145TH GENERAL ASSEMBLY

FISCAL NOTE

BILL:	HOUSE BILL NO. 1
SPONSOR:	Representative Gilligan
DESCRIPTION:	AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.

ASSUMPTIONS:

1. Effective upon enactment.
2. The Act would include the General Assembly as a "public body" under the Freedom of Information Act (FOIA).
3. Certain requirements of public bodies could result in additional costs to the General Assembly. Public bodies under the Freedom of Information Act are required to give notice of regular meetings, executive sessions, and special or rescheduled meetings. Public bodies are required to maintain minutes of all meetings; many open Legislative Committee meetings already maintain minutes, but there may be other meetings where no records are currently maintained. Public bodies must keep minutes for executive sessions; this would be a new requirement.
4. It is estimated that a minimum of 1.0 full-time staff would be required to research the anticipated requests from the Legislature. This does not include documents housed in the executive branch. It is estimated that the required position would cost approximately $61,500 for 12 months including Other Employment Costs (OEC's).
5. The Department of Technology and Information (DTI) is over-extended on its use of staff to research FOIA requests. This legislation would add to the staffing requirement. One option available for DTI is to install a Message Journaling System. This system will assist in the historic research required on many FOIA requests. This system is estimated to cost $500,000 (one-time cost).
6. No inflation is assumed.

COSTS:

FY 2010	$61,500 (See assumption #5 for other potential costs)
FY 2011	$61,500
FY 2012	$61,500

Office of Controller General (Amounts are shown in whole dollars)
January 21, 2009
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