 <p style="text-align: center;">Washtenaw County</p>			Policy		
<p>Title: Enhanced Access to Public Records</p>	<p>Enabling Resolution: 14-00210</p>	<p>Supersedes: 05-0070 02-0174 01-0233 01-0232 01-0231 96-0159</p>	<p>Effective Date: 09-19-18</p>	<p>Page: 1</p>	<p>Of: 5</p>


### Enhanced Access to Public Records

I. Purpose:

This policy is established pursuant to the authority of the Enhanced Access to Public Records Act, 1996 P.A. 462

II. Authorization:


- A. Pursuant to 1996 P.A. 462, all Washtenaw County government public bodies may provide enhanced access for inspection, copying, or purchasing of a public record that is not confidential or otherwise exempt by law from disclosure.
- B. This policy does not require a public body to provide enhanced access to any specific public record.
- C. County elected officials, department heads, agencies, boards, commissions and councils legally responsible for the creation, preparation, ownership, custody, control, maintenance, preservation, guardianship, retention, possession or use of public record shall select which public records may be made available through enhanced access.
- D. Principles be considered in determining which records shall be made available through enhanced access including, but are not limited to, the following:
  - a. Management principles applied to information resources shall be aligned with that of other governmental resources.
  - b. Elected officials, department heads, agencies, boards, commissions, councils and other County public bodies legally responsible for the creation, preparation, ownership, custody, control, maintenance, preservation, guardianship, retention, possession or use of a public record who have the responsibility, authority and accountability for the management of public record information.
  - c. Legal, programmatic and governmental requirements shall direct the investment in information resources.

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- d. Washtenaw County government, in trust for the people of Washtenaw County, has a duty to ensure ownership of information products, and County created intellectual property is protected and maintained.

### III. Fees

- A. Washtenaw County shall charge a reasonable fee, which will be calculated to enable Washtenaw County to recover over time those operating expenses directly related to the provision of enhanced access to a public record or County service transacted online.
- B. Washtenaw County shall charge a reasonable fee for providing enhanced access to either a Computerized Information System (CIS) or the output from that system.
- C. Except as otherwise provided by act or statute, the Finance Department and the Information and Technology Division of Support Services or any work group designated by Administration shall establish a proposed reasonable fee(s) for each computerized public record made available through enhanced access or the output from a CIS. The proposed fee(s) or any adjustments to previously established fees shall be presented to and approved by the Board of Commissioners before they shall become effective.
- D. Except as otherwise provided by act or statute, all persons shall be charged a reasonable fee for enhanced access to a public record, access to a CIS, or the output from a CIS.
- E. Specific fees for those eGovernment Service Transactions referenced in this policy are identified in Attachment A.
- F. The County may furnish access or enhanced access without charge or at a reduced charge if the County determines that a waiver or reduction of fee is in the public interest because access or enhanced access can be considered as primarily benefiting the general public interest. Examples may include, but are not limited to, instances when:
  - a. The information is critical to public health or safety;
  - b. The information is required for non-profit research purposes such as academic or public interest research;
  - c. The information is required to meet legal, programmatic or government objectives;
  - d. The information explains the rights, entitlements and/or obligations of individuals;

 <p style="text-align: center;">Washtenaw County</p>			Policy		
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- e. The cost of administering the fees would exceed the revenue to be collected;
  - f. The reasonable fee established would have a serious detrimental impact on the financial position of particular groups or classes of users;
  - g. The reasonable fee established would limit the number of users enough to compromise achieving program or other government objectives.
- G. Waiver or fee reductions shall be recommended by the elected official, department head, agency, board, commission, council, other County public body legally responsible for the creation, preparation, ownership, custody, control, maintenance, preservation, guardianship, retention, possession or use of the public records(s) in question. The waiver or fee reductions shall be approved by the office of Corporation Counsel prior to the award of that waiver or reduction.


#### IV. Privacy and Security

- A. All personally identifiable information supplied by visitors to County sites shall be encrypted during transmission.
- B. All online credit card transactions will meet PCI Data Security Standards.

#### V. Disclaimer:

- A. Recipient of access or enhanced access receive all information "AS IS". The County of Washtenaw, its officers, officials, employees, agents, volunteers, contractors and public bodies, make no warranties of any kind, including but not limited to, warranties of accuracy, fitness for a particular purpose, or of a recipient's right of use. Washtenaw County shall not be responsible for any complaints or other legal actions filed against a recipient based in whole or in part on information received by the recipient under this Policy. Recipients are solely responsible for investigating, litigating and settling such complaints or other legal action, including the payment of any damages or costs. The Washtenaw County Board of Commissioners may, however, by Resolution, elect to participate in the litigation or other legal action at County expense.
- B. Except for the Board of Commissioners, by resolution adopted by a majority of those elected and serving, no officer, official, employee, agent, volunteer, contractor or other person or public body may make any representation or warranty on behalf of the County or one of its public bodies.




 Washtenaw County			Policy		
Title: Enhanced Access to Public Records	Enabling Resolution: 14-00210	Supersedes: 05-0070 02-0174 01-0233 01-0232 01-0231 96-0159	Effective Date: 09-19-18	Page: 5	Of: 5

ONLINE ACCESS TO EGOVERNMENT SERVICE TRANSACTIONS

ATTACHMENT A

<u>Mandated/Statutory Fees</u>	<u>Associated Convenience Fees per Transaction</u>
Up to \$15.00	\$2.00
\$15.01 - \$25.00	\$3.00
\$25.01 - \$50.00	\$4.00
\$50.01 - \$75.00	\$5.00
\$75.01 - \$100.00	\$6.00
\$100.01 – \$150.00	\$7.00
\$150.01 – \$200.00	\$8.00
\$200.01 - \$250.00	\$9.00
\$250.01 - \$300.00	\$10.00
\$301.00 - \$400.00	\$13.00
\$400.01 - \$500.00	\$15.00
\$500.01 and up	3% of total

					
<b>Washtenaw County</b>			<b>Policy</b>		
<b>Title:</b> Enhanced Access to Public Records	<b>Enabling  Resolution:</b> 14-00210	<b>Supersedes:</b> 05-0070 02-0174 01-0233 01-0232 01-0231 96-0159	<b>Effective Date:</b> 09-19-18	<b>Page:</b> 6	<b>Of:</b> 5

The convenience fees indicated are the maximum amounts that will be charged for eGovernment Service Transactions.

<b>OnLine Access to Investigative Reports</b>	
Investigative Reports	\$5.00 per report request