

## 2004 SESSION

### HOUSE SUBSTITUTE

042602296

#### HOUSE BILL NO. 465

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Finance  
on February 11, 2004)

(Patron Prior to Substitute—Delegate Drake)

*A BILL to amend and reenact § 58.1-3172.1 of the Code of Virginia, relating to remote access fees; treasurers.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-3172.1 of the Code of Virginia is amended and reenacted as follows:**

§ 58.1-3172.1. Remote access to nonconfidential public records maintained by treasurer.

The treasurer may provide remote access, including access through the ~~global information system known as the~~ Internet, to all nonconfidential public records maintained by his office, subject to such limitations as may be imposed by applicable law. Any system of remote access created or maintained pursuant to this section shall include security measures that preclude remote access users from (i) obtaining any data that is required to be maintained as confidential pursuant to § 58.1-3, the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.), the Virginia Public Records Act (§ 42.1-76 et seq.), or other applicable law, and (ii) modifying or destroying any record or data in any manner.

*Any treasurer who provides such electronic access pursuant to this section may charge a fee. Such fee may be assessed based upon: (i) a subscription not to exceed \$100 per month, (ii) actual connect time, at a rate not to exceed \$20 per hour, or (iii) a cost per page, not to exceed \$1 for the first page and 25 cents for each additional page. If charged, the fee shall be charged each user, paid to the treasurer's office, and deposited by the treasurer into a special nonreverting local fund to be used to cover the operational expenses of such electronic access.*

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