



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

December 24, 2025

Via electronic mail



RE: FOIA Request for Review – 2025 PAC 91083

Dear [REDACTED]:

This determination is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(c) (West 2024)). For the reasons explained below, the Public Access Bureau has determined that this Request for Review is unfounded.

On December 2, 2025, you submitted a FOIA request to the Village of Minier (Village) seeking copies of the Village's bank statements from September, October, and November for 2020, 2021, 2022, 2023, and 2024. On December 9, 2025, the Village provided you with the first 50 pages of responsive records in portable document format (PDF) and responded that it would provide the remaining 444 pages once you had paid a fee pursuant to section 6(b) of FOIA (5 ILCS 140/6(b) (West 2024)). On December 10, 2025, you replied that you had asked for PDF copies and should not be assessed any fee. On that same date, the Village explained that it did not maintain the records in electronic format and therefore could charge the fee for copies of the records. Also on that date, you submitted the above-referenced Request for Review contesting the Village's assessment of a fee.

Section 3(b) of FOIA (5 ILCS 140/3(b) (West 2024)) provides:

Subject to the fee provisions of Section 6 of this Act, each public body shall promptly provide, to any person who submits a request, a copy of any public record required to be disclosed by subsection (a) of this Section and shall certify such copy if so requested.

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Sections 6(a) and 6(b) of FOIA (5 ILCS 140/6(a), (b) (West 2024)) address the applicable fees for copies of electronic and paper records. Section 6(a) of FOIA provides, in pertinent part: "When a person requests a copy of a record **maintained in an electronic format**, the public body shall furnish it in the electronic format specified by the requester, if feasible." (Emphasis added.) Section 6(b) of FOIA provides, in pertinent part:

Except when a fee is otherwise fixed by statute, each public body may charge fees reasonably calculated to reimburse its actual cost for reproducing and certifying public records and for the use, by any person, of the equipment of the public body to copy records. No fees shall be charged for the first 50 pages of black and white, letter or legal sized copies requested by a requester. The fee for black and white, letter or legal sized copies shall not exceed 15 cents per page.

The Public Access Bureau has previously determined that "[t]he plain language of section 6(a) requires a public body to provide records in electronic format *if* the public body maintains those records in electronic format. * * * [S]ection 6(a) does not require a public body to furnish in electronic format records maintained solely in paper format, even if the public body has the resources to reproduce those records in PDF." Ill. Att'y Gen. PAC Req. Rev. Ltr. 28697, issued April 18, 2014, at 2. (Emphasis in original.)

On December 23, 2025, the Village Clerk confirmed in a telephone conversation with a Supervising Attorney in the Public Access Bureau that, although the Village offered to provide you with the remaining 444 pages via e-mail, it has not yet scanned those pages in and maintains the records only in paper format. Because the Village is not required to provide you with electronic copies of records that are maintained only in paper format, and because section 6(b) of FOIA allows the Village to charge 15 cents per page for paper copies, the Village's fee assessment did not violate the requirements of FOIA. Accordingly, this office concludes that your Request for Review is unfounded.

This file is closed. If you have any questions, please contact me at (773) 590-7878 or benjamin.silver@ilag.gov.

Very truly yours,



BENJAMIN J. SILVER
Supervising Attorney
Public Access Bureau

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cc: *Via electronic mail*
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