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**HOUSE JOINT RESOLUTION NO. 187**

Offered January 26, 1998

*Continuing the joint subcommittee to study the Virginia Freedom of Information Act.*

Patron—Woodrum

Referred to Committee on Rules

WHEREAS, House Joint Resolution No. 416, agreed to by the 1997 Session of the General Assembly, established a joint subcommittee to study the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act (FOIA) was first enacted by the 1968 Session of the General Assembly; and

WHEREAS, the FOIA has been the subject of at least four studies since its enactment, with each study committee recommending important changes to ensure public access to the workings of government; and

WHEREAS, yet, as a result of various amendments every year since 1968, there are currently at least 66 exceptions contained in the FOIA which exempt the disclosure of certain official documents; and

WHEREAS, each year several bills are introduced which amend the FOIA in some significant way; and

WHEREAS, the Code of Virginia is replete with other exemptions to the FOIA which are not found in the FOIA itself, resulting in conflicting statutory interpretations and general confusion; and

WHEREAS, with the advent of technological changes, the methods of collection, processing, and keeping official records have changed dramatically, with the effect, on occasion, of limiting public access to government records and meetings; and

WHEREAS, the importance of the right of the people in the Commonwealth to have free access to the affairs of their government cannot be understated; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Subcommittee Studying the Virginia Freedom of Information Act be continued. The membership of the joint subcommittee shall remain the same. Any vacancies shall be filled in accordance with HJR 416 (1997).

In continuing its study, the joint subcommittee shall, among other things, examine other provisions of the Code of Virginia affecting public access to government records and meetings in order to determine whether any revisions to the Code of Virginia or the Freedom of Information Act are necessary.

The direct costs of this study shall not exceed \$ 5,750.

The Division of Legislative Services shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The Joint Subcommittee Studying the Virginia Freedom of Information Act shall complete its work in time to submit its findings and recommendations to the Governor and the 1999 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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