

Department of Planning and Budget

2007 Fiscal Impact Statement

1. Bill Number SB824

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Devolites Davis

3. Committee General Laws and Technology

4. Title Freedom of Information Act; Government Data Collection and Dissemination Practices Act; land records.

5. Summary/Purpose: Provides that the Freedom of Information Act does not apply to land records available via secure remote access but that such access is governed by certain provisions of the Government Data Collection and Dissemination Practices Act (see § 2.2-3800 et seq.). The bill provides requirements for posting land records via secure remote access to the Internet and requires, beginning July 1, 2010, that social security numbers not be contained in such documents. Judgments, however, will contain the last four digits of a social security number for identification purposes. The clerk is given the authority to reject documents that contain social security numbers and also is allowed to perform a global redaction of social security numbers from those documents filed before the 2010 deadline. The bill also allows the use of the Technology Trust Fund to pay for redaction. The bill clarifies that the clerk is to charge \$0.50 per electronic image for transmitting “papers or records” to go out of his office in the same manner that he charges \$0.50 per page for copying.

6. Fiscal Impact Estimates are: PRELIMINARY; See Item 8.

7. Budget amendment necessary: No.

8. Fiscal implications: According to the Compensation Board, the proposed legislation is not expected to have a fiscal impact.

Although an amount cannot be determined, any amount collected in support of copying costs would be deposited to the locality for appropriations to the clerk for copying costs. Any amounts exceeding the actual copying cost would go to the general fund (submitted along with the other clerks’ fees), and two-thirds of the excess (beyond what is reimbursed to the clerk for his budget) would be returned to the locality.

The localities’ redaction cost has been estimated at \$8.0 million by the redaction workgroup. However, it is expected that no additional funding will be required since the proposal authorizes the use of the Technology Trust Fund (TTF) to reimburse the localities for this cost and that localities have until July 2010 to complete the redaction requirement. The

Compensation Board believes that the requirements of the bill can be met with existing revenue collections.

9. Specific agency or political subdivisions affected: State Compensation Board, localities statewide.

10. Technical amendment necessary: No.

11. Other comments: Identical to HB2062.

Date: 01/17/07 / jgc

Document: G:\2007\EFIS\Posted\SB824.DOC

cc: Secretary of Administration