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**SENATE BILL NO. 242**

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Education and Health  
on January 23, 2014)

(Patron Prior to Substitute—Senator McWaters)

*A BILL to amend and reenact § 23-2.1:3 of the Code of Virginia, relating to students' personal information; sale to third-party vendors.*

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

**1. That § 23-2.1:3 of the Code of Virginia is amended and reenacted as follows:**

**§ 23-2.1:3. Student records and personal information.**

A. Each public and private institution of higher education may require that any student accepted to and who has committed to attend, or is attending, such institution provide, to the extent available, from the originating secondary school and, if applicable, any institution of higher education he has attended a complete student record, including any mental health records held by the school. These records shall be kept confidential as required by state and federal law, including the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

B. *No public institution of higher education shall sell students' personal information, including names, addresses, phone numbers, and email addresses to any person. This subsection shall not apply to transactions involving credit, debit, employment, finance, identity verification, risk assessment, fraud prevention, or other transaction initiated by the student.*

**SENATE SUBSTITUTE**

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