

# VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

## CHAPTER 41

*An Act to amend and reenact § 2.1-379 of the Code of Virginia, relating to the Privacy Protection Act; definitions.*

[H 2152]

Approved March 4, 1999

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

**1. That § 2.1-379 of the Code of Virginia is amended and reenacted as follows:**

§ 2.1-379. Definitions.

As used in this chapter:

1. The term "information system" means the total components and operations of a record-keeping process, *including information collected or managed by means of computer networks and the global information system known as the Internet*, whether automated or manual, containing personal information and the name, personal number, or other identifying particulars of a data subject.

2. The term "personal information" means all information that describes, locates or indexes anything about an individual including his real or personal property holdings derived from tax returns, and his education, financial transactions, medical history, ancestry, religion, political ideology, criminal or employment record, or that affords a basis for inferring personal characteristics, such as finger and voice prints, photographs, or things done by or to such individual; and the record of his presence, registration, or membership in an organization or activity, or admission to an institution. The term does not include routine information maintained for the purpose of internal office administration whose use could not be such as to affect adversely any data subject nor does the term include real estate assessment information.

3. The term "data subject" means an individual about whom personal information is indexed or may be located under his name, personal number, or other identifiable particulars, in an information system.

4. The term "disseminate" means to release, transfer, or otherwise communicate information orally, in writing, or by electronic means.

5. The term "purge" means to obliterate information completely from the transient, permanent, or archival records of an organization.

6. The term "agency" means any agency, authority, board, department, division, commission, institution, bureau, or like governmental entity of the Commonwealth or of any unit of local government including counties, cities, towns and regional governments and the departments and including any entity, whether public or private, with which any of the foregoing has entered into a contractual relationship for the operation of a system of personal information to accomplish an agency function. Any such entity included in this definition by reason of a contractual relationship shall only be deemed an agency as relates to services performed pursuant to that contractual relationship, provided that if any such entity is a consumer reporting agency, it shall be deemed to have satisfied all of the requirements of this chapter if it fully complies with the requirements of the Federal Fair Credit Reporting Act as applicable to services performed pursuant to such contractual relationship.