## **Records Access Policy**

## **Policy Statement**

This Records Access Policy outlines the guidelines and procedures for accessing public records in accordance with the Florida Public Records Law (Chapter 119, Florida Statutes<sup>1</sup>). The policy ensures transparency, accountability, and the public's right to access government records maintained by The Polk County Property Appraiser.

### Scope

This policy applies to all employees, contractors, and individuals associated with The Polk County Property Appraiser who are involved in the creation, maintenance, storage, and dissemination of public records.

### **Definitions**

**Public Records**: Any materials, documents, data, or information, regardless of format, that are created, received, or maintained in connection with the transaction of official business of The Polk County Property Appraiser and are subject to the Florida Public Records Law. The Public Records Act is fully outlined in Chapter 119, Florida Statutes<sup>1</sup>.

Requestor: Any individual, organization, or entity that seeks access to public records held by The Polk County Property Appraiser.

## **Policy Guidelines**

#### **Accessibility and Availability:**

All public records maintained by The Polk County Property Appraiser shall be made available for inspection, copying, and reproduction by requestors, unless exempted by law.

#### **Request Process:**

The process for completing a public records request involves: 1) a review to determine what public records, if any, exist which are responsive to the request; 2) a determination of whether any responsive records may be exempt from disclosure; and 3) analysis to determine the method of collection/retrieval of the requested records.

<sup>1</sup>http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\_mode=Disp lay\_Statute&Search\_String=119.071&URL=0100-0199/0119/Sections/0119.071.html

Requests for public records may be submitted to the Public Records Custodian via email, in person, in writing, or by phone. The requestor is not required to provide their personal information, including their name.

All public records requests should be sent to:

Polk County Property Appraiser -- OR -- <u>pataxroll@polk-county.net</u>
Attn: Public Records Custodian 863-534-4765

255 N Wilson Avenue Bartow, FL 33830

#### **Response Time:**

The Public Records Act does not contain a specific time limit (such as 24 hours or 30 days) for compliance with public records requests. The standard is the reasonable time required to retrieve the record(s) and remove those records that are exempt.

#### Fees:

Reasonable fees will be charged if the nature or volume of public records requested to be inspected, examined, or copied requires extensive use of information technology resources, or extensive clerical or supervisory assistance by Polk County Property Appraiser personnel. Fees are based on the cost incurred for the use of such resources of labor in retrieving, furnishing, or copying the information requested.

Requestors shall be provided with an estimate of applicable fees before proceeding with the request.

#### **Exemptions and Redactions:**

The Polk County Property Appraiser will review requested records for exemptions as outlined in the Florida Public Records Law. Exempted information shall be redacted, and a statutory citation must be provided to show the basis for redaction.

Exempt records shall not be disclosed unless required by law.

#### **Electronic Records:**

Records maintained electronically shall be provided in an accessible electronic format when feasible, unless otherwise requested.

#### **Confidential Information:**

The Polk County Property Appraiser shall ensure confidential and sensitive information is properly protected and disclosed only to authorized individuals. Confidential and sensitive information is protected in accordance with Florida Statues and the Polk County Property Appraiser's Data Classification Policy.

#### **Appeals:**

If a records request is denied, requestors shall be provided the statutory citation for not releasing the records. The requestor has the right to appeal the decision to the appropriate authority as designated by The Polk County Property Appraiser or by the State of Florida.

#### **Record Retention:**

Records shall be retained in accordance with the records retention schedules established by the State of Florida and The Polk County Property Appraiser's own records management policies. At no time shall the Polk County Property Appraiser's own records management policies reduce the retention schedules established by the State of Florida. NOTE: Records may be retained beyond the Retention Schedule if there is good justification, such as but not limited to, active or pending audit / litigation.

#### **Data Disclaimer:**

The Polk County Property Appraiser makes every effort to produce and publish the most current and accurate information possible. The Property Appraiser's Office assumes no responsibility for errors in the information and does not guarantee that the data is free from errors or inaccuracies. Similarly, the Property Appraiser's Office assumes no responsibility for the consequences of inappropriate uses or interpretations of the data. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. Confidential information is redacted per Chapter 119, Florida Statutes¹ unless the request is from a governmental agency that is authorized to have access to confidential data in furtherance of statutory duties. The initial request for confidentiality made to the Property Appraiser's Office follows the records when they are relayed to the requestor. Utilization of the data provided indicates understanding and acceptance of this statement by the user.

### **Policy Review:**

This policy shall be reviewed and updated as necessary to ensure compliance with changes in law, record retention schedules and best practices. As stated, Chapter 119, Florida Statutes<sup>1</sup> "Any public officer who violates any provision of the chapter commits a noncriminal infraction, punishable by fine not exceeding \$500. Any person who willfully and knowingly violates any of the provisions of this chapter commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s.775.083."

<sup>1</sup>http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\_mode=Disp lay\_Statute&Search\_String=119.071&URL=0100-0199/0119/Sections/0119.071.html

### **Effective Date:**

This policy shall be effective as of 01/17/2024.

#### Approval:

This Records Access Policy has been reviewed and approved by Marsha M Faux, Polk County Property Appraiser

01/17/2024