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## Editorial

# *Time to act on FOIA bill*

A long-term legislative effort to improve South Carolina's Freedom of Information Act faltered last year at the very end of the session because of the opposition of a sole senator. It would be a disgrace if the reform measure isn't approved this year.

But time grows short.

An FOIA bill was approved 93-0 in the House in late March. But in the Senate there has been no action. That could change this week.

Sen. Chip Campsen, R-Charleston, said the bill could get a vote even without subcommittee review. The bill, sponsored by Mr. Campsen, is essentially the same as that approved by the Senate last year following numerous subcommittee hearings.

"It's in a good posture if the Senate wants to support it," Sen. Campsen said Monday. Even so, he acknowledges that it is easy for legislation to get derailed this late in the session.

That's exactly what happened last year, as a single opponent in the Senate halted the FOIA bill's anticipated approval. That

meant the end to a four-year effort that began in the House. It shouldn't happen again.

The legislation would determine how much people can be charged for copies and how much time agencies have to fill requests for information. That provision recognizes the extent to which some agencies simply ignore or attempt to obstruct FOIA requests.

A survey by the S.C. Policy Council this year provided clear evidence of just how uneven agency application of the existing law is. Some agencies were late on requests, some never responded at all, others responded with incomplete information.

The SCPC is a conservative research and advocacy organization headquartered in Columbia.

And there have been numerous reports over the years about applicants being charged inordinate amounts by agencies to produce copies in accordance with the FOIA.

By establishing the limits of allowable charges, the legislation will prevent officials from violating the spirit of the law

by making bills so high as to discourage the public from requesting information to which they should have access.

A provision to establish a review procedure under the Administrative Law Court would enable FOIA applicants to challenge non-compliance, or an otherwise inadequate response by a state agency.

The legislation also would clear up questions about what documents are covered by the law. Police dashcam recordings would be public, for example. Unfortunately, body camera recordings by police would not become public under the bill.

But despite its shortcomings the law would make important improvements in the public's ability to get information from public officials and agencies. Clearly, some public officials don't recognize that they are ultimately accountable to the public.

Strengthening the FOIA will help clarify the importance of open government in South Carolina.

—The Post and Courier