

Charges for Providing Copies of Public Information

The charges listed to recover costs associated with providing copies of public information are based on estimated average costs as determined by the Texas General Services Commission.

A. Copy Charge

1. Standard paper copy. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is \$.10 per page or part of a page. Each side that has a printed image is considered a page.

2. Non-standard copy. The charges for nonstandard copies are:

a. Diskette--\$1.00

b. Magnetic tape--\$100.00-\$13.50 (depending on width)

c. Data cartridge--\$17.50-\$35.00 (depending on series)

d. Tape cartridge--\$38.00-\$45.00 (depending on memory)

e. VHS video cassette--\$2.50

f. Audio cassette--\$1.00

g. Oversize paper copy (i.e. 11" x 17", greenbar, blue bard)--\$.50 per page

h. Blueprint/blueline paper--\$.20/linear foot (all widths)

3. The charges in this subsection are to cover the cost of materials onto which information is copied and do not reflect any additional charges that may be associated with a particular request.

a. Programming personnel. If a particular request required the services of a programmer in order to execute an existing program or to create a new program so that requested information may be accessed and copied, the BWA may charge for the programmer's time.

1. The BWA does not have in-house programming capabilities and therefore shall comply with requests in accordance with §552.231 of the Public Information Act.

2. If the charge for providing a copy of public information includes costs of labor, a governmental body shall comply with the requirements of Government Code, Chapter 552, §552.261(b).

4. Other Personnel Charge

a. The charge for other personnel costs incurred in processing a request for public information is \$15 an hour, including fringe benefits. Where applicable, the other personnel charge may include the actual time to locate, compile and reproduce the requested information.

b. An other personnel charge shall not be billed in connection with complying with requests that are for 50 or fewer pages of paper records, unless the documents to be copied are located in:

1. More than one building; or

2. A remote storage facility.

c. Other personnel time shall not be recovered for any time spent by an attorney, legal assistant, or any other person who reviews the requested information

1. To determine whether the governmental body will raise any exceptions to disclosure of the requested information under Subchapter C of the Public Information Act; or

2. To research or prepare a request for a ruling by the attorney general's office pursuant to §552.301 of the Public Information Act.

d. When confidential information is mixed with public information in the same page, personnel time may be recovered for time spent to obliterate, blackout, or otherwise obscure confidential information in order to release the public information.

e. If the charge for providing a copy of public information includes costs of labor, the BWA shall comply with the requirements of Government Code, Chapter 552, §551.261(b).

5. Overhead Charge

a. Whenever any personnel charge is applicable to a request, a governmental body may include the charges direct and indirect costs, in addition to the specific personnel charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If a governmental body chooses to recover such costs, a charge shall be made in accordance with the methodology described in paragraph (3) of the subsection. Although an exact calculation of costs will vary, the use of a standard charge will avoid complication in calculating such costs and will provide uniformity for charges made statewide.

b. An overhead charge shall not be made for requests for copies of 50 pages or fewer of standard paper records.

c. The overhead charge shall be computed at 20% of the charge made to cover any personnel costs associated with a particular request. For example, if one hour of personnel (programming, other personnel or a combination of both) is used for a particular request, the formula would be as follows: $\$15.00 \times .20 = \3.00 ; or $\$26.00 \times .20 = \5.20 ; or $\$41.00 \times .20 = \8.20 .

6. Remote document retrieval charge

a. Due to limited on-site capacity of storage of documents, it is frequently necessary to store information that is not in current use in remote storage locations. Every effort will be made to store current records on-site. To the extent that the retrieval of documents results in a charge to comply with a request, it is permissible to recover costs of such services.

b. If the BWA has a contract with a commercial records storage company, whereby the private company charges a fee to locate, retrieve, deliver, and return to storage the needed record(s), no additional personnel charge shall be factored in for time spent locating documents at the storage location by the private company's personnel. If after delivery to the BWA, the boxes must still be searched for records that are responsive to the request, a personnel charge is allowed according to subsection 4(a) of this section.

7. Computer Resource Charge

a. The computer resource charge is a utilization charge for computers based on the amortized cost of acquisition, lease, operation, and maintenance of computer resources, which might include, but is not limited to, some or all of the following: central processing units (CPUs), servers, disk drives, local area networks (LANs), printers, tape drives, other peripheral devices, communications devices, software, and system utilities.

b. These computer resource charges are not intended to substitute for cost recovery methodologies or charges made for purposes other than responding to public information requests.

c. The charges in this subsection are averages based on a survey of governmental bodies with a broad range of computer capabilities. When using this cost recovery charge, the BWA shall determine which category(ies) of computer system(s) used to fulfill the public information request most closely fits its existing system(s), and set its charge accordingly. Type of System—Rate:
Mainframe--\$10 per minute; Midsize--\$1.50 per minute; Client/Server--\$2.20 per hour; PC or LAN--\$1.00 per hour.

d. The charge made to recover the computer utilization cost is the actual time the computer takes to execute a particular program times the applicable rate. The CPU charge is not meant to apply to programming or printing time; rather, it is solely to recover costs associated with the actual

time required by the computer to execute a program. This time, called CPU time, can be read directly for the CPU clock, and most frequently will be a matter of seconds. No charge should be made for computer print-out time. For example, if a mainframe computer is used, and the processing time is 20 seconds, the charges would be as follows: $\$10.00/3 = \3.33 ; or $\$20/60 \times 20 = \3.33 .

8. Miscellaneous supplies. The actual cost of miscellaneous supplies, such as labels, boxes, and other supplies used to produce the requested information, may be added to the total charge for public information.

9. Postal and shipping charges. The BWA may add any related postal or shipping expenses which are necessary to transmit the reproduced information to the requesting party.

10. Sales tax. Sales tax shall not be added on charges for public information.

11. The BWA shall re-evaluate and update these charges as necessary.