



## 2023 SENATE BILL 789

December 8, 2023 - Introduced by Senators JAMES, FEYEN and WANGGAARD, cosponsored by Representatives SPIROS, BEHNKE, BRANDTJEN, CALLAHAN, DALLMAN, DITTRICH, DONOVAN, DUCHOW, EDMING, GOEBEN, KRUG, KURTZ, MAGNAFICI, MELOTIK, NOVAK, OHNSTAD, PENTERMAN, RETTINGER, TUSLER, VANDERMEER and WITTKE. Referred to Committee on Judiciary and Public Safety.

**AN ACT** *to create* 19.35 (3) (h) of the statutes; **relating to:** fees for redacting certain records of law enforcement agencies.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a government official or agency may charge a fee to a requester of public records for the actual, necessary, and direct cost incurred to locate, if the cost exceeds \$50, copy, and mail public records in response to the request.

This bill authorizes law enforcement and corrections agencies to charge a requester a fee for the actual, necessary, and direct cost of redacting, whether by pixelization or other means, recorded video content disclosed in response to a public records request to the extent redaction is necessary to comply with applicable constitutional, statutory, or common law.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 19.35 (3) (h) of the statutes is created to read:

**SENATE BILL 789****SECTION 1**

19.35 (3) (h) An authority that is a law enforcement agency, as defined in s. 19.36 (8) (a) 2., may impose a fee upon a requester for the actual, necessary, and direct cost of redacting, whether by pixelization or other means, recorded video content to the extent redaction is necessary to comply with applicable constitutional, statutory, or common law.

**(END)**