



Senate

General Assembly

File No. 202

February Session, 2026

Senate Bill No. 225

Senate, March 26, 2026

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING FEES FOR COPYING, REVIEWING AND REDACTING RECORDS CREATED BY POLICE BODY-WORN RECORDING EQUIPMENT AND DASHBOARD CAMERAS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-6d of the 2026 supplement to the general statutes
2 is repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2026*):

4 (a) For purposes of this section, [and] section 2 of this act and section
5 7-277b:

6 (1) "Law enforcement unit" has the same meaning as provided in
7 section 7-294a;

8 (2) "Police officer" means a sworn member of a law enforcement unit
9 or any member of a law enforcement unit who performs police duties;

10 (3) "Body-worn recording equipment" means an electronic recording

11 device that is capable of recording audio and video;

12 (4) "Dashboard camera" means a dashboard camera with a remote
13 recorder, as defined in section 7-277b;

14 (5) "Digital data storage device or service" means a device or service
15 that retains the data from the recordings made by body-worn recording
16 equipment using computer data storage; [and]

17 (6) "Police patrol vehicle" means any state or local police vehicle other
18 than an administrative vehicle in which an occupant is wearing body-
19 worn camera equipment, a bicycle, a motor scooter, an all-terrain
20 vehicle, an electric personal assistive mobility device, as defined in
21 subsection (a) of section 14-289h, or an animal control vehicle;

22 (7) "Freedom of Information Act" has the same meaning as provided
23 in section 1-200;

24 (8) "Requesting party" means the person requesting a record created
25 using body-worn recording equipment or a dashboard camera pursuant
26 to the Freedom of Information Act;

27 (9) "Involved person" means (A) any individual depicted in the
28 record created using body-worn recording equipment or a dashboard
29 camera, (B) any individual directly involved in the incident that led to
30 the police officer being called to respond, or (C) any police officer
31 responding to such incident, including the police officer whose body-
32 worn recording equipment or dashboard camera created the record; and

33 (10) "Redact" means to obscure, pixelate or mute any portion of a
34 record created using body-worn recording equipment or a dashboard
35 camera.

36 (b) The Commissioner of Emergency Services and Public Protection
37 and the Police Officer Standards and Training Council shall jointly
38 evaluate and approve the minimal technical specifications of body-worn
39 recording equipment that shall be worn by police officers pursuant to
40 this section, dashboard cameras that shall be used in each police patrol

41 vehicle and digital data storage devices or services that shall be used by
42 a law enforcement unit to retain the data from the recordings made by
43 such equipment. The commissioner and council shall make such
44 minimal technical specifications available to each law enforcement unit
45 in a manner determined by the commissioner and council. The
46 commissioner and council may revise the minimal technical
47 specifications when the commissioner and council determine that
48 revisions to such specifications are necessary.

49 (c) (1) Each police officer shall use body-worn recording equipment
50 while interacting with the public in such sworn member's law
51 enforcement capacity, except as provided in subsection (g) of this
52 section, or in the case of a municipal police department, in accordance
53 with the department's policy adopted by the department and based on
54 guidelines maintained pursuant to subsection (j) of this section,
55 concerning the use of body-worn recording equipment.

56 (2) Each police officer shall wear body-worn recording equipment on
57 such officer's outer-most garment and shall position such equipment
58 above the midline of such officer's torso when using such equipment.

59 (3) Body-worn recording equipment used pursuant to this section
60 shall conform to the minimal technical specifications approved
61 pursuant to subsection (b) of this section, except that a police officer may
62 use body-worn recording equipment that does not conform to the
63 minimal technical specifications approved pursuant to subsection (b) of
64 this section, if such equipment was purchased prior to January 1, 2016,
65 by the law enforcement unit employing such officer.

66 (4) Each law enforcement unit shall require usage of a dashboard
67 camera in each police patrol vehicle used by any police officer employed
68 by such unit in accordance with the unit's policy adopted by the unit
69 and based on guidelines maintained pursuant to subsection (j) of this
70 section, concerning dashboard cameras.

71 (d) Except as required by state or federal law, no person employed by
72 a law enforcement unit shall edit, erase, copy, share or otherwise alter

73 or distribute in any manner any recording made by body-worn
74 recording equipment or a dashboard camera or the data from such
75 recording.

76 (e) A police officer may review a recording from his or her body-worn
77 recording equipment or a dashboard camera (1) in order to assist such
78 officer with the preparation of a report or otherwise assist such officer
79 in the performance of his or her duties, or (2) if such officer is the subject
80 of a disciplinary investigation and such a recording is being considered
81 as part of the investigation.

82 (f) (1) If a police officer is giving a formal statement about the use of
83 force and the use of force was captured in a recording from body-worn
84 recording equipment or a dashboard camera, the officer shall have the
85 right to review such recording in the presence of the officer's attorney
86 or labor representative. Not later than forty-eight hours following an
87 officer's review of the recording, or if the officer does not review the
88 recording, not later than ninety-six hours following a request for public
89 disclosure of the recording, whichever is earlier, such recording shall be
90 disclosed, upon request, to the public, subject to the provisions of
91 subsection (g) of this section. Public disclosure may be delayed if the
92 officer, due to a medical or physical response or an acute psychological
93 stress response to the incident, is not reasonably able to review a
94 recording under this subdivision, but in no event shall disclosure be
95 delayed more than one hundred forty-four hours following the
96 recorded event.

97 (2) If a request is made for public disclosure of a recording from body-
98 worn recording equipment or a dashboard camera that captured an
99 alleged use of force and a police officer has not been asked to give a
100 formal statement about the alleged use of force, any police officer whose
101 image or voice is captured on the recording shall have the right to
102 review such recording in the presence of the officer's attorney or labor
103 representative. Not later than forty-eight hours following an officer's
104 review of a recording under this subdivision, or if the officer does not
105 review the recording, not later than ninety-six hours following the

106 request for disclosure, whichever is earlier, such recording shall be
107 disclosed to the public, subject to the provisions of subsection (g) of this
108 section. Public disclosure may be delayed if the officer, due to a medical
109 or physical response or an acute psychological stress response to the
110 incident, is not reasonably able to review a recording under this
111 subdivision, but in no event shall disclosure be delayed more than one
112 hundred forty-four hours following the recorded event.

113 (g) (1) Except as otherwise provided by any agreement between a law
114 enforcement unit and the federal government, no police officer shall use
115 body-worn recording equipment or a dashboard camera, if applicable,
116 to intentionally record (A) a communication with other law enforcement
117 unit personnel, except that which may be recorded as the officer
118 performs his or her duties, (B) an encounter with an undercover officer
119 or informant or an officer performing detective work described in
120 guidelines developed pursuant to subsection (j) of this section, (C) when
121 an officer is on break or is otherwise engaged in a personal activity, (D)
122 a person undergoing a medical or psychological evaluation, procedure
123 or treatment, (E) any person other than a suspect to a crime if an officer
124 is wearing such equipment in a hospital or other medical facility setting,
125 or (F) in a mental health facility, unless responding to a call involving a
126 suspect to a crime who is thought to be present in the facility.

127 (2) No record created using body-worn recording equipment or a
128 dashboard camera of (A) an occurrence or situation described in
129 subparagraphs (A) to (F), inclusive, of subdivision (1) of this subsection,
130 (B) a scene of an incident that involves (i) a victim of domestic or sexual
131 abuse, (ii) a victim of homicide or suicide, or (iii) a deceased victim of an
132 accident, if disclosure could reasonably be expected to constitute an
133 unwarranted invasion of personal privacy in the case of any such victim
134 described in this subparagraph, or (C) a minor, shall be subject to
135 disclosure under the Freedom of Information Act, [as defined in section
136 1-200,] and any such record shall be confidential and redacted in
137 accordance with section 2 of this act, except that a record of a minor shall
138 be disclosed if (i) the minor and the parent or guardian of such minor
139 consent to the disclosure of such record, or, if the minor is an involved

140 person, the minor's parent or guardian is the requesting party or an
141 involved person, (ii) a police officer is the subject of an allegation of
142 misconduct made by such minor or the parent or guardian of such
143 minor, and the person representing such officer in an investigation of
144 such alleged misconduct requests disclosure of such record for the sole
145 purpose of preparing a defense to such allegation, or (iii) a person is
146 charged with a crime and defense counsel for such person requests
147 disclosure of such record for the sole purpose of assisting in such
148 person's defense and the discovery of such record as evidence is
149 otherwise discoverable.

150 (h) No police officer shall use body-worn recording equipment prior
151 to being trained in accordance with section 7-294s in the use of such
152 equipment and in the retention of data created by such equipment. A
153 law enforcement unit shall ensure that each police officer such unit
154 employs receives such training at least annually and is trained on the
155 proper care and maintenance of such equipment.

156 (i) If a police officer is aware that any body-worn recording
157 equipment or dashboard camera is lost, damaged or malfunctioning,
158 such officer shall inform such officer's supervisor in writing as soon as
159 is practicable. Upon receiving such information, the supervisor shall
160 ensure that the body-worn recording equipment or dashboard camera
161 is inspected and repaired or replaced, as necessary. Each police officer
162 shall inspect and test body-worn recording equipment prior to each shift
163 to verify proper functioning, and shall notify such officer's supervisor
164 of any problems with such equipment.

165 (j) The Commissioner of Emergency Services and Public Protection
166 and the Police Officer Standards and Training Council shall jointly
167 maintain guidelines pertaining to the use of body-worn recording
168 equipment and dashboard cameras, including the type of detective
169 work an officer might engage in that should not be recorded, retention
170 of data created by such equipment and dashboard cameras and methods
171 for safe and secure storage of such data. On and after October 1, 2024,
172 such guidelines shall contain provisions concerning under which

173 circumstances an officer shall not pause recording on such equipment.
174 The guidelines shall not require a law enforcement unit to store such
175 data for a period longer than one year, except in the case where the unit
176 knows the data is pertinent to any ongoing civil, criminal or
177 administrative matter. Each law enforcement unit and any police officer
178 and any other employee of such unit who may have access to such data
179 shall adhere to such guidelines. The commissioner and council may
180 update and reissue such guidelines, as the commissioner and council
181 determine necessary. The commissioner and council shall, upon
182 issuance of such guidelines or any update to such guidelines, submit
183 such guidelines in accordance with the provisions of section 11-4a to the
184 joint standing committees of the General Assembly having cognizance
185 of matters relating to the judiciary and public safety.

186 (k) (1) Not later than October 1, 2023, the Police Officer Standards and
187 Training Council, in consultation with the Institute for Municipal and
188 Regional Policy at The University of Connecticut, shall prescribe a form
189 to be used by law enforcement units to report each unit's compliance
190 with the provisions of subsection (c) of this section. Such form shall
191 require the compilation of information including, but not limited to, (A)
192 the number of body-worn recording devices in operation in a law
193 enforcement unit, (B) the number of dashboard cameras in operation in
194 a law enforcement unit, (C) the number of police patrol vehicles not
195 equipped with a dashboard camera in a law enforcement unit and the
196 reasons such vehicles are not so equipped, (D) information regarding
197 any incidents in which a police officer of a law enforcement unit was
198 found in an internal investigation conducted by such unit to have
199 violated such unit's policy regarding the use of body-worn recording
200 equipment or dashboard cameras, and (E) any other information
201 deemed necessary.

202 (2) Not later than January 1, 2024, and annually thereafter, each law
203 enforcement unit shall submit a report on the form prescribed pursuant
204 to subdivision (1) of this subsection concerning the unit's compliance
205 with the provisions of subsection (c) of this section to the Institute for
206 Municipal and Regional Policy at The University of Connecticut. The

207 institute shall post such reports on the institute's Internet web site.

208 (3) Not later than July 1, 2024, and annually thereafter, the Institute
209 for Municipal and Regional Policy at The University of Connecticut
210 shall, within available appropriations, review the reports submitted
211 pursuant to subdivision (2) of this subsection, and report the results of
212 such review and any recommendations as a result of such review to the
213 Governor, the Police Officer Standards and Training Council, the
214 Criminal Justice Policy and Planning Division within the Office of Policy
215 and Management and, in accordance with the provisions of section 11-
216 4a, the joint standing committees of the General Assembly having
217 cognizance of matters relating to the judiciary and public safety and
218 security.

219 Sec. 2. (NEW) (*Effective October 1, 2026*) (a) Except as provided in
220 subsections (b) and (c) of this section, any public agency, as defined in
221 section 1-200 of the general statutes, that maintains a copy of a record
222 created using body-worn recording equipment or a dashboard camera
223 pursuant to section 29-6d of the general statutes, as amended by this act,
224 may charge the requesting party a redaction fee for any such record that
225 requires redaction in accordance with the provisions of this section.
226 Such fee shall compensate the public agency for the time spent redacting
227 any portion of the requested record as required or authorized by state
228 or federal law, including, but not limited to, the provisions of subsection
229 (g) of section 29-6d of the general statutes, as amended by this act. Such
230 fee shall be calculated as follows:

231 (1) The public agency shall not charge the requesting party for the
232 time spent searching for the applicable record that is responsive to the
233 request.

234 (2) The first four hours of labor costs incurred by the public agency in
235 redacting the requested record shall not be charged to the requesting
236 party.

237 (3) Except as provided in subsection (c) of this section, any additional
238 labor costs associated with any time necessary to redact the requested

239 record beyond the time set forth in subdivision (2) of this subsection
240 may be charged to the requesting party at a rate not to exceed the hourly
241 wage of the lowest-paid employee with the requisite training for
242 redacting the responsive record. For purposes of this subdivision, the
243 hourly wage of an employee shall be based upon the employee's base
244 salary and shall not include benefits. The responding agency shall not
245 charge the requesting party for the services of any attorney hired by the
246 responding agency to conduct a second review of the requested record
247 or any company providing digital management services to the
248 responding agency.

249 (4) Any fee charged to a requesting party under this subsection shall
250 not exceed one hundred dollars per hour of the actual length of time of
251 the record requested. In calculating the fee under this subsection, the
252 public agency may round up the actual length of time of the record
253 requested to the nearest half hour at a rate of fifty dollars per half hour.

254 (5) If the amount to be charged to the requesting party in accordance
255 with subdivision (3) of this subsection is estimated to exceed two
256 hundred fifty dollars, the public agency shall inform the requesting
257 party of the estimated fee and may require prepayment of such fee prior
258 to redacting the requested record. If the amount of prepaid fees exceeds
259 the actual labor costs incurred by the public agency in redacting the
260 requested record, the public agency shall reimburse the requesting
261 party for any difference between the prepaid amount and actual cost.

262 (b) The public agency shall waive any fee authorized under this
263 section if required under subsection (d) of section 1-212 of the general
264 statutes.

265 (c) (1) A public agency shall not charge a fee to any requesting party
266 who is (A) an involved person in the record requested, (B) the parent or
267 legal guardian of an involved person, or (C) an attorney representing an
268 involved person in any civil, criminal or administrative matter.

269 (2) A public agency shall not charge a fee to any other requesting
270 party if (A) the record depicts a police officer involved in a shooting, a

271 police officer involved in a motor vehicle accident or a police officer
272 giving a formal statement about the use of force, or (B) (i) there is an
273 allegation of misconduct concerning the police officer involved, or (ii)
274 the police officer involved is the subject of a disciplinary investigation,
275 subject to any limitations on disclosure set forth in subsection (g) of
276 section 29-6d of the general statutes, as amended by this act.

277 (d) The public agency shall maintain an original, unredacted copy of
278 any requested record that is redacted for public dissemination in
279 accordance with the provisions of this section.

280 (e) If the Freedom of Information Commission determines that a
281 public agency has violated any provision of this section, the Freedom of
282 Information Commission may order the public agency to refund any
283 payment made under this section.

284 Sec. 3. Subsections (a) and (b) of section 1-212 of the general statutes
285 are repealed and the following is substituted in lieu thereof (*Effective*
286 *October 1, 2026*):

287 (a) Any person applying in writing shall receive, promptly upon
288 request, a plain, facsimile, electronic or certified copy of any public
289 record. The type of copy provided shall be within the discretion of the
290 public agency, except (1) the agency shall provide a certified copy
291 whenever requested, and (2) if the applicant does not have access to a
292 computer or facsimile machine, the public agency shall not send the
293 applicant an electronic or facsimile copy. [The] Except as provided in
294 section 2 of this act, the fee for any copy provided in accordance with
295 the Freedom of Information Act:

296 (A) By an executive, administrative or legislative office of the state, a
297 state agency or a department, institution, bureau, board, commission,
298 authority or official of the state, including a committee of, or created by,
299 such an office, agency, department, institution, bureau, board,
300 commission, authority or official, and also including any judicial office,
301 official or body or committee thereof but only in respect to its or their
302 administrative functions, shall not exceed twenty-five cents per page;

303 and

304 (B) By all other public agencies, as defined in section 1-200, shall not
305 exceed fifty cents per page. If any copy provided in accordance with said
306 Freedom of Information Act requires a transcription, or if any person
307 applies for a transcription of a public record, the fee for such
308 transcription shall not exceed the cost thereof to the public agency.

309 (b) The fee for any copy provided in accordance with subsection (a)
310 of section 1-211 shall not exceed the cost thereof to the public agency.
311 [In] Except as provided in section 2 of this act, in determining such costs
312 for a copy, other than for a printout which exists at the time that the
313 agency responds to the request for such copy, an agency may include
314 only:

315 (1) An amount equal to the hourly salary attributed to all agency
316 employees engaged in providing the requested computer-stored public
317 record, including their time performing the formatting or programming
318 functions necessary to provide the copy as requested, but not including
319 search or retrieval costs except as provided in subdivision (4) of this
320 subsection;

321 (2) An amount equal to the cost to the agency of engaging an outside
322 professional electronic copying service to provide such copying
323 services, if such service is necessary to provide the copying as requested;

324 (3) The actual cost of the storage devices or media provided to the
325 person making the request in complying with such request; and

326 (4) The computer time charges incurred by the agency in providing
327 the requested computer-stored public record where another agency or
328 contractor provides the agency with computer storage and retrieval
329 services. Notwithstanding any other provision of this section, the fee for
330 any copy of the names of registered voters shall not exceed three cents
331 per name delivered or the cost thereof to the public agency, as
332 determined pursuant to this subsection, whichever is less. The
333 Department of Administrative Services shall provide guidelines to

334 agencies regarding the calculation of the fees charged for copies of
335 computer-stored public records to ensure that such fees are reasonable
336 and consistent among agencies.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	29-6d
Sec. 2	<i>October 1, 2026</i>	New section
Sec. 3	<i>October 1, 2026</i>	1-212(a) and (b)

GAE *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Various State Agencies	Various - Potential Revenue Gain	See Below	See Below

Note: Various=Various

Municipal Impact:

Municipalities	Effect	FY 27 \$	FY 28 \$
Municipal Police Departments	Potential Revenue Gain	See Below	See Below

Explanation

The bill results in a potential revenue gain to various state agencies¹ and municipal police departments by allowing such agencies, under certain circumstances, to charge a fee for redacting body and dashboard camera recordings prior to disclosure under the Freedom of Information Act. The bill prohibits an agency from charging a fee for the first four hours of its labor costs for redacting the requested record. Beyond this, such agencies may charge up to \$100 per hour of the requested recording's actual duration.

The Out Years

The annualized ongoing fiscal impact identified above would

¹ These agencies include, but are not limited to, the Connecticut State Police, the University of Connecticut Police Department, the police departments of the Connecticut State Colleges & Universities, the Department of Mental Health and Addiction Services Police, and the Environmental Conservation Police in the Department of Energy and Environmental Protection.

continue into the future subject to the number of requested records eligible for redaction fees.

OLR Bill Analysis**sSB 225*****AN ACT CONCERNING FEES FOR COPYING, REVIEWING AND REDACTING RECORDS CREATED BY POLICE BODY-WORN RECORDING EQUIPMENT AND DASHBOARD CAMERAS.*****SUMMARY**

This bill sets conditions under which public agencies may charge a fee for redacting (such as by obscuring, pixelating, or muting) body and dashboard camera recordings requested under the state's Freedom of Information Act (FOIA). It prohibits an agency from charging any fee for the first four hours of its labor costs to redact the requested record. Then, for any additional labor costs beyond those four hours, it allows the agency to charge a rate up to the hourly wage of the lowest-paid employee with the training required to redact the record, but no more than \$100 per hour for the requested recording's actual duration. The agency must maintain an original, unredacted copy of any requested record that is redacted for public dissemination.

However, an agency may not charge any redaction fee under certain circumstances, such as when the requestor is an involved person in the requested record or the record shows certain types of incidents (such as a shooting that involved a police officer). Under the bill, an "involved person" is any (1) individual depicted in a body or dashboard camera recording; (2) individual directly involved in the incident that led to the police officer being called to respond; or (3) responding police officer, including the officer who created the recording.

For certain types of body and dashboard camera recordings, the bill sets additional redaction and disclosure requirements. Among other things, it requires that recordings showing certain confidential events (such as encounters with undercover officers) be redacted and permits disclosure of a record of a minor in additional circumstances.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2026

REDACTION FEES

Fee Calculation

Under existing law, fees for copies of public records (including body and dashboard camera recordings) are set by FOIA unless the law provides otherwise (see BACKGROUND). Generally, FOIA does not allow public agencies to charge requestors for the time spent redacting a record.

The bill generally allows public agencies that maintain copies of body or dashboard camera recordings to charge requestors a redaction fee, but only for the time in excess of four hours they spend redacting the requested recordings.

Beyond four hours, the bill allows an agency to charge the hourly wage (the base salary excluding benefits) of the lowest-paid employee with the necessary training to redact the record. The bill prohibits agencies from charging for (1) time spent searching for the requested records, (2) an attorney hired to do a second review of the record, or (3) a digital management company's services.

Under the bill, the redaction fee may not exceed \$100 per hour of the actual length of time of the requested record. The agency may round up the actual length of time to the nearest half hour at the rate of \$50 per half hour (for example, for a 5 hour and 10 minute-long recording, an agency could charge no more than \$550). Agencies (1) must inform the requestor if the fee is estimated to exceed \$250, (2) may require prepayment in these cases, and (3) must refund any portion of a prepayment that exceeds the actual labor costs.

The bill allows the Freedom of Information Commission (FOIC) to order a refund of a payment or prepayment if it finds that a public agency violated these fee provisions.

Fee Prohibitions and Waivers

The bill prohibits public agencies from charging any redaction fee to a requesting party who is an (1) involved person in the requested record; (2) involved person's parent or legal guardian; or (3) attorney representing an involved person in a civil, criminal, or administrative matter. It also prohibits fees from being charged:

1. for records that depict a police officer (a) involved in a shooting or motor vehicle accident or (b) giving a formal statement about the use of force, or
2. if there is an allegation of misconduct by the police officer involved or the officer is the subject of a disciplinary investigation.

The bill specifies that these records remain subject to the disclosure limitations under current law and the bill.

The bill also requires agencies to waive the redaction fee for the same reasons that FOIA requires copying fees to be waived. FOIA generally requires these fee waivers for (1) political subdivisions' elected officials getting records from their own agency for official business; (2) indigent people; (3) public defenders; (4) records exempt from disclosure; and (5) requests that benefit the general welfare, as determined by the agency.

DISCLOSURE AND REDACTION OF BODY CAMERA RECORDINGS***Additional Disclosure Requirements***

With certain exceptions, existing law generally prohibits disclosing recordings of a minor. Under current law, a recording of a minor must be disclosed if the minor and his or her parent or guardian consent to disclosure, it is needed by defense counsel, or it is needed by a person representing a police officer in a matter related to a minor's allegation of misconduct by the officer. The bill additionally requires disclosure if the (1) minor is an involved person and (2) parent or guardian is a requesting party or also an involved person.

Additional Redaction Requirements

The bill requires redaction of body and dashboard camera recordings of any of the following, which under current law are confidential and generally exempt from disclosure under FOIA:

1. communications between law enforcement unit personnel, except those that may be recorded as an officer does his or her duties;
2. encounters with undercover officers, informants, or officers doing certain detective work;
3. officers on break or engaging in a personal activity;
4. someone undergoing a medical or psychological evaluation, procedure, or treatment;
5. anyone, other than a criminal suspect, in a hospital or other medical facility;
6. a mental health facility, unless the recording was made during a response to a call involving a criminal suspect thought to be at the facility;
7. scenes of an incident involving victims of domestic or sexual abuse, homicide or suicide, or a fatal accident, if disclosure could reasonably be expected to be an unwarranted invasion of the victim's personal privacy; or
8. a minor.

BACKGROUND

FOIA Fees

If a public record is maintained in a computer storage system, FOIA allows public agencies to charge the following for producing copies of it:

1. the hourly salary attributed to all agency employees engaged in providing the requested record (including their time doing

- necessary formatting or programming functions, but not search or retrieval costs);
2. the cost of an outside professional electronic copying service, if needed;
 3. the actual cost of the storage devices or media given to the requestor; and
 4. computer time charges if a contractor or another agency provides the storage and retrieval services.

Related Case

In a case decided in 2023, FOIC rejected a law enforcement agency's attempt to charge a requestor for labor costs to pixelate and mute a body camera recording. Specifically, FOIC ruled that these actions were not formatting or programming within the meaning of FOIA's fee provisions (because the agency used existing software and did not need to develop a program or contract with an outside entity to develop one) (FIC 2022-0176 (2023)).

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 19 Nay 0 (03/11/2026)