

# VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

## CHAPTER 820

*An Act to amend and reenact § 9-77.8 of the Code of Virginia, relating to the Code Commission's authority when contracting with a publisher; closed meetings.*

[S 1]

Approved April 20, 1994

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

**1. That § 9-77.8 of the Code of Virginia is amended and reenacted as follows:**

§ 9-77.8. Contracting with publishers; property rights regarding Code of Virginia and administrative code material.

A. The Commission is authorized to enter into a contract or contracts with any reputable person, persons, or firm for such editorial work, printing, indexing, annotating and other work as may be necessary. All parts of any code published or authorized to be published by the Commission, including statute text, regulation text, catchlines, historical citations, numbers of sections, articles, chapters and titles, frontal analyses and revisor's notes, shall become and remain the exclusive property of the Commonwealth to be used only as the Commission may direct. However, the Commission shall acknowledge a property right in and the right to copyright materials prepared and added to any code by the person or persons or firm preparing it. Such materials may include, inter alia, case annotations, indices, various notes concerning sections and reference tables.

B. Trade secrets or proprietary information submitted by any person or firm contracting or proposing to contract with the Commission in connection with the publication of (i) the Code of Virginia, (ii) the Virginia Administrative Code or (iii) any other materials published by the Commission shall not be subject to public disclosure under the Virginia Freedom of Information Act (§ 2.1-340 et seq.). However, the person or firm shall invoke the protections of this subsection prior to or upon submission of the data or other materials to be protected and state the reasons why protection is necessary. *The Commission may, in closed or executive session, discuss, consider, review or deliberate upon proposals which contain trade secrets or proprietary information submitted by any person or firm contracting or proposing to contract with the Commission in connection with the publication of the Code of Virginia or the Virginia Administrative Code.*