



STATEWIDE'S EDGE

Giving public entities the edge on addressing their safety issues

Loss Control and Risk Management Services
41 Apache Drive
Manalapan, New Jersey 07726
Phone 732-446-5958 Fax 732-446-2926
www.swfund.com

STATEWIDE INSURANCE FUND LOSS CONTROL FACT SHEET - #2010-08

New OPRA Legislation

On September 10, 2010, Governor Christie officially signed Assembly Bill 59 and Senate Bill 1212 into law. This legislation amends N.J.S.A. 47:1A-5.b., OPRA's fee provision, to set flat rates for paper copies provided to requestors under OPRA. The fees **DO NOT** take effect until 60 days **AFTER** September 10, 2010 which is Tuesday, November 9, 2010.

Beginning Tuesday, November 9, 2010, all public agencies in New Jersey are to charge the fees established in the amended legislation. These fees are outlined below:

- Every public agency must charge \$.05 per page for letter sized pages and smaller;
- Every public agency must charge \$.07 per page for legal sized pages and larger;
- Any public agency whose actual costs to produce paper copies exceed the \$.05 and \$.07 rates may charge the actual cost of duplication;
- Every public agency must provide electronic records **FREE OF CHARGE** (i.e. records sent via e-mail and fax); and
- Every public agency must charge the actual cost to provide records in another medium (i.e. computer disc, CD-ROM, DVD).

Until November 9, 2010, all public agencies must continue to charge their actual costs of duplication pursuant to the Smith decision.

For additional information or details on how to calculate actual costs (which generally **shall not** include cost of labor or other overhead expenses), contact Government Records Council at 609-292-6830 or e-mail grc@dca.state.nj.us, www.nj.gov/grc, or Statewide's Edge at 732-446-5958.