct cost of locating the record. Current law defines an “authority” to include any elective official or state or local government agency that has custody of a public record.

Under the bill, the cost of locating a public record must be \$100 or more before an authority may impose a fee to cover the actual, necessary, and direct cost of locating the record.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 19.35 (3) (c) of the statutes is amended to read:

19.35 (3) (c) Except as otherwise provided by law or as authorized to be prescribed by law, an authority may impose a fee upon a requester for locating a record, not exceeding the actual, necessary and direct cost of location, if the cost is \$50 \$100 or more.

SECTION 9351. Initial applicability; Other.

(1) PUBLIC RECORDS LOCATION FEE. The treatment of s. 19.35 (3) (c) first applies to a public records request received on the effective date of this subsection.

(END)