

## **Department of Planning and Budget 2017 Fiscal Impact Statement**

**1. Bill Number:** SB1226

<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:** Edwards

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

**4. Title:** Virginia Freedom of Information Act; Public Procurement Act; proprietary records and trade secrets.

**5. Summary:** Excludes from the mandatory disclosure provisions of FOIA proprietary information, voluntarily provided by a private business under a promise of confidentiality from a public body, used by the public body for a solar photovoltaic services agreement, a solar power purchase agreement, or a solar self-generation agreement. The bill requires the private business to specify the records for which protection is sought before submitting them to the public body and to state the reasons why protection is necessary. The bill also (i) allows a solar services agreement contractor or provider to designate specific provisions in a solar services agreement as proprietary information not subject to disclosure, and (ii) authorizes a city to withhold from disclosure such information provided by a private entity in connection with a franchise, lease or use under a solar photovoltaic services agreement, a solar power purchase agreement, or a solar self-generation agreement.

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

**7. Fiscal Impact Estimates:** Preliminary; no state fiscal impact.

**8. Fiscal Implications:** This bill is not expected to have a state fiscal impact.

**9. Specific Agency or Political Subdivisions Affected:** Public bodies who are subject to the Virginia Freedom of Information Act and enter into a solar photovoltaic services agreement, a solar power purchase agreement, or a solar self-generation agreement.

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

**11. Other Comments:** None.

Date: 1/17/2017  
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