

# 2011 SESSION

INTRODUCED

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## HOUSE BILL NO. 1457

Offered January 12, 2011

Prefiled November 29, 2010

A *BILL to amend and reenact § 2.2-3714 of the Code of Virginia, relating to violations and penalties under the Virginia Freedom of Information Act.*

Patron—Marshall, R.G.

Referred to Committee on General Laws

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

#### 1. That § 2.2-3714 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-3714. Violations and penalties.

In a proceeding commenced against ~~members~~ any officer, employee, or member of a public bodies body under § 2.2-3713 for a violation of § 2.2-3704, 2.2-3705.1 through 2.2-3705.8, 2.2-3706, 2.2-3707, 2.2-3708, 2.2-3708.1, 2.2-3710, 2.2-3711 or 2.2-3712, the court, if it finds that a violation was willfully and knowingly made, shall impose upon such officer, employee, or member in his individual capacity, whether a writ of mandamus or injunctive relief is awarded or not, a civil penalty of not less than \$250 nor more than \$1,000, which amount shall be paid into the State Literary Fund. For a second or subsequent violation, such civil penalty shall be not less than \$1,000 nor more than \$2,500. A public employee found to have committed a willful and knowing violation may also be subject to other disciplinary action, including suspension, demotion, or termination of public employment.

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