

## Memorandum

**FROM:** Robert M. Burdette, Executive Director  
Patriots Point Development Authority

**DATE:** May 12, 2017

**RE:** Freedom of Information Act – Fees for Public Records

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This memorandum establishes the Patriots Point Development Authority's (the "Authority") policy on charging those making requests under South Carolina's Freedom of Information Act for the actual costs incurred by the Authority to provide the requested information.

South Carolina's Freedom of Information Act (the "FOIA") is found in Title 30, Chapter 4 of the South Carolina Code. Section 30-4-30(b) provides that a "public body may establish and collect fees not to exceed the actual cost of searching for or making copies of records," and that those fees "must be uniform for copies of the same record or document." The section also provides that "the records must be furnished at the lowest possible cost to the person requesting the records," and that the public body can provide the records "when appropriate without charge or at a reduced charge where the agency determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public."

It is the Authority's policy to charge those persons or entities making a request under the FOIA for the Authority's actual costs incurred in searching for and making copies of the requested information. The actual cost of an Authority employee's time will be calculated by dividing the employee's annual salary by 2,080 hours to arrive at an hourly rate, and then multiplying that hourly rate by the number of hours spent by the employee researching, gathering, and screening public records in order to identify and obtain those public records that are responsive to the FOIA request. Any additional costs associated with producing a copy of the public record will also be documented and charged to the requestor. Paper copies will be produced at a cost of ten cents per page, and electronic copies will be produced at the cost of the electronic media used. When appropriate, as determined by the Executive Director, the public records may be provided without charge or at a reduced charge when the Executive Director determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public.



Robert M. Burdette  
Executive Director