



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 370
[2009 Assembly Bill 638]

**Format and Fees for Obtaining
Public Records**

Under *current open records law*, a requester has the right to inspect and make or receive a copy of a public record *that appears in written form*. Also, each authority must make any record produced or collected under contract entered into by the authority available for inspection and copying to the same extent as if the record were maintained by the authority. The statutes do not set a maximum fee that a contractor may charge a requester who requests a copy of the record that the contractor produced or collected.

2009 Wisconsin Act 370 makes the following changes to current law:

- Clarifies that a requester is entitled to receive a copy of a public record, *regardless of whether or not it appears in written form*.
- Allows a person who is requesting a copy of a land information record to obtain a copy of the *land information record* in the *same format that the record is maintained*.
- Provides that the maximum fee a contractor may charge for obtaining a copy of a record that the contractor produced or collected *may not exceed the actual, necessary, and direct cost* of reproduction or transcription, *unless a fee is otherwise established or authorized to be established by law*.

Effective date: 2009 Wisconsin Act 370 takes effect on June 2, 2010.

Prepared by: Melissa Schmidt, Staff Attorney

May 24, 2010

MS:ty

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.