TAX COLLECTOR PUBLIC RECORDS REQUEST POLICY

I. Public Record Requests

As a local government entity within the State of Florida, the Sarasota County Tax Collector is subject to Florida's Public Records laws set forth in Chapter 119, *Florida Statutes*, and other applicable State and Federal laws. In furtherance of these laws, the Tax Collector will provide to the public all applicable and available records (for which the Tax Collector is the official custodian of such records).

Please note that when the Tax Collector processes business for State Agencies as their agent (*i.e.*, licenses, titles, registrations, or certificates), the Tax Collector is not the official custodian of such public records. A records request for such State records must be sent directly to the applicable State Agency.

A public records request to the Tax Collector may be made in any format, including e-mail, regular mail, by phone, or in-person. However, the Tax Collector kindly asks that public records requests be submitted to:

Records@SarasotaTaxCollector.gov
OR
Sarasota County Tax Collector
Attn: Public Records Request
101 S. Washington Blvd.
Sarasota, FL 34236
OR
Phone: 941.861.8375

The request must be clear enough to enable the Tax Collector to conduct a meaningful search, and the Tax Collector may need to ask clarifying questions about the request to respond to the request fully and in a timely manner.

All public record requests will be promptly logged, and we will promptly acknowledge your request, providing one or more of the following initial responses:

- A statement that the Tax Collector's office is initiating a search for responsive records;
- An inquiry to clarify the scope of the request when more information is necessary to initiate a search;
- A statement that the Tax Collector does not possess the requested records;
- Referral to the proper custodian of the record(s) (*e.g.*, FLHSMV, FDACS, etc.);
- An estimate of time required to fulfill the request; and/or

- A prepayment (deposit) invoice for the estimated fees associated with processing the request (to be paid prior to any further work being performed on your request).

Each request is unique and requires time to research, gather, and review. The nature and volume of the responsive records may increase the time it takes to fulfill the request.

II. Exempt and/or Confidential Records

Please be aware that some public records, or portions thereof, are made exempt or confidential from disclosure by Chapter 119, *Florida Statutes*, and/or other State and Federal laws. Pertaining to the Tax Collector's records, Section 119.071, *Fla. Stat.*, and Section 119.0713, *Fla. Stat.*, provide the majority (but not all) of the applicable exemptions and/or confidentiality requirements.

If a portion of the records you request contain exempt and/or confidential information, such records will be provided with the exempt and/or confidential information redacted.

If an entire record is exempt and/or confidential, it will not be produced, and the Tax Collector's Office will notify you regarding the exemption and/or confidentiality of the requested records.

If exempt and/or confidential records are requested, the Tax Collector's Office will specifically identify the statute that exempts the record from disclosure.

III. Statutory Fees

Please note that potential fees may apply to your public records request. Unless specifically required by law, the Tax Collector's Office does not waive costs for any requesters (including assertions of indigency or incarceration). Section 119.07(4), *Fla. Stat.*, provides:

> (4) The custodian of public records shall furnish a copy or a certified copy of the record upon payment of the fee prescribed by law. If a fee is not prescribed by law, the following fees are authorized:
>
> (a)
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> 1. Up to 15 cents per one-sided copy for duplicated copies of not more than 14 inches by 8 ½ inches;
> 2. No more than an additional 5 cents for each two-sided copy; and
> 3. For all other copies, the actual cost of duplication of the public record.

(b) The charge for copies of county maps or aerial photographs supplied by county constitutional officers may also include a reasonable charge for the labor and overhead associated with their duplication.

(c) An agency may charge up to $1 per copy for a certified copy of a public record.

(d) If the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, **in addition to the actual cost of duplication**, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and supervisory assistance required, or both.

(e)

1. Where provision of another room or place is necessary to photograph public records, the expense of providing the same shall be paid by the person desiring to photograph the public records.
2. The custodian of public records may charge the person making the photographs for supervision services at a rate of compensation to be agreed upon by the person desiring to make the photographs and the custodian of public records. If they fail to agree as to the appropriate charge, the charge shall be determined by the custodian of public records.

All invoices created will be made in "good faith" and will not be created to cause hardship, delay, or undue burden on the requester.

In addition to the actual costs of duplication, the Tax Collector's Office will invoice the statutorily authorized "extensive use" special service charge for any single request (or multiple requests from the same requesting person, entity, or affiliates within the same Fiscal Year), requiring more than an aggregate of fifteen (15) minutes of clerical, supervisory, and/or information technology resources (inclusive of locating the records, duplicating the records, and reviewing for exempt/confidential information). The Tax Collector's Office voluntarily waives the first 15-minutes of any resources incurred due to any person, entity, or affiliates each Fiscal Year (October 1 through September 30), but only for a requesting person's/entity's/affiliates' first request each Fiscal Year that can be completed within 15-minutes (inclusive of locating the records, duplicating the records, and reviewing for exempt/confidential information); if a request takes longer than 15-minutes to complete, then no waiver applies at all. The "extensive use" special service charge will be calculated using the lowest hourly rate of pay (inclusive of benefits) of the lowest paid sub-class of employee qualified to perform the work and the lowest cost technological resource used to fulfill the request.

When possible, prepayment (deposit) invoices will be provided prior to actual costs of duplication or "extensive use" special service charges being incurred to fulfill public records requests. However, depending on the nature, volume, and/or the specificity of the request, some duplication or labor costs may be incurred prior to the issuance of an invoice. In any event, once payment of a prepayment (deposit) invoice is received, the Tax Collector's Office will begin working to fulfill the public record request.

If the actual costs incurred ultimately are less than estimated within the prepayment (deposit) invoice, the overpayment will be refunded to the requestor. However, if the actual costs are more than the estimate (deposit), payment of the balance will be required and a final invoice will be issued. The Tax Collector's Office may require full payment of the balance before responsive records are released.

Because the Tax Collector's Office is a local government entity, credit cannot and will not be extended. If you (or an affiliated person or entity) have: previously received public records from the Tax Collector's Office for a prior request that required payment of an invoice and/or received an invoice for labor time already expended on your current request and you have not paid the costs associated with that response, then the Tax Collector's Office will not provide any further records or any further prepayment (deposit) invoices for further requests until such time as all due invoices have been paid. If you (or an affiliated person or entity) have previously received a prepayment (deposit) invoice for costs not already incurred for your request, and you have not paid the costs associated with that request, the Tax Collector's Office will not provide any further records or any further prepayment (deposit) invoices for further requests, until such time as the due amounts have been paid or that record request is withdrawn.

The Tax Collector Office's will close a public record request if the requesting party fails to pay a prepayment (deposit) invoice or a final invoice, or fails to respond to inquiries for clarification pertaining to a public records request, within sixty (60) days following the issuance of the invoice or clarification inquiry. After such closure, if a requestor still wishes to pursue the closed request, it will need to be resubmitted, which will then be processed as a new request (and any invoices will be subject to the then-current rates). Requests may be canceled at any time, subject to any fees that may have accrued for any work already done by the Tax Collector's Office.

Please direct any and all questions pertaining to this *Tax Collector Public Records Request Policy* to Records@SarasotaTaxCollector.gov.

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