

**Department of Planning and Budget  
2013 Fiscal Impact Statement**

**1. Bill Number:** SB1264

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

**2. Patron:**    Stuart, R

**3. Committee:** General Laws and Technology

**4. Title:**    Freedom of Information Act; access to criminal and other records held by public bodies.

**5. Summary:** Reorganizes § 2.2-3706 of the Freedom of Information Act relating to access to criminal records and other records held by law-enforcement agencies. The only substantive changes in the bill are to (i) expand to the state law-enforcement agencies the ability to withhold portions of noncriminal incident information and (ii) allow law-enforcement agencies to make a verbal response for requests for criminal incident information. The bill also clarifies that personnel records of persons employed by a law-enforcement agency are not noncriminal records, but subject to the personnel records and background investigation records exemptions. The bill contains technical amendments and is a recommendation of the Virginia Freedom of Information Advisory Council.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** No fiscal impact.

**8. Fiscal Implications:** None.

**9. Specific Agency or Political Subdivisions Affected:** Law-enforcement agencies.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.

**Date:** 1/25/13