

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: SB1492

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

2. Patron: Chafin

3. Committee: Passed Both Houses.

4. Title: FOIA; exclusions; proprietary records and trade secrets.

5. Summary: Excludes trade secrets, financial information, and research-related information supplied to the Department of Housing and Community Development (the Department) as part of any grant application submitted to the Department pursuant to certain requirements set out in the Code or pursuant to the Virginia Growth and Opportunity Board or the Virginia Telecommunication Initiative as authorized by the appropriation act from the mandatory disclosure provisions of FOIA, if such disclosure would be harmful to the competitive position of the applicant. The bill provides that in order for such trade secrets, financial information, and research-related information to be excluded, the applicant shall (i) invoke this exclusion upon submission of the data or other materials from which disclosure is sought, (ii) identify with specificity the data or other materials for which protection is sought, and (iii) state the reasons why protection is necessary. The Department is directed to determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or confidential proprietary information of the applicant.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final.

8. Fiscal Implications: It is anticipated that this bill will not result in a fiscal impact to the Department of Housing and Community Development.

9. Specific Agency or Political Subdivisions Affected: Department of Housing and Community Development.

10. Technical Amendment Necessary: No.

11. Other Comments: None.