

2002 SESSION

INTRODUCED

027812896

HOUSE BILL NO. 900

Offered January 9, 2002

Prefiled January 9, 2002

A BILL to amend the Code of Virginia by adding in Chapter 37 of Subtitle 2 of Title 2.2 a section numbered 2.2-3715, relating to the Freedom of Information Act; remedy for requests intended to harass.

Patron—Purkey

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 37 of Subtitle 2 of Title 2.2 a section numbered 2.2-3715 as follows:

§ 2.2-3715. Protective orders.

Any public body subject to the provisions of this chapter may petition the circuit court in the city or county in which the public body is located for a protective order relieving the public body in whole or in part from its obligation to produce or provide access to public records sought by a particular requester. The court shall grant the petition and enter such an order if the court finds that the request for access to public records is unreasonable, not made in good faith, or motivated primarily by an intent to abuse, harass, or intimidate the public body. In entering the order, the court may require the requester to pay the reasonable attorney's fees incurred by the public body in obtaining the order.

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