**Section 651.520 Copying of Records; Fees**

a) In accordance with Section 651.530, unless a fee is otherwise fixed by statute, the Office of the Treasurer will provide copies of records and certifications of records in accordance with the fee schedule set forth in Appendix A.

b) *In calculating its actual cost for reproducing records or for the use of the equipment of the* Office of the Treasurer *to reproduce records, the* Office of the Treasurer *will not include the costs of any search for and review of the records or other personnel costs associated with reproducing the records, except for commercial requests as provided in* Section 6(f) of FOIA or Section 651.520(f)*.* (Section 6(b) of FOIA)

c) In order to expedite the copying of records that the Office of the Treasurer cannot copy, due to the volume of the request or the operational needs of the Office of the Treasurer, in the timelines established in Section 651. 410, the requester may provide, at the requester's expense, the copy machine, all necessary materials, and the labor to copy the public records at the Office of the Treasurer headquarters in Section 651. 510, or at another location agreed to by both the Office of the Treasurer and the requester. No original record shall be removed from State-controlled premises except under constant supervision of the agency responsible for maintaining the record.

d) Copies of records will be provided to the requester only upon payment of any fees due. *The* Office of the Treasurer *may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium, but the* Office of the Treasurer *will not charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records, except for commercial requests as provided in* Section 6(f) of FOIA or Section 651.520(f)*.* (Section 6(a) of FOIA) Payment must be by check or money order sent to the Office of the Treasurer, payable to "Treasurer, State of Illinois".

e) If a contractor is used to inspect or copy records, the following procedures shall apply:

1) The requester, rather than the Office of the Treasurer, must contract with the contractor;

2) The requester is responsible for all fees charged by the contractor;

3) The requester must notify the Office of the Treasurer of the contractor to be used prior to the scheduled on-site inspection or copying;

4) Only Office of the Treasurer personnel may provide records to the contractor;

5) The Office of the Treasurer must have verification that the requester has paid the Office of the Treasurer, if payment is due, for the copying of the records before providing the records to the contractor; and

6) The requester must provide to the Office of the Treasurer the contractor's written agreement to hold the records secure and to copy the records only for the purpose stated by the requester.

f) The Office of the Treasurer *may charge up to $10 for each hour spent by personnel in searching for and retrieving a requested record or examining the record for necessary redactions. No fees shall be charged for the first 8 hours spent by personnel in searching for or retrieving a requested record.* The Office of the Treasurer *may charge the actual cost of retrieving and transporting public records from an off-site storage facility when the public records are maintained by a third-party storage company under contract with the* Office of the Treasurer*. If* the Office of the Treasurer *imposes a fee pursuant to* Section 6(f) of FOIA or Section 651.520(f)*, it must provide the requester with an accounting of all fees, costs, and personnel hours in connection with the request for public records. The provisions of this subsection (f) apply only to commercial requests*. (Section 6(f) of FOIA)

g) *If a voluminous request is for electronic records and those records are not in a portable document format (PDF), the* Office of the Treasurer *may charge up to $20 for not more than 2 megabytes of data, up to $40 for more than 2 but not more than 4 megabytes of data, and up to $100 for more than 4 megabytes of data. If a voluminous request is for electronic records and those records are in a portable document format, the* Office of the Treasurer *may charge up to $20 for not more than 80 megabytes of data, up to $40 for more than 80 megabytes but not more than 160 megabytes of data, and up to $100 for more than 160 megabytes of data. If the responsive electronic records are in both a portable document format and not in a portable document format, the* Office of the Treasurer *may separate the fees and charge the requester under both fee scales*.

*If* theOffice of the Treasurer *imposes a fee pursuant to this subsection* (g)*, it must provide the requester with an accounting of all fees, costs, and personnel hours in connection with the request for public records.* (Section 6(a-5) of FOIA)

(Source: Amended at 46 Ill. Reg. 1635, effective January 7, 2022)