

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: SB876

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

2. Patron: T. Montgomery Mason

3. Committee: General Laws and Technology

4. Title: Virginia Freedom of Information Act; transfer of public records; definition of custodian.

5. Summary: Requires a public body initiating a transfer of public records to any entity, including to any other public body, to remain the custodian of those records only if the public body has transferred the entirety of those public records. Current law requires the public body initiating a transfer of public records to remain the custodian if it has transferred possession of any public records. The bill also excludes the transfer of a portion of information contained in one public body's public record to another public body from being considered as a transfer of an entire public record. The bill also prohibits a public body from withholding a public record in its entirety on the grounds that information contained in such public record was provided by another public body. The bill defines "custodian" for purposes of the Virginia Freedom of Information Act.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: None.

8. Fiscal Implications: No fiscal impact to state agencies.

9. Specific Agency or Political Subdivisions Affected: All public bodies or entities with a public record.

10. Technical Amendment Necessary: No.

11. Other Comments: Similar to HB504, HB664, HB957, HB959.