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SENATE BILL NO. 552

Offered January 13, 2016

Prefiled January 13, 2016

A *BILL to amend and reenact § 2.2-3705.8 of the Code of Virginia, relating to the Virginia Freedom of Information Act; mandatory disclosure of public employee position and salary information; exceptions.*

Patron—Cosgrove

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:**1. That § 2.2-3705.8 of the Code of Virginia is amended and reenacted as follows:****§ 2.2-3705.8. Limitation on record exclusions.**

A. Neither any provision of this chapter nor any provision of Chapter 38 (§ 2.2-3800 et seq.) of this title shall be construed as denying public access to (i) contracts between a public body and its officers or employees, other than contracts settling public employee employment disputes held confidential as personnel records under § 2.2-3705.1; (ii) records of the position, job classification, official salary or rate of pay of, and records of the allowances or reimbursements for expenses paid to any officer, official or employee of a public body; or (iii) the compensation or benefits paid by any corporation organized by the Virginia Retirement System or its officers or employees.

The provisions of this subsection, however, shall not require public access to records of the (a) official salaries or rates of pay of public employees whose annual rate of pay is \$10,000 or less or (b) the names, positions, job classifications, or other personal identifying information concerning (1) employees of state or local police departments or sheriff's offices who are responsible for the prevention and detection of crime and the enforcement of the penal, traffic, or highway laws of the Commonwealth; (2) special agents of the Department of Alcoholic Beverage Control; (3) officers of the Virginia Marine Police; (4) conservation police officers who are full-time sworn members of the enforcement division of the Department of Game and Inland Fisheries; (5) investigators who are full-time sworn members of the security division of the Virginia Lottery; (6) conservation officers of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; (7) full-time sworn members of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217; or (8) animal protection police officers employed under § 15.2-632.

B. Nothing in this chapter shall be construed as denying public access to the nonexempt portions of a report of a consultant hired by or at the request of a local public body or the mayor or chief executive or administrative officer of such public body if (i) the contents of such report have been distributed or disclosed to members of the local public body or (ii) the local public body has scheduled any action on a matter that is the subject of the consultant's report.

INTRODUCED

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