



**Shirley Anderson**

*Hernando County Supervisor of Elections*

16264 Spring Hill Drive  
Brooksville, FL 34604  
352-754-4125

# Public Records Request Policy / Procedure

For the purpose of requests under the Florida Public Records “Sunshine” Law, the custodian of Hernando County Supervisor of Elections is...



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Public records request and written notices to the Supervisor of Elections pursuant to the provisions of Section 119.12 (2) of the Florida State Statutes should be directed to the custodian of public records.



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## Public Records Request Policy

1. **Payment** – is due in advance for all public records requests. Acceptable forms of payment are cash or check. Checks should be made payable to: Hernando County Supervisor of Elections. All returned check fees will be the responsibility of the requester.
2. **Request Fulfillment** – may take up to 9 business days during a non-election cycle, 15 business days during an election cycle. This is subject to change depending on the extent of the request. Large requests will be assessed on an individual basis. If the request exceeds the estimated preparation time, the requester shall be notified.
3. **Charges** – for public records requests are based upon F.S. 119.07 (see Public Records Requests Charges & Fee Schedule). Staff time is calculated at the hourly rate of the lowest salary employee that can complete the request. Charges ensue for extensive use of staff time that exceeds 30 minutes. This includes tasks such as the time it takes to search for hardcopy records, computer research, remove exempt data, photocopy a record, photocopy redaction, on-site inspection, protect the records during inspection, refile the records, etc.
4. **Exempt** – documents containing exempt information will have the information redacted and the Florida Statute number stating the reason for the redaction.
5. **Outstanding Requests & Standing Requests** – If the request is outstanding for 30 days with no response from the requester the request will be closed and acknowledgement email will be sent. The request applies only to those records in the custody of the agency at the time of the request. Standing requests for data not yet created will not be honored.
6. **Inspection of Records** – will take place during normal business hours. Records will be made available as quickly as practical after a request is made. The office will provide deputy assistance free of charge for the first 15 minutes, otherwise, extensive use charges will apply based upon labor costs of the personnel involved in providing the records. The Supervisor of Elections must advise the requester when the records will be available, and, if due to the nature and/or volume, it cannot be fulfilled at the time of the request.
7. **Media Format** – Data requests will be given in the media format used by the Hernando County Elections office. Special media format requests will not be honored. All records are kept in their original format and file type. Requests to produce in another format may be subject to charges.
8. **Retention and Disposal** – of public records is in accordance with General Records Schedule GS3 for Election records and GS1-L for local Government Agencies, as established by the State of Florida Bureau of Archives and Records Management.
9. **Request for Vote-by-Mail Ballot Information** – are subject to S101.62(3). Florida Statutes, therefore a current Oath for Acquisition must be on file, if not, the oath is required with the Public Records Request Form and payment if due.

The Hernando County Supervisor of Elections Public Records Request Policy is based upon the following Florida Statutes: 97.0585, 98.045(3), 101.5607(2)(b), 101.62(3), 106.07, 106.0706, and Chapter 119



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## **Public Records Request Policy (cont.)**

10. Effective October 1, 2022, our office will no longer be creating reports to fulfill public records request. Pursuant to Section 199.07(1)(a) and (4), Florida Statutes, the obligation of the custodian of public records is to provide access to, or copies of, public records “*at any reasonable time, under reasonable conditions, and under supervisor by the custodian of public records,*” provided that the required fees are paid. A custodian is not required, however, to either give out information for the records of her office or to create new records to accommodate a request for information. If a report has previously been created, it will be available for the public records request.



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## Public Records Requests Charges & Fee Schedule

**Charges for public records are in accordance with F.S. 119.07(4)(a):**

Mono Copies 8.5 by 11-14"	
One Sided	\$0.15/pg
Two Sided	\$0.20/pg
Color Copies 8.5 by 11-14"	
One Sided	\$0.25/pg
Two Sided	\$0.35/pg
Certified Copies	
CD	\$1.00/pg \$0.40/ea
USB Flash Drive	
4GB	\$2.50/ea
32GB	\$4.50/ea
64GB	\$9.00/ea

\*No charge for electronic records unless it qualifies for extensive use charges\*

**Extensive use charges are in accordance with F.S. 119.07(4)(d):**

*“If the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and supervisory assistance required, or both.”*

Extensive use charges will apply for any request that exceeds 15 minutes. This includes tasks such as the time it takes to search for hardcopy records, computer research, remove exempt data, photocopy a record, photocopyredaction, on-site inspection, supervise the records during inspection, re-file the records, etc. The Supervisor of Elections adopts the policy that the hourly labor cost charged will be equivalent to that of the lowest-paid employee that can complete the request for any request that exceeds 15 minutes. If, in the opinion of the Supervisor of Elections or their designee, the request involves such an extensive use of clerical time that more than one staff member is required to fulfill the request, an additional charge of that employee’s wages per hour for each additional staffperson will be added.

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## Public Records Request Procedure

1. Public records can be processed using the Voter Data Request Form on the Hernando County Supervisor of Elections website, by email, or in person. When a request is made an acknowledgement will be sent/given to the requester, and review of the request will determine if invoice will be sent. If request does not ensue charges then the request data will be furnished. The satellite office is only capable of accepting requests and no request will be fulfilled from that office.
2. All request will be filed in the REQUESTS\Public Records Requests\- 3. If extensive use charges apply to any records request, the requestor will be notified and payment will be expected in advance of the request being fulfilled. Please refer to the Public records Request Charges and Fee Schedule for more information about extensive use charges.
- 4. **EXEMPTIONS:** Florida Statutes have established that certain information is exempt from public records requests. When necessary, exempt information will be redacted in order to process a request. A document with exempt information will be copied, the exempt information blacked out with a marker and then copy of the document with the redaction will be given to the requester. The original redacted copy will be shredded. The original copy will be refiled. Digital records will have a digital copy made and information being redacted will be replaced by "**Redacted**" and the copy will be furnished to the requester.
- 5. Payment is due in advance for all public records requests. If money is collected, a receipt will be completed with method of payment being recorded and a copy given to the requestor. All checks are to be made payable to the Hernando County Supervisor of Elections. The requestor is responsible to pay the returned check fee of \$35.00 on all returned checks.
- 6. Once processed the record(s) will be made available for retrieval via FTP/email for all electronic formats, or hard copies (subject to copy fees per Charges and Fee Schedule) for pick up during normal business hours.
- 7. Calls from the media regarding public records requests will be forwarded directly to the Supervisor of Elections.



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## OATH FOR ACQUISITION VOTE-BY-MAIL INFORMATION

I hereby swear or affirm that I am a person authorized by S. 101.62(3), Florida Statutes, to acquire absentee voter information in Hernando County; that the information acquired will be used only for the purposes prescribed in that section and for no other purpose; and that I will not permit the use or copying of such information by persons not authorized by the Election Code of the State of Florida.

### AUTHORIZED PERSONS

Print Name of Registered Political Committee, Political Party, Candidate, or authorized person acquiring information

Printed name of Signee

Telephone #

Signature of Candidate or Officer  
acquiring information as authorized  
by Section 101.62, Florida Statutes\*

Date

**PLEASE NOTE:**  
In compliance with Florida Statutes 101.62(3), The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees for political purposes only.

Valid for one calendar year from date signed

### DESIGNEE INFORMATION

I authorize release of absentee information to:

Name

Address

City

State

Zip Code

Name

Address

City

State

Zip Code

\*Those authorized to purchase absentee voter information pursuant to Section 101.62, Florida Statutes:

- Voter requesting the ballot;
- Canvassing Board;
- Election Official;
- Candidate who has filed qualification papers and is opposed in an upcoming election;
- Registered political committees, registered committees of continuous existence, and political parties or officials thereof, for political purposes only;

The Hernando County Supervisor of Elections Public Records Request Policy is based upon the following Florida Statutes: 97.0585, 98.045(3), 101.5607(2)(b), 101.62(3), 106.07, 106.0706, and Chapter 19