




JAN 18 2011

Senate of Pennsylvania

TO: All Senators

FROM: Senator Edwin B. Erickson 

DATE: January 18, 2011

SUBJECT: Cosponsorship of Legislation – Amend the Right-to-Know Law to Provide for Commercial Purpose Fees

It has been recently brought to my attention that many local municipalities are being inundated with requests for records by companies who seek to use the information to benefit their commercial business enterprises. For example, companies are requesting information regarding homes with septic tanks or pools, so they can solicit these homeowners for their services. These voluminous requests are creating a significant cost to municipal offices, which are often staffed by only one or two individuals and sometimes only on a part-time basis and operating on very tight budgets.

I intend to introduce legislation identical to House Bill 2652 of 2010. This legislation will allow agencies to assess search and review fees for records requested for a commercial purpose. Under the bill, search and review fees would be assessed at a per quarter-hour rate determined by each agency to cover the costs associated with time expended by agency employees in fulfilling a request for records to be used for a commercial purpose. The bill would require requestors to disclose on their written request whether the record will be used for a commercial purpose.

If you would like to cosponsor this legislation, please contact Linda Kauffman at 7-1350 or lkauffman@pasen.gov.