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SENATE BILL NO. 1029

Senate Amendments in [] - January 31, 2025

A BILL to amend and reenact §§ 2.2-2007, 2.2-3704, 2.2-3704.1, 2.2-3714, 2.2-3806, 16.1-77, and 17.1-275 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-3704.02, relating to the Virginia Freedom of Information Act; procedure for responding to requests; charges; posting of notice of rights and responsibilities.

Patron Prior to Engrossment—Senator Roem

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2007, 2.2-3704, 2.2-3704.1, 2.2-3714, 2.2-3806, 16.1-77, and 17.1-275 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 2.2-3704.02 as follows:

§ 2.2-2007. Powers of the CIO.

A. The CIO shall promulgate regulations necessary or incidental to the performance of duties or execution of powers conferred under this chapter. The CIO shall also develop policies, standards, and guidelines for the planning, budgeting, procurement, development, maintenance, security, and operations of information technology for executive branch agencies. Such policies, standards, and guidelines shall include those necessary to:

1. Support state and local government exchange, acquisition, storage, use, sharing, and distribution of data and related technologies.

2. Support the development of electronic transactions including the use of electronic signatures as provided in § 59.1-496.

3. Support a unified approach to information technology across the totality of state government, thereby assuring that the citizens and businesses of the Commonwealth receive the greatest possible security, value, and convenience from investments made in technology.

4. Ensure that the costs of information technology systems, products, data, and services are contained through the shared use of existing or planned equipment, data, or services.

5. Provide for the effective management of information technology investments through their entire life cycles, including identification, business case development, selection, procurement, implementation, operation, performance evaluation, and enhancement or retirement. Such policies, standards, and guidelines shall include, at a minimum, the periodic review by the CIO of agency Commonwealth information technology projects.

6. Establish an Information Technology Investment Management Standard based on acceptable technology investment methods to ensure that all executive branch agency technology expenditures are an integral part of the Commonwealth's performance management system, produce value for the agency and the Commonwealth, and are aligned with (i) agency strategic plans, (ii) the Governor's policy objectives, and (iii) the long-term objectives of the Council on Virginia's Future.

B. In addition to other such duties as the Secretary may assign, the CIO shall:

1. Oversee and administer the Virginia Technology Infrastructure Fund created pursuant to § 2.2-2023.

2. Report annually to the Governor, the Secretary, and the Joint Commission on Technology and Science created pursuant to § 30-85 on the use and application of information technology by executive branch agencies to increase economic efficiency, citizen convenience, and public access to state government.

3. Prepare annually a report for submission to the Secretary, the Information Technology Advisory Council, and the Joint Commission on Technology and Science on a prioritized list of Recommended Technology Investment Projects (RTIP Report) based upon major information technology projects submitted for business case approval pursuant to this chapter. As part of the RTIP Report, the CIO shall develop and regularly update a methodology for prioritizing projects based upon the allocation of points to defined criteria. The criteria and their definitions shall be presented in the RTIP Report. For each project recommended for funding in the RTIP Report, the CIO shall indicate the number of points and how they were awarded. For each listed project, the CIO shall also report (i) all projected costs of ongoing operations and maintenance activities of the project for the next three biennia following project implementation; (ii) a justification and description for each project baseline change; and (iii) whether the project fails to incorporate existing standards for the maintenance, exchange, and security of data. This report shall also include trends in current projected information technology spending by executive branch agencies and secretariats, including spending on projects, operations and maintenance, and payments to VITA. Agencies shall provide all project and cost information required to complete the RTIP Report to the CIO prior to May 31 immediately

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59 preceding any budget biennium in which the project appears in the Governor's budget bill.

60 4. Provide oversight for executive branch agency efforts to modernize the planning, development,
61 implementation, improvement, operations and maintenance, and retirement of Commonwealth information
62 technology, including oversight for the selection, development and management of enterprise information
63 technology.

64 5. Develop statewide technical and data standards and specifications for information technology and
65 related systems, including (i) the efficient exchange of electronic information and technology, including
66 infrastructure, between the public and private sectors in the Commonwealth and (ii) the utilization of
67 nationally recognized technical and data standards for health information technology systems or software
68 purchased by an executive branch agency.

69 6. Direct the compilation and maintenance of an inventory of information technology, including but not
70 limited to personnel, facilities, equipment, goods, and contracts for services.

71 7. Provide for the centralized marketing, provision, leasing, and executing of licensing agreements for
72 electronic access to public information and government services through the Internet, wireless devices,
73 personal digital assistants, kiosks, or other such related media on terms and conditions as may be determined
74 to be in the best interest of the Commonwealth. VITA may fix and collect fees and charges for (i) public
75 information, media, and other incidental services furnished by it to any private individual or entity,
76 notwithstanding the charges set forth in § ~~2.2-3704~~ 2.2-3704.02, and (ii) such use and services it provides to
77 any executive branch agency or local government. Nothing in this subdivision authorizing VITA to fix and
78 collect fees for providing information services shall be construed to prevent access to the public records of
79 any public body pursuant to the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).
80 VITA is authorized, subject to the approval by the Secretary of Administration and any other affected
81 Secretariat, to delegate the powers and responsibilities granted in this subdivision to any agency within the
82 executive branch.

83 8. Periodically evaluate the feasibility of outsourcing information technology resources and services, and
84 outsource those resources and services that are feasible and beneficial to the Commonwealth.

85 9. Have the authority to enter into and amend contracts, including contracts with one or more other public
86 bodies, or public agencies or institutions or localities of the several states, of the United States or its
87 territories, or the District of Columbia, for the provision of information technology services.

88 C. Consistent with § 2.2-2012, the CIO may enter into public-private partnership contracts to finance or
89 implement information technology programs and projects. The CIO may issue a request for information to
90 seek out potential private partners interested in providing programs or projects pursuant to an agreement
91 under this subsection. The compensation for such services shall be computed with reference to and paid from
92 the increased revenue or cost savings attributable to the successful implementation of the program or project
93 for the period specified in the contract. The CIO shall be responsible for reviewing and approving the
94 programs and projects and the terms of contracts for same under this subsection. The CIO shall determine
95 annually the total amount of increased revenue or cost savings attributable to the successful implementation
96 of a program or project under this subsection and such amount shall be deposited in the Virginia Technology
97 Infrastructure Fund created in § 2.2-2023. The CIO is authorized to use moneys deposited in the Fund to pay
98 private partners pursuant to the terms of contracts under this subsection. All moneys in excess of that required
99 to be paid to private partners, as determined by the CIO, shall be reported to the Comptroller and retained in
100 the Fund. The CIO shall prepare an annual report to the Governor, the Secretary, and General Assembly on
101 all contracts under this subsection, describing each information technology program or project, its progress,
102 revenue impact, and such other information as may be relevant.

103 D. Executive branch agencies shall cooperate with VITA in identifying the development and operational
104 requirements of proposed information technology systems, products, data, and services, including the
105 proposed use, functionality, and capacity, and the total cost of acquisition, operation, and maintenance.

106 **§ 2.2-3704. Public records to be open to inspection; procedure for requesting records and**
107 **responding to request; transfer of records for storage, etc.**

108 A. Except as otherwise specifically provided by law, all public records shall be open to citizens of the
109 Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth, and
110 representatives of radio and television stations broadcasting in or into the Commonwealth during the regular
111 office hours of the custodian of such records. Access to such records shall be provided by the custodian in
112 accordance with this chapter by inspection or by providing copies of the requested records, at the option of
113 the requester. The custodian may require the requester to provide his name and legal address. The custodian
114 of such records shall take all necessary precautions for their preservation and safekeeping.

115 B. A request for public records shall identify the requested records with reasonable specificity. The
116 request need not make reference to this chapter in order to invoke the provisions of this chapter or to impose
117 the time limits for response by a public body. Any public body that is subject to this chapter and that is the
118 custodian of the requested records shall promptly, but in all cases within five working days of receiving a
119 request, provide the requested records to the requester or make one of the following responses in writing:

120 1. The requested records are being entirely withheld. Such response shall identify with reasonable

121 particularity the volume and subject matter of withheld records, and cite, as to each category of withheld
 122 records, the specific Code section that authorizes the withholding of the records.

123 2. The requested records are being provided in part and are being withheld in part. Such response shall
 124 identify with reasonable particularity the subject matter of withheld portions, and cite, as to each category of
 125 withheld records, the specific Code section that authorizes the withholding of the records.

126 3. The requested records could not be found or do not exist. However, if the public body that received the
 127 request knows that another public body has the requested records, the response shall include contact
 128 information for the other public body.

129 4. It is not practically possible to provide the requested records or to determine whether they are available
 130 within the five-work-day period. Such response shall specify the conditions that make a response impossible.
 131 If the response is made within five working days, the public body shall have an additional seven work days
 132 or, in the case of a request for criminal investigative files pursuant to § 2.2-3706.1, 60 work days in which to
 133 provide one of the four preceding responses.

134 C. Any public body may petition the appropriate *general district or circuit* court for additional time to
 135 respond to a request for records when the request is for an extraordinary volume of records or requires an
 136 extraordinarily lengthy search; and a response by the public body within the time required by this chapter will
 137 prevent the public body from meeting its operational responsibilities. *The period within which the public*
 138 *body shall respond under this section shall be tolled while such petition is pending before the court. The*
 139 *hearing on any such petition made outside of the regular terms of the court of a locality that is included in a*
 140 *judicial circuit with another locality or localities shall be given precedence on the docket of such court over*
 141 *all cases that are not otherwise given precedence by law.* Before proceeding with the petition, however, the
 142 public body shall make reasonable efforts to reach an agreement with the requester concerning the production
 143 of the records requested.

144 D. Subject to the provisions of subsection G F, no public body shall be required to create a new record if
 145 the record does not already exist. However, a public body may abstract or summarize information under such
 146 terms and conditions as agreed between the requester and the public body.

147 E. Failure to respond to a request for records shall be deemed a denial of the request and shall constitute a
 148 violation of this chapter.

149 F. Except with regard to scholastic records requested pursuant to subdivision A 1 of § 2.2-3705.4 that
 150 must be made available for inspection pursuant to the federal Family Educational Rights and Privacy Act (20
 151 U.S.C. § 1232g) and such requests for scholastic records by a parent or legal guardian of a minor student or
 152 by a student who is 18 years of age or older, a public body may make reasonable charges not to exceed its
 153 actual cost incurred in accessing, duplicating, supplying, or searching for the requested records and shall
 154 make all reasonable efforts to supply the requested records at the lowest possible cost. No public body shall
 155 impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with
 156 creating or maintaining records or transacting the general business of the public body. Any duplicating fee
 157 charged by a public body shall not exceed the actual cost of duplication. The public body may also make a
 158 reasonable charge for the cost incurred in supplying records produced from a geographic information system
 159 at the request of anyone other than the owner of the land that is the subject of the request. However, such
 160 charges shall not exceed the actual cost to the public body in supplying such records, except that the public
 161 body may charge, on a pro rata per acre basis, for the cost of creating topographical maps developed by the
 162 public body, for such maps or portions thereof, which encompass a contiguous area greater than 50 acres.
 163 Prior to conducting a search for records, the public body shall notify the requester in writing that the public
 164 body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying,
 165 or searching for requested records and inquire of the requester whether he would like to request a cost
 166 estimate in advance of the supplying of the requested records. The public body shall provide the requester
 167 with a cost estimate if requested. The period within which the public body shall respond under this section
 168 shall be tolled for the amount of time that elapses between notice of the cost estimate and the response of the
 169 requester. If the public body receives no response from the requester within 30 days of sending the cost
 170 estimate, the request shall be deemed to be withdrawn. Any costs incurred by the public body in estimating
 171 the cost of supplying the requested records shall be applied toward the overall charges to be paid by the
 172 requester for the supplying of such requested records. Any local public body that charges for the production
 173 of records pursuant to this section may provide an electronic method of payment through which all payments
 174 for the production of such records to such locality may be made. For purposes of this subsection, "electronic
 175 method of payment" means any kind of noncash payment that does not involve a paper check and includes
 176 credit cards, debit cards, direct deposit, direct debit, electronic checks, and payment through the use of
 177 telephonic or similar communications.

178 G. Public records maintained by a public body in an electronic data processing system, computer
 179 database, or any other structured collection of data shall be made available to a requester at a reasonable cost,
 180 not to exceed the actual cost in accordance with subsection F. When electronic or other databases *public*
 181 *records maintained by a public body in an electronic data processing system, computer database, or any*

182 *other structured collection of data* are combined or contain exempt and nonexempt records, the public body
 183 may provide access to the exempt records if not otherwise prohibited by law; but shall provide access to the
 184 nonexempt records as provided by this chapter.

185 Public bodies shall produce nonexempt records maintained in an electronic database in any tangible
 186 medium identified by the requester, including, where the public body has the capability, the option of posting
 187 the records on a website or delivering the records through an electronic mail address provided by the
 188 requester; if that medium is used by the public body in the regular course of business. No public body shall be
 189 required to produce records from an electronic database in a format not regularly used by the public body.
 190 However, the public body shall make reasonable efforts to provide records in any format under such terms
 191 and conditions as agreed between the requester and *the* public body, including the payment of reasonable
 192 costs *in accordance with § 2.2-3704.02*. The excision of exempt fields of information from a database or the
 193 conversion of data from one available format to another shall not be deemed the creation, preparation, or
 194 compilation of a new public record.

195 ~~H. In any case where a public body determines in advance that charges for producing the requested~~
 196 ~~records are likely to exceed \$200, the public body may, before continuing to process the request, require the~~
 197 ~~requester to pay a deposit not to exceed the amount of the advance determination. The deposit shall be~~
 198 ~~credited toward the final cost of supplying the requested records. The period within which the public body~~
 199 ~~shall respond under this section shall be tolled for the amount of time that elapses between notice of the~~
 200 ~~advance determination and the response of the requester.~~

201 ~~I. Before processing a request for records, a public body may require the requester to pay any amounts~~
 202 ~~owed to the public body for previous requests for records that remain unpaid 30 days or more after billing.~~

203 ~~J. G.~~ In the event a public body has transferred possession of public records to any entity, including but
 204 not limited to any other public body, for storage, maintenance, or archiving, the public body initiating the
 205 transfer of such records shall remain the custodian of such records for purposes of responding to requests for
 206 public records made pursuant to this chapter and shall be responsible for retrieving and supplying such public
 207 records to the requester. In the event a public body has transferred public records for storage, maintenance, or
 208 archiving and such transferring public body is no longer in existence, any public body that is a successor to
 209 the transferring public body shall be deemed the custodian of such records. In the event no successor entity
 210 exists, the entity in possession of the public records shall be deemed the custodian of the records for purposes
 211 of compliance with this chapter; and shall retrieve and supply such records to the requester. Nothing in this
 212 subsection shall be construed to apply to records transferred to the Library of Virginia for permanent
 213 archiving pursuant to the duties imposed by the Virginia Public Records Act (§ 42.1-76 et seq.). In
 214 accordance with § 42.1-79, the Library of Virginia shall be the custodian of such permanently archived
 215 records and shall be responsible for responding to requests for such records made pursuant to this chapter.

216 **§ 2.2-3704.02. Charges for the production of public records.**

217 *A. Except with regard to scholastic records requested pursuant to subdivision A 1 of § 2.2-3705.4 that*
 218 *must be made available for inspection pursuant to the federal Family Educational Rights and Privacy Act (20*
 219 *U.S.C. § 1232g) and such requests for scholastic records by a parent or legal guardian of a minor student or*
 220 *by a student who is 18 years of age or older, a public body may make reasonable charges not to exceed its*
 221 *actual cost incurred in accessing, duplicating, supplying, or searching for the requested records and shall*
 222 *make all reasonable efforts to supply the requested records at the lowest possible cost. No public body shall*
 223 *impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with*
 224 *creating or maintaining records or transacting the general business of the public body. Any duplicating fee*
 225 *charged by a public body shall not exceed the actual cost of duplication.*

226 *B. If the public body chooses to charge, any [~~charges fees charged~~] for staff time shall [~~be calculated~~*
 227 *based on not exceed] the median hourly rate of pay of employees of the public body as of the previous July 1*
 228 *or the actual hourly rate of pay of the employee who is accessing, duplicating, supplying, or searching for the*
 229 *requested records, whichever is the lesser amount. The hourly rate of pay calculated shall not include the*
 230 *cost of fringe benefits or any overhead costs. When calculating the median hourly rate of pay, the hourly rate*
 231 *of pay of full-time and part-time employees shall be included, but the hourly rate of pay of temporary*
 232 *employees shall not be included. A public body that has multiple departments or divisions may calculate*
 233 *separately the median hourly rate of pay for each such department or division based on the hourly rate of pay*
 234 *of employees of that department or division.*

235 *With regard to this subsection, a public body may petition the appropriate court for relief from the fee cap*
 236 *imposed by such clause upon showing by a preponderance of the evidence that there is no qualified*
 237 *individual capable of fulfilling the request at the median hourly rate of pay or less. Upon hearing such*
 238 *petition, the court in its discretion may set the hourly rate to be charged not to exceed the actual cost*
 239 *incurred by the public body. Any such petition shall be heard within seven days of the date when the same is*
 240 *made, provided that the public body has sent and the requester has received a copy of the petition at least*
 241 *three working days prior to filing. The hearing on any petition made outside of the regular terms of the*
 242 *circuit court of a locality that is included in a judicial circuit with another locality or localities shall be given*

243 precedence on the docket of such court over all cases that are not otherwise given precedence by law. The
 244 period within which the public body shall respond under this section shall be tolled for the amount of time
 245 that elapses between the requester's receipt of a copy of the petition and a final disposition of the court. A
 246 public body shall not pass along to the requester or otherwise incorporate into allowable charges any court
 247 costs or fees resulting from such petition.

248 C. The public body may also make a reasonable charge for the cost incurred in supplying records
 249 produced from a geographic information system at the request of anyone other than the owner of the land
 250 that is the subject of the request. However, such charges shall not exceed the actual cost to the public body in
 251 supplying such records, except that the public body may charge, on a pro rata per acre basis, for the cost of
 252 creating topographical maps developed by the public body, for such maps or portions thereof, that
 253 encompass a contiguous area greater than 50 acres.

254 D. Prior to conducting a search for records, the public body shall notify the requester in writing that the
 255 public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating,
 256 supplying, or searching for requested records and inquire of the requester whether he would like to request a
 257 cost estimate in advance of the supplying of the requested records. The public body shall provide the
 258 requester with a cost estimate if requested. The period within which the public body shall respond under this
 259 section shall be tolled for the amount of time that elapses between notice of the cost estimate and the
 260 response of the requester. If the public body receives no response from the requester within 30 days of
 261 sending the cost estimate, the request shall be deemed to be withdrawn. Any costs incurred by the public body
 262 in estimating the cost of supplying the requested records shall be applied toward the overall charges to be
 263 paid by the requester for the supplying of such requested records.

264 E. Any local public body that charges for the production of records pursuant to this section may provide
 265 an electronic method of payment through which all payments for the production of such records to such
 266 locality may be made. For purposes of this subsection, "electronic method of payment" means any kind of
 267 noncash payment that does not involve a paper check and includes credit cards, debit cards, direct deposit,
 268 direct debit, electronic checks, and payment through the use of telephonic or similar communications.

269 F. Public records maintained by a public body in an electronic data processing system, computer
 270 database, or any other structured collection of data shall be made available to a requester at a reasonable
 271 cost, not to exceed the actual cost in accordance with this section.

272 G. In any case where a public body determines in advance that charges for producing the requested
 273 records are likely to exceed \$200, the public body may, before continuing to process the request, require the
 274 requester to pay a deposit not to exceed the amount of the advance determination. The deposit shall be
 275 credited toward the final cost of supplying the requested records. The period within which the public body
 276 shall respond under this section shall be tolled for the amount of time that elapses between notice of the
 277 advance determination and the response of the requester.

278 H. Before processing a request for records, a public body may require the requester to pay any amounts
 279 owed to the public body for previous requests for records that remain unpaid 30 days or more after billing.

280 **§ 2.2-3704.1. Posting of notice of rights and responsibilities by state and local public bodies;**
 281 **assistance by the Freedom of Information Advisory Council.**

282 A. All state public bodies subject to the provisions of this chapter, any county or city, any town with a
 283 population of more than 250, and any school board shall make available the following information to the
 284 public upon request and shall post a link to such information on the homepage of their respective official
 285 public government websites:

286 1. A plain English explanation of the rights of a requester under this chapter, the procedures to obtain
 287 public records from the public body, and the responsibilities of the public body in complying with this
 288 chapter. For purposes of this section, "plain English" means written in nontechnical, readily understandable
 289 language using words of common everyday usage and avoiding legal terms and phrases or other terms and
 290 words of art whose usage or special meaning primarily is limited to a particular field or profession;

291 2. Contact information for the FOIA officer designated by the public body pursuant to § 2.2-3704.2 to (i)
 292 assist a requester in making a request for records or (ii) respond to requests for public records;

293 3. A general description, summary, list, or index of the types of public records maintained by such public
 294 body;

295 4. A general description, summary, list, or index of any exemptions in law that permit or require such
 296 public records to be withheld from release;

297 5. Any policy the public body has concerning the type of public records it routinely withholds from
 298 release as permitted by this chapter or other law;

299 6. The following statement:

300 "A public body may make reasonable charges not to exceed its actual cost incurred in accessing,
 301 duplicating, supplying, or searching for the requested records and shall make all reasonable efforts to supply
 302 the requested records at the lowest possible cost. No public body shall impose any extraneous, intermediary,
 303 or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or

304 transacting the general business of the public body. Any duplicating fee charged by a public body shall not
305 exceed the actual cost of duplication.

306 *If the public body chooses to charge, any charges for staff time shall be calculated based on the median*
307 *hourly rate of pay of employees of the public body as of the previous July 1 or the actual hourly rate of pay of*
308 *the employee who is accessing, duplicating, supplying, or searching for the requested records, whichever is*
309 *the lesser amount. The hourly rate of pay calculated shall not include the cost of fringe benefits or any*
310 *overhead costs. When calculating the median hourly rate of pay, the hourly rate of pay of full-time and*
311 *part-time employees shall be included, but the hourly rate of pay of temporary employees shall not be*
312 *included. A public body that has multiple departments or divisions may calculate separately the median*
313 *hourly rate of pay for each such department or division based on the hourly rate of pay of employees of that*
314 *department or division.*

315 Prior to conducting a search for records, the public body shall notify the requester in writing that the
316 public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating,
317 supplying, or searching for requested records and inquire of the requester whether he would like to request a
318 cost estimate in advance of the supplying of the requested records as set forth in ~~subsection F of § 2.2-3704~~
319 *2.2-3704.02 of the Code of Virginia.*"; and

320 7. A written policy (i) explaining how the public body assesses charges for accessing or searching for
321 requested records and (ii) noting the current fee charged, if any, for accessing and searching for such
322 requested records.

323 B. Any state public body subject to the provisions of this chapter and any county or city, and any town
324 with a population of more than 250, shall post a link on its official public government website to the online
325 public comment form on the Freedom of Information Advisory Council's website to enable any requester to
326 comment on the quality of assistance provided to the requester by the public body.

327 C. The Freedom of Information Advisory Council, created pursuant to § 30-178, shall assist in the
328 development and implementation of the provisions of subsection A, upon request.

329 **§ 2.2-3714. Violations and penalties.**

330 A. In a proceeding commenced against any officer, employee, or member of a public body under §
331 2.2-3713 for a violation of § 2.2-3704, 2.2-3704.02, 2.2-3705.1 through 2.2-3705.7, 2.2-3706, 2.2-3706.1,
332 2.2-3707, 2.2-3708.2, 2.2-3708.3, 2.2-3710, 2.2-3711, or 2.2-3712, the court, if it finds that a violation was
333 willfully and knowingly made, shall impose upon such officer, employee, or member in his individual
334 capacity, whether a writ of mandamus or injunctive relief is awarded or not, a civil penalty of not less than
335 \$500 nor more than \$2,000, which amount shall be paid into the Literary Fund. For a second or subsequent
336 violation, such civil penalty shall be not less than \$2,000 nor more than \$5,000.

337 B. In addition to any penalties imposed pursuant to subsection A, if the court finds that any officer,
338 employee, or member of a public body failed to provide public records to a requester in accordance with the
339 provisions of this chapter because such officer, employee, or member altered or destroyed the requested
340 public records with the intent to avoid the provisions of this chapter with respect to such request prior to the
341 expiration of the applicable record retention period set by the retention regulations promulgated pursuant to
342 the Virginia Public Records Act (§ 42.1-76 et seq.) by the State Library Board, the court may impose upon
343 such officer, employee, or member in his individual capacity, whether or not a writ of mandamus or
344 injunctive relief is awarded, a civil penalty of up to \$100 per record altered or destroyed, which amount shall
345 be paid into the Literary Fund.

346 C. In addition to any penalties imposed pursuant to subsections A and B, if the court finds that a public
347 body voted to certify a closed meeting in accordance with subsection D of § 2.2-3712 and such certification
348 was not in accordance with the requirements of clause (i) or (ii) of subsection D of § 2.2-3712, the court may
349 impose on the public body, whether or not a writ of mandamus or injunctive relief is awarded, a civil penalty
350 of up to \$1,000, which amount shall be paid into the Literary Fund. In determining whether a civil penalty is
351 appropriate, the court shall consider mitigating factors, including reliance of members of the public body on
352 (i) opinions of the Attorney General, (ii) court cases substantially supporting the rationale of the public body,
353 and (iii) published opinions of the Virginia Freedom of Information Advisory Council.

354 **§ 2.2-3806. Rights of data subjects.**

355 A. Any agency maintaining personal information shall:

356 1. Inform an individual who is asked to supply personal information about himself whether he is legally
357 required, or may refuse, to supply the information requested, and also of any specific consequences that are
358 known to the agency of providing or not providing the information.

359 2. Give notice to a data subject of the possible dissemination of part or all of this information to another
360 agency, nongovernmental organization or system not having regular access authority, and indicate the use for
361 which it is intended, and the specific consequences for the individual, which are known to the agency, of
362 providing or not providing the information. However documented permission for dissemination in the hands
363 of the other agency or organization shall satisfy the requirement of this subdivision. The notice may be given
364 on applications or other data collection forms prepared by data subjects.

365 3. Upon request and proper identification of any data subject, or of his authorized agent, grant the data

366 subject or agent the right to inspect, in a form comprehensible to him:
 367 a. All personal information about that data subject except as provided in subdivision 1 of § 2.2-3705.1,
 368 subdivision A 1 of § 2.2-3705.4, and subdivision 1 of § 2.2-3705.5.
 369 b. The nature of the sources of the information.
 370 c. The names of recipients, other than those with regular access authority, of personal information about
 371 the data subject including the identity of all persons and organizations involved and their relationship to the
 372 system when not having regular access authority, except that if the recipient has obtained the information as
 373 part of an ongoing criminal investigation such that disclosure of the investigation would jeopardize law-
 374 enforcement action, then no disclosure of such access shall be made to the data subject.
 375 4. Comply with the following minimum conditions of disclosure to data subjects:
 376 a. An agency shall make disclosures to data subjects required under this chapter, during normal business
 377 hours, in accordance with the procedures set forth in subsections B and C of § 2.2-3704 for responding to
 378 requests under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) or within a time period as may
 379 be mutually agreed upon by the agency and the data subject.
 380 b. The disclosures to data subjects required under this chapter shall be made (i) in person, if he appears in
 381 person and furnishes proper identification, or (ii) by mail, if he has made a written request, with proper
 382 identification. Copies of the documents containing the personal information sought by a data subject shall be
 383 furnished to him or his representative at reasonable charges for document search and duplication in
 384 accordance with ~~subsection F of § 2.2-3704~~ 2.2-3704.02.
 385 c. The data subject shall be permitted to be accompanied by a person of his choosing, who shall furnish
 386 reasonable identification. An agency may require the data subject to furnish a written statement granting the
 387 agency permission to discuss the individual's file in such person's presence.
 388 5. If the data subject gives notice that he wishes to challenge, correct, or explain information about him in
 389 the information system, the following minimum procedures shall be followed:
 390 a. The agency maintaining the information system shall investigate, and record the current status of that
 391 personal information.
 392 b. If, after such investigation, the information is found to be incomplete, inaccurate, not pertinent, not
 393 timely, or not necessary to be retained, it shall be promptly corrected or purged.
 394 c. If the investigation does not resolve the dispute, the data subject may file a statement of not more than
 395 200 words setting forth his position.
 396 d. Whenever a statement of dispute is filed, the agency maintaining the information system shall supply
 397 any previous recipient with a copy of the statement and, in any subsequent dissemination or use of the
 398 information in question, clearly note that it is disputed and supply the statement of the data subject along with
 399 the information.
 400 e. The agency maintaining the information system shall clearly and conspicuously disclose to the data
 401 subject his rights to make such a request.
 402 f. Following any correction or purging of personal information the agency shall furnish to past recipients
 403 notification that the item has been purged or corrected whose receipt shall be acknowledged.
 404 B. Nothing in this chapter shall be construed to require an agency to disseminate any recommendation or
 405 letter of reference from or to a third party that is a part of the personnel file of any data subject nor to
 406 disseminate any test or examination used, administered or prepared by any public body for purposes of
 407 evaluation of (i) any student or any student's performance, (ii) any seeker's qualifications or aptitude for
 408 employment, retention, or promotion, or (iii) qualifications for any license or certificate issued by any public
 409 body.
 410 As used in this subsection, "test or examination" includes (i) any scoring key for any such test or
 411 examination and (ii) any other document that would jeopardize the security of the test or examination.
 412 Nothing contained in this subsection shall prohibit the release of test scores or results as provided by law, or
 413 to limit access to individual records as provided by law; however, the subject of the employment tests shall be
 414 entitled to review and inspect all documents relative to his performance on those employment tests.
 415 When, in the reasonable opinion of the public body, any such test or examination no longer has any
 416 potential for future use, and the security of future tests or examinations will not be jeopardized, the test or
 417 examination shall be made available to the public. Minimum competency tests administered to public school
 418 children shall be made available to the public contemporaneously with statewide release of the scores of
 419 those taking such tests, but in no event shall such tests be made available to the public later than six months
 420 after the administration of such tests.
 421 C. Neither any provision of this chapter nor any provision of the Freedom of Information Act (§ 2.2-3700
 422 et seq.) shall be construed to deny public access to records of the position, job classification, official salary or
 423 rate of pay of, and to records of the allowances or reimbursements for expenses paid to any public officer,
 424 official or employee at any level of state, local or regional government in the Commonwealth. The provisions
 425 of this subsection shall not apply to records of the official salaries or rates of pay of public employees whose
 426 annual rate of pay is \$10,000 or less.
 427 D. Nothing in this section or in this chapter shall be construed to require an agency to disseminate

428 information derived from tax returns prohibited from release pursuant to § 58.1-3.

429 **§ 16.1-77. Civil jurisdiction of general district courts; amending amount of claim.**

430 Except as provided in Article 5 (§ 16.1-122.1 et seq.), each general district court shall have, within the
431 limits of the territory it serves, civil jurisdiction as follows:

432 (1) Exclusive original jurisdiction of (i) any claim to specific personal property or to any debt, fine or
433 other money, or to damages for breach of contract or for injury done to property, real or personal, when the
434 amount of such claim does not exceed \$4,500, exclusive of interest and any attorney fees, and concurrent
435 jurisdiction with the circuit courts having jurisdiction in such territory of any such claim when the amount
436 thereof exceeds \$4,500 but does not exceed \$25,000, exclusive of interest and any attorney fees, and (ii) any
437 action for injury to person, regardless of theory, and any action for wrongful death as provided for in Article
438 5 (§ 8.01-50 et seq.) of Chapter 3 of Title 8.01 when the amount of such claim does not exceed \$4,500,
439 exclusive of interest and any attorney fees, and concurrent jurisdiction with the circuit courts having
440 jurisdiction in such territory of any such claim when the amount thereof exceeds \$4,500 but does not exceed
441 \$50,000, exclusive of interest and any attorney fees. However, the jurisdictional limit shall not apply with
442 respect to distress warrants under the provisions of § 8.01-130.4, cases involving liquidated damages for
443 violations of vehicle weight limits pursuant to § 46.2-1135, nor cases involving forfeiture of a bond pursuant
444 to § 19.2-143. While a matter is pending in a general district court, upon motion of the plaintiff seeking to
445 increase the amount of the claim, the court shall order transfer of the matter to the circuit court that has
446 jurisdiction over the amended amount of the claim without requiring that the case first be dismissed or that
447 the plaintiff suffer a nonsuit, and the tolling of the applicable statutes of limitations governing the pending
448 matter shall be unaffected by the transfer. Except for good cause shown, no such order of transfer shall issue
449 unless the motion to amend and transfer is made at least 10 days before trial. The plaintiff shall pay filing and
450 other fees as otherwise provided by law to the clerk of the court to which the case is transferred, and such
451 clerk shall process the claim as if it were a new civil action. The plaintiff shall prepare and present the order
452 of transfer to the transferring court for entry, after which time the case shall be removed from the pending
453 docket of the transferring court and the order of transfer placed among its records. The plaintiff shall provide
454 a certified copy of the transfer order to the receiving court.

455 (2) Jurisdiction to try and decide attachment cases when the amount of the plaintiff's claim does not
456 exceed \$25,000 exclusive of interest and any attorney fees.

457 (3) Jurisdiction of actions of unlawful entry or detainer as provided in Article 13 (§ 8.01-124 et seq.) of
458 Chapter 3 of Title 8.01, and in Chapter 14 (§ 55.1-1400 et seq.) of Title 55.1, and the maximum jurisdictional
459 limits prescribed in subdivision (1) shall not apply to any claim, counter-claim or cross-claim in an unlawful
460 detainer action that includes a claim for damages sustained or rent against any person obligated on the lease
461 or guarantee of such lease.

462 (4) Except where otherwise specifically provided, all jurisdiction, power and authority over any civil
463 action or proceeding conferred upon any general district court judge or magistrate under or by virtue of any
464 provisions of the Code.

465 (5) Jurisdiction to try and decide suits in interpleader involving personal or real property where the
466 amount of money or value of the property is not more than the maximum jurisdictional limits of the general
467 district court. However, the maximum jurisdictional limits prescribed in subdivision (1) shall not apply to any
468 claim, counter-claim, or cross-claim in an interpleader action that is limited to the disposition of an earnest
469 money deposit pursuant to a real estate purchase contract. The action shall be brought in accordance with the
470 procedures for interpleader as set forth in § 8.01-364. However, the general district court shall not have any
471 power to issue injunctions. Actions in interpleader may be brought by either the stakeholder or any of the
472 claimants. The initial pleading shall be either by motion for judgment, by warrant in debt, or by other uniform
473 court form established by the Supreme Court of Virginia. The initial pleading shall briefly set forth the
474 circumstances of the claim and shall name as defendant all parties in interest who are not parties plaintiff.

475 (6) Jurisdiction to try and decide any cases pursuant to § 2.2-3713 of the Virginia Freedom of Information
476 Act (§ 2.2-3700 et seq.) or § 2.2-3809 of the Government Data Collection and Dissemination Practices Act (§
477 2.2-3800 et seq.), for writs of mandamus or for injunctions.

478 (7) Jurisdiction to try and decide any cases pursuant to § 55.1-1819 of the Property Owners' Association
479 Act (§ 55.1-1800 et seq.) or § 55.1-1959 of the Virginia Condominium Act (§ 55.1-1900 et seq.).

480 (8) Concurrent jurisdiction with the circuit courts to submit matters to arbitration pursuant to Chapter 21
481 (§ 8.01-577 et seq.) of Title 8.01 where the amount in controversy is within the jurisdictional limits of the
482 general district court. Any party that disagrees with an order by a general district court granting an
483 application to compel arbitration may appeal such decision to the circuit court pursuant to § 8.01-581.016.

484 (9) *Jurisdiction to try and decide any cases pursuant to § 2.2-3704 of the Virginia Freedom of*
485 *Information Act (§ 2.2-3700 et seq.) for additional time to respond to a request for public records.*

486 For purposes of this section, the territory served by a county general district court expressly authorized by
487 statute to be established in a city includes the general district court courtroom.

488 **§ 17.1-275. Fees collected by clerks of circuit courts; generally.**

489 A. A clerk of a circuit court shall, for services performed by virtue of his office, charge the following fees:

490 1. [Repealed.]

491 2. For recording and indexing in the proper book any writing and all matters therewith, or for recording
 492 and indexing anything not otherwise provided for, \$18 for an instrument or document consisting of 10 or
 493 fewer pages or sheets; \$32 for an instrument or document consisting of 11 to 30 pages or sheets; and \$52 for
 494 an instrument or document consisting of 31 or more pages or sheets. Whenever any writing to be recorded
 495 includes plat or map sheets no larger than eight and one-half inches by 14 inches, such plat or map sheets
 496 shall be counted as ordinary pages for the purpose of computing the recording fee due pursuant to this
 497 section. A fee of \$17 per page or sheet shall be charged with respect to plat or map sheets larger than eight
 498 and one-half inches by 14 inches. Only a single fee as authorized by this subdivision shall be charged for
 499 recording a certificate of satisfaction that releases the original deed of trust and any corrected or revised deeds
 500 of trust. Three dollars and fifty cents of the fee collected for recording and indexing shall be designated for
 501 use in preserving the permanent records of the circuit courts. The sum collected for this purpose shall be
 502 administered by The Library of Virginia in cooperation with the circuit court clerks.

503 3. For appointing and qualifying any personal representative, committee, trustee, guardian, or other
 504 fiduciary, in addition to any fees for recording allowed by this section, \$20 for estates not exceeding \$50,000,
 505 \$25 for estates not exceeding \$100,000 and \$30 for estates exceeding \$100,000. No fee shall be charged for
 506 estates of \$5,000 or less.

507 4. For entering and granting and for issuing any license, other than a marriage license or a hunting and
 508 fishing license, and administering an oath when necessary, \$10.

509 5. For issuing a marriage license, attaching certificate, administering or receiving all necessary oaths or
 510 affidavits, indexing and recording, \$10. For recording an order to celebrate the rites of marriage pursuant to §
 511 20-25, \$25 to be paid by the petitioner.

512 6. For making out any bond, other than those under § 17.1-267 or subdivision A 4, administering all
 513 necessary oaths and writing proper affidavits, \$3.

514 7. For all services rendered by the clerk in any garnishment or attachment proceeding, the clerk's fee shall
 515 be \$15 in cases not exceeding \$500 and \$25 in all other cases.

516 8. For making out a copy of any paper, record, or electronic record to go out of the office, which is not
 517 otherwise specifically provided for herein, a fee of \$0.50 for each page or, if an electronic record, each image.
 518 From such fees, the clerk shall reimburse the locality the costs of making out the copies and pay the
 519 remaining fees directly to the Commonwealth. The funds to recoup the cost of making out the copies shall be
 520 deposited with the county or city treasurer or Director of Finance, and the governing body shall budget and
 521 appropriate such funds to be used to support the cost of copies pursuant to this subdivision. For purposes of
 522 this section, the costs of making out the copies authorized under this section shall include costs included in
 523 the lease and maintenance agreements for the equipment and the technology needed to operate electronic
 524 systems in the clerk's office used to make out the copies, but shall not include salaries or related benefits. The
 525 costs of copies shall otherwise be determined in accordance with § ~~2.2-3704~~ 2.2-3704.02. However, there
 526 shall be no charge to the recipient of a final order or decree to send an attested copy to such party.

527 9. For annexing the seal of the court to any paper, writing the certificate of the clerk accompanying it, the
 528 clerk shall charge \$2 and for attaching the certificate of the judge, if the clerk is requested to do so, the clerk
 529 shall charge an additional \$0.50.

530 10. In any case in which a person is convicted of a violation of any provision of Article 1 (§ 18.2-247 et
 531 seq.) of Chapter 7 of Title 18.2 or is subject to a disposition under § 18.2-251, the clerk shall assess a fee of
 532 \$150 for each felony conviction and each felony disposition under § 18.2-251 which shall be taxed as costs to
 533 the defendant and shall be paid into the Drug Offender Assessment and Treatment Fund.

534 11. In any case in which a person is convicted of a violation of any provision of Article 1 (§ 18.2-247 et
 535 seq.) of Chapter 7 of Title 18.2 or is subject to a disposition under § 18.2-251, the clerk shall assess a fee for
 536 each misdemeanor conviction and each misdemeanor disposition under § 18.2-251, which shall be taxed as
 537 costs to the defendant and shall be paid into the Drug Offender Assessment and Treatment Fund as provided
 538 in § 17.1-275.8.

539 12. Upon the defendant's being required to successfully complete traffic school, a mature driver motor
 540 vehicle crash prevention course, or a driver improvement clinic in lieu of a finding of guilty, the court shall
 541 charge the defendant fees and costs as if he had been convicted.

542 13. In all civil actions that include one or more claims for the award of monetary damages the clerk's fee
 543 chargeable to the plaintiff shall be \$100 in cases seeking recovery not exceeding \$49,999; \$200 in cases
 544 seeking recovery exceeding \$49,999, but not exceeding \$100,000; \$250 in cases seeking recovery exceeding
 545 \$100,000, but not exceeding \$500,000; and \$300 in cases seeking recovery exceeding \$500,000. Ten dollars
 546 of each such fee shall be apportioned to the Courts Technology Fund established under § 17.1-132. A fee of
 547 \$25 shall be paid by the plaintiff at the time of instituting a condemnation case, in lieu of any other fees.
 548 There shall be no fee charged for the filing of a cross-claim or setoff in any pending action. However, the fees
 549 prescribed by this subdivision shall be charged upon the filing of a counterclaim or a claim impleading a
 550 third-party defendant. The fees prescribed above shall be collected upon the filing of papers for the

551 commencement of civil actions. This subdivision shall not be applicable to cases filed in the Supreme Court
552 of Virginia.

553 13a. For the filing of any petition seeking court approval of a settlement where no action has yet been
554 filed, the clerk's fee, chargeable to the petitioner, shall be \$50, to be paid by the petitioner at the time of filing
555 the petition.

556 14. In addition to the fees chargeable for civil actions, for the costs of proceedings for judgments by
557 confession under §§ 8.01-432 through 8.01-440, the clerk shall tax as costs (i) the cost of registered or
558 certified mail; (ii) the statutory writ tax, in the amount required by law to be paid on a suit for the amount of
559 the confessed judgment; (iii) for the sheriff for serving each copy of the order entering judgment, \$12; and
560 (iv) for docketing the judgment and issuing executions thereon, the same fees as prescribed in subdivision A
561 17.

562 15. For qualifying notaries public, including the making out of the bond and any copies thereof,
563 administering the necessary oaths, and entering the order, \$10.

564 16. For each habeas corpus proceeding, the clerk shall receive \$10 for all services required thereunder.
565 This subdivision shall not be applicable to such suits filed in the Supreme Court of Virginia.

566 17. For docketing and indexing a judgment from any other court of the Commonwealth, for docketing and
567 indexing a judgment in the new name of a judgment debtor pursuant to the provisions of § 8.01-451, but not
568 when incident to a divorce, for noting and filing the assignment of a judgment pursuant to § 8.01-452, a fee of
569 \$5; and for issuing an abstract of any recorded judgment, when proper to do so, a fee of \$5; and for filing,
570 docketing, indexing and mailing notice of a foreign judgment, a fee of \$20.

571 18. For all services rendered by the clerk in any court proceeding for which no specific fee is provided by
572 law, the clerk shall charge \$10, to be paid by the party filing said papers at the time of filing; however, this
573 subdivision shall not be applicable in a divorce cause prior to and including the entry of a decree of divorce
574 from the bond of matrimony.

575 19, 20. [Repealed.]

576 21. For making the endorsements on a forthcoming bond and recording the matters relating to such bond
577 pursuant to the provisions of § 8.01-529, \$1.

578 22. For all services rendered by the clerk in any proceeding pursuant to § 57-8 or 57-15, \$10.

579 23. For preparation and issuance of a subpoena duces tecum, \$5.

580 24. For all services rendered by the clerk in matters under § 8.01-217 relating to change of name, \$20;
581 however, this subdivision shall not be applicable in cases where the change of name is incident to a divorce.

582 25. For providing court records or documents on microfilm, per frame, \$0.50.

583 26. In all divorce and separate maintenance proceedings, and all civil actions that do not include one or
584 more claims for the award of monetary damages, the clerk's fee chargeable to the plaintiff shall be \$60, \$10
585 of which shall be apportioned to the Courts Technology Fund established under § 17.1-132 to be paid by the
586 plaintiff at the time of instituting the suit, which shall include the furnishing of a duly certified copy of the
587 final decree. The fees prescribed by this subdivision shall be charged upon the filing of a counterclaim or a
588 claim impleading a third-party defendant. However, no fee shall be charged for (i) the filing of a cross-claim
589 or setoff in any pending suit or (ii) the filing of a counterclaim or any other responsive pleading in any
590 annulment, divorce, or separate maintenance proceeding. In divorce cases, when there is a merger of a
591 divorce of separation a mensa et thoro into a decree of divorce a vinculo, the above mentioned fee shall
592 include the furnishing of a duly certified copy of both such decrees.

593 27. For the acceptance of credit or debit cards in lieu of money to collect and secure all fees, including
594 filing fees, fines, restitution, forfeiture, penalties and costs, the clerk shall collect from the person presenting
595 such credit or debit card a reasonable convenience fee for the processing of such credit or debit card. Such
596 convenience fee shall not exceed four percent of the amount paid for the transaction or a flat fee of \$2 per
597 transaction. The clerk may set a lower convenience fee for electronic filing of civil or criminal proceedings
598 pursuant to § 17.1-258.3. Nothing herein shall be construed to prohibit the clerk from outsourcing the
599 processing of credit and debit card transactions to a third-party private vendor engaged by the clerk.
600 Convenience fees shall be used to cover operational expenses as defined in § 17.1-295.

601 28. For the return of any check unpaid by the financial institution on which it was drawn or notice is
602 received from the credit or debit card issuer that payment will not be made for any reason, the clerk may
603 collect a fee of \$50 or 10 percent of the amount of the payment, whichever is greater.

604 29. For all services rendered, except in cases in which costs are assessed pursuant to § 17.1-275.1,
605 17.1-275.2, 17.1-275.3, or 17.1-275.4, in an adoption proceeding, a fee of \$20, in addition to the fee imposed
606 under § 63.2-1246, to be paid by the petitioner or petitioners. For each petition for adoption filed pursuant to
607 § 63.2-1201, except those filed pursuant to subdivisions 4 and 5 of § 63.2-1210, an additional \$50 filing fee
608 as required under § 63.2-1201 shall be deposited in the Virginia Birth Father Registry Fund pursuant to §
609 63.2-1249.

610 30. For issuing a duplicate license for one lost or destroyed as provided in § 29.1-334, a fee in the same
611 amount as the fee for the original license.

612 31. For the filing of any petition as provided in §§ 33.2-1023, 33.2-1024, and 33.2-1027, a fee of \$5 to be

613 paid by the petitioner; and for the recordation of a certificate or copy thereof, as provided for in § 33.2-1021,
 614 as well as for any order of the court relating thereto, the clerk shall charge the same fee as for recording a
 615 deed as provided for in this section, to be paid by the party upon whose request such certificate is recorded or
 616 order is entered.

617 32. For making up, certifying and transmitting original record pursuant to the Rules of the Supreme Court,
 618 including all papers necessary to be copied and other services rendered, except in cases in which costs are
 619 assessed pursuant to § 17.1-275.1, 17.1-275.2, 17.1-275.3, 17.1-275.4, 17.1-275.7, 17.1-275.8, or 17.1-275.9,
 620 a fee of \$20.

621 33. [Repealed.]

622 34. For filings, etc., under the Uniform Federal Lien Registration Act (§ 55.1-653 et seq.), the fees shall
 623 be as prescribed in that Act.

624 35. [Repealed.]

625 36. For recordation of certificate and registration of names of nonresident owners in accordance with §
 626 59.1-74, a fee of \$10.

627 37. For maintaining the information required under the Overhead High Voltage Line Safety Act (§
 628 59.1-406 et seq.), the fee as prescribed in § 59.1-411.

629 38. For lodging, indexing, and preserving a will in accordance with § 64.2-409, a fee of \$5.

630 39. For filing a financing statement in accordance with § 8.9A-505, the fee shall be as prescribed under §
 631 8.9A-525.

632 40. For filing a termination statement in accordance with § 8.9A-513, the fee shall be as prescribed under
 633 § 8.9A-525.

634 41. For filing assignment of security interest in accordance with § 8.9A-514, the fee shall be as prescribed
 635 under § 8.9A-525.

636 42. For filing a petition as provided in §§ 64.2-2001 and 64.2-2013, the fee shall be \$10.

637 43. For issuing any execution, and recording the return thereof, a fee of \$1.50.

638 44. For the preparation and issuance of a summons for interrogation by an execution creditor, a fee of \$5.
 639 If there is no outstanding execution, and one is requested herewith, the clerk shall be allowed an additional
 640 fee of \$1.50, in accordance with subdivision A 44.

641 B. In accordance with § 17.1-281, the clerk shall collect fees under subdivisions A 7, A 13, A 16, A 18 if
 642 applicable, A 20, A 22, A 24, A 26, A 29, and A 31 to be designated for courthouse construction, renovation
 643 or maintenance.

644 C. In accordance with § 17.1-278, the clerk shall collect fees under subdivisions A 7, A 13, A 16, A 18 if
 645 applicable, A 20, A 22, A 24, A 26, A 29, and A 31 to be designated for services provided for the poor,
 646 without charge, by a nonprofit legal aid program.

647 D. In accordance with § 42.1-70, the clerk shall collect fees under subdivisions A 7, A 13, A 16, A 18 if
 648 applicable, A 20, A 22, A 24, A 26, A 29, and A 31 to be designated for public law libraries.

649 E. All fees collected pursuant to subdivision A 27 and § 17.1-276 shall be deposited by the clerk into a
 650 special revenue fund held by the clerk, which will restrict the funds to their statutory purpose.

651 F. The provisions of this section shall control the fees charged by clerks of circuit courts for the services
 652 above described.