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SENATE BILL NO. 972

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rules
on February 2, 2017)

(Patron Prior to Substitute—Senator DeSteph)

A BILL to amend the Code of Virginia by adding a section numbered 30-19.2:1, relating to requests for information by members of the General Assembly; responses not subject to redaction.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 30-19.2:1 as follows:

§ 30-19.2:1. Requests for information by members of the General Assembly.

A. As used in this section, "state agency" means any authority, board, department, instrumentality, institution, agency, or other unit of state government.

B. Any state agency, upon request by a member of the General Assembly acting in the performance of such member's official legislative duties, shall provide such requested records within a reasonable time of receiving the request, not to exceed 14 working days, unless otherwise agreed to by such member and the state agency. If it is not practically possible to provide the requested records or to determine whether they are available within the 14-work-day period, a state agency shall have an additional seven work days to provide the records.

C. Notwithstanding the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), a response to a request for records made by a member of the General Assembly pursuant to subsection B shall not be subject to redaction unless:

1. The disclosure of the record or portion thereof is prohibited by law; or

2. The disclosure of the record or portion thereof is excluded under § 2.2-3705.2, subdivision 2 of § 2.2-3705.7, or § 2.2-3706.

D. Any records or information received by a member of the General Assembly in accordance with this section shall not be further disclosed by such member or such member's legislative aide. The provisions of this subsection shall not apply to the disclosure (i) of statistical summaries, abstracts, or other information in aggregate form compiled by such member or such member's legislative aide that does not allow for identification of specific individuals; (ii) of records required by law to be disclosed to the public; or (iii) in accordance with a proper judicial order.