

§93.211. Administrative Record.

(a) The **cost of a transcript of an administrative proceeding requested by a party is paid by the party requesting the transcript. If the ALJ *sua sponte* orders that an administrative hearing be recorded by a court reporter, the cost of a transcript of the administrative proceeding is split equally between the parties.** [A record of all contested case proceedings shall be made as directed by SOAH. The department may assess costs against one or more parties.]

(b) **In the event [If] a final decision or final order [of the commission] is appealed to district court and the Department is required to transmit to the reviewing court a [or otherwise taken to district court and the department is required to send to the court an original or certified] copy of the administrative record of the administrative proceeding, or any part thereof, the appealing party shall pay all of the costs of the preparation of any original or certified copy of [preparing] the administrative record of the administrative proceeding, including the preparation of any transcript of the hearing that is required to be sent to the reviewing court.** If more than one party appeals the decision, the cost of the preparation of the administrative record shall be divided equally among the appealing parties or as agreed by the parties. **[The ALJ shall prepare and certify the record on behalf of the department and is responsible for transmitting the certified copy to the commissioner.]**