

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB1389

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Robinson

3. Committee: General Laws

4. Title: Virginia Freedom of Information Act (FOIA); record exclusion for trade secrets.

5. Summary: Virginia Freedom of Information Act; record exclusion for trade secrets submitted to the Department of Mines, Minerals and Energy. Excludes from the mandatory disclosure provisions of FOIA trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), submitted to the Department of Mines, Minerals and Energy as part of the required permit or permit modification to commence ground-disturbing activities. The bill provides that in order for such trade secrets to be excluded, the submitting party shall (i) invoke this exclusion upon submission of the data or materials for which protection from disclosure is sought, (ii) identify the data or materials for which protection is sought, and (iii) state the reasons why protection is necessary.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No state fiscal impact.

8. Fiscal Implications: It is anticipated that this bill will not have a fiscal impact on the Department of Mines, Minerals, and Energy.

9. Specific Agency or Political Subdivisions Affected: Department of Mines, Minerals, and Energy.

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is a companion to SB706.