



## **S.C. FREEDOM OF INFORMATION ACT (“FOIA”)**

The South Carolina Freedom of Information Act (“FOIA”) is part of the South Carolina Code of Laws allowing any citizen to have access to public records of meeting of public bodies with some exceptions as defined in the Act. Note that submission of a question or questions that does not include a request for a “record” is not a request covered by FOIA.

This policy is applicable to all departments and elected officials of Chesterfield County and to any board or commission whose members are appointed by the County Council of Chesterfield County, South Carolina. In accordance with FOIA, the County or applicable elected official has ten (10) working days (excepting Saturdays, Sundays, and legal public holidays) to determine if the information requested is publicly available under FOIA.

### **Exemptions**

According to the South Carolina Code of Laws, Chesterfield County may choose to deny a FOIA request based on exemptions noted in the law. Commonly denied requests include:

- Obtaining or using any personal information acquired for commercial solicitation;
- Matters requesting the identity or information tending to reveal the identity of any individual who in good faith makes a complaint or otherwise discloses information, which alleges a violation or potential of law or regulation; and
- Documents or reports being requested in a special format or one that must be created that is not already in existence.

*Please take note* Deeds, Easements, Mortgages, Plats, Surveys, and Liens may be accessed by visiting the South Carolina Land Records website ([sclandrecords.com](http://sclandrecords.com)) and certain court records may be accessed through the South Carolina Judicial Department website ([sccourts.org](http://sccourts.org)).

### **Chesterfield County FOIA Request Form**

To make a FOIA request, please fill out the attached FOIA Request Form and submit it to Susie Boswell, Clerk to Council, by email at [sboswell@chesterfieldcountysc.com](mailto:sboswell@chesterfieldcountysc.com) or by U.S. Mail, addressed to the following:

Chesterfield County Administration  
Attn. Susie Boswell, Clerk to Council  
178 Mill Street  
Chesterfield, South Carolina 29709

A written response, to include the cost for the request, will be provided within ten (10) working days from the date the request was received. Costs associated with FOIA requests are outlined on the FOIA Request Form. Additional details regarding the procedures used by Chesterfield County to calculate fees are available upon request. Any request received after 4:30 p.m. Monday through Friday will be considered as having been received on the following work day. Upon payment of the cost of the request, all applicable public records will be made available to the requestor. The request will be held for up to two (2) weeks pending payment before closing the FOIA request. For further assistance, please contact Chesterfield County Administration at (843) 623-2535.

### **WARNING:**

Section 30-2-50. (A) A person or private entity shall not knowingly obtain or use personal information obtained from a state agency, a local government, or other political subdivision of the State for commercial solicitation directed to any person in this State.

(B) Each state agency, local government, and political subdivision of the State shall provide a notice to all requestors of records pursuant to this chapter and to all persons who obtain records pursuant to this chapter that obtaining or using public records for commercial solicitation directed to any person in this State is prohibited.

(C) All state agencies, local governments, and political subdivisions of the State shall take reasonable measures to ensure that no person or private entity obtains or distributes personal information obtained from a public record for commercial solicitation.

(D) A person knowingly violating the provisions of subsection (A) is guilty of a misdemeanor and, upon conviction, must be fined an amount not to exceed five hundred dollars or imprisoned for a term not to exceed one year, or both.



## **FREEDOM OF INFORMATION ACT REQUEST FORM**

DATE OF REQUEST: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP CODE: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ EMAIL: \_\_\_\_\_

Under the Freedom of Information Act (FOIA), I would like to review and/or copy available files for the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(attach additional pages as necessary)

\_\_\_\_\_  
**SIGNATURE OF REQUESTOR**

### **Collection of Fees**

Pursuant to S.C. Code Ann. § 30-4-30, Chesterfield County charges a fee for the cost of the search, retrieval, and redaction of records based on the time necessary to complete such actions. The rate used to determine the charge due is the prorated hourly rate of the lowest-paid employee in the applicable department that is qualified to perform the actions necessary to respond to the request.

Actual costs will also be charged as follows:

USB flash drive: \$7.00 (if the information requested is over 10 mb).

Paper Copy: \$0.20 per page (black and white); \$0.35 per page (color).

GIS Maps: \$5.00 (8.5x11 in.); \$10.00 (11x17 in.); \$15.00 (18x24 in.); \$25.00 (36x48 in.).

Postage: At the current U.S. Postal Rate charges.

Upon request, Chesterfield County will provide additional information regarding its procedures for the calculation of fees.

NOTE: All requests that require a fee of \$100.00 or more will require a good faith deposit of 25% of the estimated costs of searching, retrieving, redacting, and reproducing records or making copies of records. The full balance must be paid at the time of production of the records.

### **FOR OFFICE USE ONLY**

DATE RECEIVED: \_\_\_\_\_ DATE RESPONSE DUE: \_\_\_\_\_

DATE OF ASSIGNMENT: \_\_\_\_\_ REQUESTED ASSIGNED TO: \_\_\_\_\_

FEE FOR SERVICES: \_\_\_\_\_ METHOD OF PAYMENT: \_\_\_\_\_

DATE OF COMPLETION: \_\_\_\_\_