**Section 1828.602 Fees for Public Records**

a) In accordance with Section 1828.603, unless *a fee is otherwise fixed by statute,* the Agency *may charge fees reasonably calculated to reimburse its actual cost for reproducing and certifying public records and for the use, by any person, of the equipment of the* Agency *to copy records. No fees shall be charged for the first 50 pages of black and white, letter or legal sized copies requested by a requester. The fee for black and white, letter or legal sized copies shall not exceed 15 cents per page. If* the Agency *provides copies in color or in a size other than letter or legal, the* Agency *may not charge more than its actual cost for reproducing the records. In calculating its actual cost for reproducing records or for the use of the equipment of the* Agency *to reproduce records,* the Agency *shall not include the costs of any search for and review of the records or other personnel costs associated with reproducing the records.* (Section 6(b) of FOIA)

b) The Agency will provide copies of public records and certifications of public records in accordance with the fee schedule set forth in Section 1828.Appendix A.

c) In order to expedite the copying of public records that the Agency cannot copy, due to the volume of the request or the operational needs of the Agency, in the timelines established in Section 1828.501, 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 Agency headquarters in Springfield, Illinois. No original record shall be removed from State-controlled premises except under constant supervision of Agency staff.

d) Copies of public records will be provided to the requester only upon payment of any fees due. The Agency *may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium,* but the Agency *may 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.* Payment must be by check or money order sent to the Agency, payable to "Treasurer, State of Illinois." (Section 6(a) of FOIA)

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

1) The requester rather than the Agency must contract with the contractor;

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

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

4) Only Agency personnel may provide public records to the contractor;

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

6) The requester must provide to the Agency the contractor's written agreement to hold the public records secure, to copy the records only for the purpose stated by the requester, and to return the records at a specified date and time.

(Source: Amended at 34 Ill. Reg. 15377, effective September 23, 2010)