

## **Department of Planning and Budget**

### **2017 Fiscal Impact Statement**

**1. Bill Number:** SB1103

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

**2. Patron:** Surovell

**3. Committee:** General Laws and Technology

**4. Title:** Virginia Freedom of Information Act (FOIA); closed meeting violations; civil penalty.

**5. Summary:** The bill provides that in addition to any penalties imposed under FOIA, if the court finds that a member of a public body voted to certify a closed meeting and at the time of such certification such certification constituted a departure from the requirements of FOIA, the court shall impose on all members voting to certify in their individual capacity, whether or not a writ of mandamus or injunctive relief is awarded, a civil penalty of \$500 each.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Indeterminate.

**8. Fiscal Implications:** This expanded penalty that can be imposed related to public body proceedings is punishable by a civil penalty of \$500. However, it is unknown how often the offense will be incurred, so the fiscal impact cannot be determined. Civil penalty amounts imposed are paid into the State Literary Fund..

**9. Specific Agency or Political Subdivisions Affected:** All public bodies whose members are required to vote to certify a closed meeting.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.