



# **WRIGHT COUNTY**

## ADMINISTRATION

## **Explanation of Fees For Data Requests**

### **Inspection of Data is Free**

The Minnesota Government Data Practices Act ([Minnesota Statutes, chapter 13](#)) allows the inspection (i.e., viewing) of data without a fee.

### **Copy Costs**

The Minnesota Government Data Practices Act ([Minnesota Statutes, chapter 13](#)) allows, but does not require, the County to charge for copies of government data. It is the County's policy to charge for copies. However, if a government entity requests data, that government entity may be exempted from some of the costs incurred by the County in providing the requested data.

Allowable costs depend on whether the requester is a member of the public or a data subject. Statutory requirements relating to copy charges are in Minnesota Statutes, section 13.03 (members of the public), section 13.04 (data subjects), and [Minnesota Rule 1205.0300, subpart 4](#).

The County cannot charge to separate public from not public data. In situations where specific charges are set by statute or rule, the County would typically follow the applicable statutory or rule language, rather than Chapter 13's requirements.

# Members of the Public versus Data Subjects

A data subject is an individual or entity that requests data about that individual or entity. For example, an individual who requests information about a traffic accident in which they were the driver is the subject of the traffic accident data. As another example, an entity that requests data on the company's income, which was submitted to the County for a tax assessment appeal, is the subject of the company's income data. If the individual or entity is not the subject of the data, the individual or entity requesting the data is treated as a member of the public.

## Members of the Public

- **25 cents per page – 100 or fewer paper copies**

If the request is for 100 or fewer pages of black and white, letter or legal sized paper copies, the maximum allowable charge is 25 cents for each page copied, or 50 cents for a two-sided copy. This charge is a flat rate; the County cannot add on any additional charges, such as cost of mailing or paper.

- **Actual cost - most other copies**

For copies of other data (more than 100 paper copies, photographs, data on a flash drive, data stored electronically, etc.) a government may charge the actual cost. Actual costs include the cost for an employee to search for and retrieve the data, and to make paper copies or to print copies of electronically stored data. An explanation of allowable actual costs is provided in the "Allowable Actual Costs" section below.

## Data Subjects

- **Actual cost**

The County may charge the actual cost for an employee to make and transmit paper copies or copies of electronically stored data, as well as the actual cost of materials. The County may not charge a data subject any fee for redaction or for searching for and retrieving data. Note that the 25 cents per page for copies of 100 or fewer pages does not apply to a data subject requester unless that is the actual cost to make copies. An explanation of allowable actual costs is provided in the "Allowable Actual Costs" section below.

# Allowable Actual Costs

There are certain things that can be included when the County calculates actual cost for making copies of data requested. The Commissioner of the Minnesota Department of Administration issues advisory opinions related to the interpretation of the Data Practices Act. Some of those advisory opinions are linked below.

## • Things That Can Be Included

- ❖ Cost of media (paper, flash drives, etc.)
- ❖ Mailing costs
- ❖ Employee time to prepare copies
- ❖ Costs of reproduction that cannot be done by the entity, such as photographs ([Advisory Opinions 95-044](#) and [97-012](#))
- ❖ Employee time to search for and retrieve data for copying ([Advisory Opinion 00-054](#)). Employee time must be calculated based on the wages/salary (may include benefits) of the lowest-paid employee who could complete the task ([Advisory Opinion 04-056](#)). A data subject cannot be charged for the time to search for and retrieve the data.

## • Things That Cannot Be Included

- ❖ Employee time to separate public from not public data ([Advisory Opinion 04-072](#))
- ❖ Operating expenses of copier, such as electricity, wear and tear, etc. ([Advisory Opinions 01-066](#) and [04-040](#))
- ❖ Costs not related to copying, such as preparing a fax cover sheet, invoice, etc. ([Advisory Opinion 04-055](#))
- ❖ Returning data to off-site storage ([Advisory Opinion 95-044](#))
- ❖ Sorting, reviewing, or verifying accuracy if not necessary for copying ([Advisory Opinion 04-072](#))
- ❖ Sales tax ([Advisory Opinions 94-059](#) and [99-024](#))
- ❖ Accounting functions ([Advisory Opinion 04-003](#))
- ❖ Costs related to inspection ([Advisory Opinion 04-038](#))

## **Summary Data**

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The County will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data.

**Version: November 4, 2022**