

## Freedom of Information Act Requests

The business of the South Carolina State Treasurer's Office ("STO") is open to public review, as is required by South Carolina's [Freedom of Information Act](#) ("FOIA") S.C. Code Sections 30-4-10 et seq. and subject to the exemptions set forth in section 30-4-40. FOIA requests must be submitted in writing to STOSCFOIA@sto.sc.gov. Written FOIA requests also can be mailed to the following address:

South Carolina Office of the State Treasurer  
ATTN: Legal Division  
1200 Senate Street, Suite 214  
Wade Hampton Building  
Columbia, SC 29201

### FOIA FEE SCHEDULE

FOIA requests should be answered without charge when the request will benefit the public interest and requires minimal and/or a reasonable amount of employee time and photocopying expense.

For requests that require a fee, the fee will be calculated according to the following guidelines:

- **Employee and Administrative Time:**
  - If the FOIA request requires approximately one hour or more of staff time, assessed fees will be based on the actual cost of the search, retrieval and redaction of records. The fee for the search, retrieval or redaction of records shall not exceed the prorated hourly salary of the lowest paid employee who, in the reasonable discretion of the STO, has the necessary skill and training to fulfill the request.
  - The prorated hourly salary of an employee is determined by dividing that employee's salary by 1,950 hours (or less if part time) and multiplying that figure by the number of hours required to search for, retrieve and redact the requested records.
    - Example: If providing records requires an employee with a yearly salary of \$50,000 four hours to search for, retrieve and redact the requested records, the associated fee would be \$102.56 ( $50,000.00/1,950 \times 4$ ), plus any costs of photocopying, postage, fax, and/or electronic storage devices.
- **Photocopying:**
  - If the FOIA request requires copying approximately 50 pages or more at one time or a similar amount over several days, the charge would be calculated at 20 cents per page.
- **Postage, Fax or Electronic Data Storage Devices:**
  - If the FOIA request requires postage, fax or an electronic data storage device (e.g., thumb drive, CD, etc.) of approximately \$2 or more, the charge would be the actual cost associated with the process or device.
- **Deposit:**
  - A deposit not to exceed 25 percent of the total reasonably anticipated cost for reproduction of (providing) the records may be required before the searching for or making copies of records.

- **Miscellaneous:**

- Fees for photocopying, employee and administrative time, and postage, fax or electronic storage devices are assessed separately and will be cumulative.
- In determining whether a fee is warranted and in calculating the amount required, one or more related FOIA requests from the same individual or organization will be considered as a single request.
- Charges generally will not be levied for making records accessible for review unless it is determined that considerable time by knowledgeable staff will be required for reviewing documents with the requester.
- Any individual making a FOIA request which will result in a charge shall be notified in advance of the approximate cost for providing that information; notification and acceptance of those charges must be in writing.
- Payment for FOIA requests should be made payable to the South Carolina Office of the State Treasurer. Checks and money orders related to a FOIA request should be forwarded to the Administration Division of the STO and should reference the FOIA request associated with the payment. Payment will be deposited and credited to the division or office which provided the information to respond to the FOIA request.
- Constitutional officers, members of the General Assembly, and other state agencies shall not be charged for information or records released under the FOIA.
- Charges may be waived or levied at the discretion of the Legal Division.

- **FOIA Response Time:**

- It is the STO's policy to answer all FOIA requests in a timely manner. Requests should be handled in the course of regular office business in accordance with the timeframes below.
- Initial Response: For requested records less than 24 months old, the STO will notify the requester within 10 business days from receipt of the request of its determination on the public availability of the requested record and the reasons for it. If the requested record is more than 24 months old at the time of the request, the STO will notify the requester within 20 business days from receipt of the request of its determination on the public availability of the requested record and the reasons for it. If information will not be provided, the STO's response must include the reason why.
- Final Response: If the STO determines it is in possession of responsive information, not subject to an exemption, the STO will provide or make available the requested record no later than 30 calendar days from the date the initial response was provided if the record is less than 24 months old.\* If the record is more than 24 months old, the STO will provide or make available the requested record no later than 35 calendar days from the date the initial response was provided. However, if a deposit is required by the STO, the record must be furnished or made available no later than 30 calendar days from the

date on which the deposit is received, unless the record is more than 24 months old, in which case the public body has no later than 35 calendar days from the date on which the deposit was received to fulfill the request. The full amount of the total cost must be paid at the time of the production of the request.