SOUTH CAROLINA FREEDOM OF INFORMATION ACT ("FOIA")

The South Carolina Freedom of Information Act ("FOIA") is part of the South Carolina Code of Laws allowing any citizen to have access to public records and to records of meetings of public bodies with some exceptions as defined in the Act. Note that submission of a question or questions that does not include a request for a "record" is not a request covered by FOIA.

This policy is applicable to all departments and elected officials of Allendale County and to any board or commission whose members are appointed by the County Council of Allendale County, South Carolina.

In accordance with FOIA, the County or applicable elected official has ten (10) working days (excepting Saturdays, Sundays, and legal public holidays) to determine if the information requested is publicly available under FOIA.

Exemptions

According to the South Carolina Code of Laws, Allendale County may choose to deny a FOIA request based on exemptions noted in the law. Commonly denied requests include:

- Obtaining or using any personal information acquired for commercial solicitation;
- Matters requesting the identity or information tending to reveal the identity of any individual who in good faith makes a complaint or otherwise discloses information, which alleges a violation or potential violation of law or regulation; and
- Documents or reports being requested in a special format or one that must be created that is not already in existence.

Please take note Deeds, Easements, Mortgages, Plats, Surveys, and Liens may be accessed by visiting the South Carolina Land Records website (sclandrecords.com) and certain court records may be accessed through the South Carolina Judicial Department website (sccourts.org).

Allendale County FOIA Request Form

To make a FOIA request, please fill out and submit or copy and mail the online FOIA Request Form to the appropriate elected official or, if to the County, as follows:

Allendale County Administration
PO BOX 190 | 526 Memorial Avenue, North
Allendale, SC 29810

Costs associated with FOIA requests are outlined on the FOIA Request Form.

A written response, to include the cost for the request, will be provided within ten (10) working days from the date the request was received. Any request received after 4:30 pm Monday through Friday will be considered as having been received on the following workday. Upon payment of the cost of the request, all applicable public records will be made available to the requester. Checks or money orders must be made payable to Allendale County Treasurer; credit or debit cards are not accepted. The request will be held for up to two (2) weeks pending payment before closing the FOIA request. For further assistance, please contact Allendale County Administration at (803) 584-3438.

WARNING:

Section 30-2-50. (A) A person or private entity shall not knowingly obtain or use personal information obtained from a state agency, a local government, or other political subdivision of the State for commercial solicitation directed to any person in this State.

(B) Each state agency, local government, and political subdivision of the State shall provide a notice to all requestors of records pursuant to this chapter and to all personal who obtain records pursuant to this chapter that obtaining or using public records for commercial solicitation directed to any person in this State is prohibited.

(C) All state agencies, local governments, and political subdivisions of the State shall take reasonable measures to ensure that no person or private entity obtains or distributes personal information obtained from a public record for commercial solicitation.

(D) a person knowingly violating the provisions of subsection (A) is guilty of a misdemeanor and, upon conviction, must be fined an amount not to exceed five hundred dollars or imprisoned for a term not to exceed one year, or both.

(1/2023)

ALLENDALE COUNTY GOVERNMENT

FREEDOM OF INFORMATION ACT REQUEST FORM

DATE OF REQUEST: _____

NAME: _____

ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

PHONE NUMBER: _____ **E-MAIL:** _____

SIGNATURE: _____

INFORMATION REQUESTED (please be as specific as possible): _____

_____

_____

_____

(attach additional pages as necessary)

Public records will be made available for inspection and/or copying. Privacy data will be protected.

Copy Costs and Charges

Research Time:	**A minimum of $15.00 per hour for staff time.**
USB flash drive:	**$10.00**
Paper Copy:	**$0.25 per page**
GIS Maps:	**$3.00 (*up to 11x17 in.*) or $10.00 - $15.00 (*larger than 11x17 in.*)**
Postage:	**Determined by weight**

NOTE: **Some requests may require a good faith deposit of 25% of the estimated costs of searching, retrieval, redacting and reproducing records or making copies of records. The full balance must be paid at the time of production of the records.**

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(C) All state agencies, local governments, and political subdivisions of the State shall take reasonable measures to ensure that no person or private entity obtains or distributes personal information obtained from a public record for commercial solicitation.
(D) a person knowingly violating the provisions of subsection (A) is guilty of a misdemeanor and, upon conviction, must be fined an amount not to exceed five hundred dollars or imprisoned for a term not to exceed one year, or both.

FOR OFFICE USE ONLY DATE RECEIVED: _____ **BY:** _____

REQUEST ASSIGNED TO: _____ **DATE OF COMPLETION:** _____

DATE OF ASSIGNMENT: _____ **FEE FOR SERVICES:** _____

DATE RESPONSE DUE: _____ **METHOD OF PAYMENT:** _____