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HOUSE BILL NO. 2134

Offered January 9, 2013

Prefiled January 9, 2013

A BILL to amend and reenact § 2.2-3704.1 of the Code of Virginia, relating to the Virginia Freedom of Information Act; state agencies to post schedule of costs for producing records.

Patrons—Kearney and Ware, O.

Referred to Committee on General Laws**Be it enacted by the General Assembly of Virginia:****1. That § 2.2-3704.1 of the Code of Virginia is amended and reenacted as follows:****§ 2.2-3704.1. Posting of notice of rights and responsibilities by state public bodies; assistance by the Freedom of Information Advisory Council.**

A. All state public bodies created in the executive branch of state government and subject to the provisions of this chapter shall make available the following information to the public upon request and shall post such information on the Internet *their respective websites*:

1. A plain English explanation of the rights of a requester under this chapter, the procedures to obtain public records from the public body, and the responsibilities of the public body in complying with this chapter. For purposes of this subdivision "plain English" means written in nontechnical, readily understandable language using words of common everyday usage and avoiding legal terms and phrases or other terms and words of art whose usage or special meaning primarily is limited to a particular field or profession;

2. Contact information for the person designated by the public body to (i) assist a requester in making a request for records or (ii) respond to requests for public records;

3. A general description, summary, list, or index of the types of public records maintained by such state public body;

4. A general description, summary, list, or index of any exemptions in law that permit or require such public records to be withheld from release; ~~and~~

5. Any policy the public body has concerning the type of public records it routinely withholds from release as permitted by this chapter or other law; *and*

6. *A schedule of charges associated with the production of requested records that may be assessed by the public body pursuant to § 2.2-3704.*

B. The Freedom of Information Advisory Council, created pursuant to § 30-178, shall assist in the development and implementation of the provisions of subsection A, upon request.

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