



## Department of Revenue – Policies

<b>Subject: Agency Documents - Access and Photocopying</b>	<b>Policy No.: 2.1.4</b>
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<b>Section: 1</b>	<b>Revision Date: 6/3/03</b>
<b>Signature: Linda M. Francis</b>	<b>Effective Date: 1/15/99</b>

### 1.0 POLICY

- 1.1 This policy promotes a longstanding practice of providing document access and photocopying that is consistent throughout the department. The department will provide access to and/or copying of general unprotected documents maintained by the department. This policy will not override a right to privacy provided by confidentiality statutes or some other ruling which may address a privacy issue.

### 2.0 DEFINITIONS

- 2.1 **Printed material** means material that was printed by various manual or mechanical processes onto the surface of paper.
- 2.2 **Electronic format information** means data that is stored within the computer systems of the Department.

### 3.0 EXAMINATION OF DOCUMENTS

- 3.1 **Consideration of Whether Staff Should be Present During Examination.** The department must maintain the integrity of original documents, so two questions should be asked upon a request to examine records:

- **Are the documents of the type that might be altered or stolen; and**
- **Are the documents irreplaceable?**

If the answer to either of these questions is yes, then the department staff should supervise the examination and copying of the documents. If the answer to both questions is no, supervision may not be necessary. The decision of whether staff should be present is up to the Process or Sub-Process Lead.

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#### **4.0 PHOTOCOPYING CHARGES**

- 4.1 **Commercial photocopy service verses department photocopying** – If the request is for an extraordinarily large volume of printed material (and the answer to the questions in Subsection 3.1 are both “no”), the department may forward the documents to a commercial photocopy service. The billing price from the vendor will be passed on to the requestor.
- 4.2 **Cost Printed Material Photocopying** – A charge of fifty cents (\$.50) per printed material page will be charged for each page photocopied for a customer by the department. Maps may be reproduced by the Compliance, Valuation and Resolution Process at the cost of fifteen dollars (\$15.00) per page.
- 4.3 **Cost of Electronic Media Copies** – The department will charge fees for the cost of preparation to extract information from department databases. These charges will normally include programming charges that will be billed according to the hourly rate charged by the Department of Administration (ISD) at the time of the request. This fee will include all the criteria described in 2-6-110(2), MCA.
- The department will also charge for the actual costs of execution of the extract requested. Such cost will normally include processing time, transmission time and report writing charges. If requested, the department will provide an estimate to complete the job prior to running the extract.
- 4.4 **Certified Copies** – Sections 15-30-331 and 15-31-551, MCA require the department to provide certified copies of individual and corporation license tax returns to the taxpayer or their duly authorized representative upon request and payment of fifty cents (\$.50) per page. Upon request and payment of fifty cents (\$.50) per page, the department will provide certified copies of other materials as provided in ARM 42.2.701.

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4.5 **Administrative Hearing Tapes and Transcripts** – The department will provide copies of administrative hearing tapes and transcripts upon request and payment of the direct costs of producing such material.

- **Tapes** – Tapes from administrative hearing proceedings will be sent to a private vendor for copying. The cost will be determined by the vendor and passed on to the requestor.
- **Transcripts** – Transcript requests will be sent to a private clerical service to be completed. The charge will be determined by the vendor and passed on to the requestor.

## 5.0 REFERENCES AND AUTHORITIES

- 2-6-102, MCA
- 2-6-110, MCA
- 2-6-202, MCA
- 17-6-105, MCA
- Procedure 2-1-015, dated 6/3/03
- 15-1-521, MCA
- 15-30-331, MCA
- 15-31-551, MCA
- REV/OLA 94-04

## 6.0 CLOSING

6.1 Questions concerning this policy should be directed to the Department's Policy and Rules Officer in the Office of Legal Affairs (OLA).