



COUNTY OF SAN BERNARDINO

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LANCE M. LARSON
Director of Legislative Affairs

March 22, 2010

The Honorable Gloria Negrete McLeod
California State Senate
State Capitol
Sacramento, CA 95814

RE: SB 1324 (Negrete McLeod) – As introduced February 19, 2010 - SUPPORT

Dear Senator Negrete McLeod:

The San Bernardino County Board of Supervisors is pleased to support SB 1324, your legislation authorizing state and local governments to recover costs associated with complying with public record requests pursuant to the Public Records Act. As you are aware, existing provisions of the Public Records Act limit cost recovery to that associated with record duplication, but not the actual costs of researching and retrieving records, including respective staff time, in order to comply with a record request. The primary resource drain associated with requests for public records is loss of staff time, realized through salary and benefit loss while assessing and retrieving requests for information.

This measure allows a governmental body to impose a "reasonably calculated" fee to cover the actual costs of staff "search and review" time for any request involving commercial use. The common practice associated with the request for public information depletes already limited staff resources needed to perform primary agency functions. The provisions of this bill will allow the agency to recover actual salary and benefit costs associated with the compliance of requests for information that benefit commercial purposes.

San Bernardino County appreciates our important role as stewards of transparency and serves to comply with all provisions of the Public Records Act. Cognizant of our role and dedicated to serving the will of honorable requests for public information, the County fields requests for public information on a routine basis. While, it is not currently the practice of the County to request the purpose for such requests, it is recognized that requests are often made solely for commercial and personal profit. Costs associated with these requests should not be paid for with public monies.

For these reasons, the San Bernardino County Board of Supervisors supports SB 1324. If you have any questions, please do not hesitate to contact Lance Larson, County Director of Legislative Affairs at (909) 387-4821. The Board thanks you for your attention in this matter.

Sincerely,

[Handwritten signature of Gary C. Ovitt]

GARY C. OVITT
Chairman, Board of Supervisors