

**SOUTH CAROLINA DEPARTMENT OF COMMERCE
FREEDOM OF INFORMATION REQUESTS
PROCEDURES & FEE SCHEDULE**

I. PURPOSE & SCOPE

The purpose and scope of this policy is to set forth guidelines for processing Freedom of Information Act (FOIA) requests and to assess certain costs associated with gathering and reproduction of the documents requested under the Freedom of Information Act.

II. PROCEDURES

- Requests for information pursuant to FOIA must be submitted in writing. Requests may be mailed, emailed, hand-delivered or faxed.
- Upon receipt, requests shall be forwarded to the Director of Marketing & Communications, the Chief Legal Counsel, and to the administrative assistant in charge of maintaining the FOIA database.
- The Chief Legal Counsel will prepare and/or oversee a response as is appropriate to the subject matter of the request.
- The following process should be used in responding to a request for information:
 1. Responsive public records will be identified, and the associated costs will be assessed, according to the Fee Schedule established in Section III below. Electronic records will be provided whenever practicable. Agency is not required to create an electronic version that does not exist.
 2. The Chief Legal Counsel will review each request and determine whether responsive public records are subject to public disclosure. A written notification will be provided to the requestor within 10 business days (20 business days if the records are older than 24 months) advising the requester of the Agency's determination. Responsive records will be made available no later than 30 days from the date of the written notification (35 days if the records are older than 24 months), unless a deposit is required as set forth below, in which case time periods will be determined from the date the required deposit is received.
 3. A deposit not to exceed 25 percent of the total reasonably anticipated cost to make the public records available may be required prior to Agency's searching for or making copies of responsive records. The full amount of the total cost must be paid at the time of the production of the responsive records.

III. FEE SCHEDULE

When furnishing the information can be considered as primarily benefiting the general public and when requests are not burdensome, Agency will respond to FOIA requests free of charge. Accordingly, to the extent a request involves less than one (1) hour to search for and scan or copy responsive public records, Agency will not charge for staff time. Paper copies, if any, will be provided without charge up to 50 pages.

Pursuant to Section 30-4-30(B) of the Freedom of Information Act, Agency has established the following fee schedule that does not exceed the actual cost of the search, retrieval, and redaction of records.

- Labor Fee (for search, retrieval, and scanning).....\$45.00/hr
- Copy Fee (including labor).....\$.25/page
- Color Copies (including labor).....\$1.00/page