

**Department of Planning and Budget**  
**2025 General Assembly Session**  
**State Fiscal Impact Statement**

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**ORIGINAL**

**Bill Number:** SB1029- E

**Patron:** Roem

**Bill Title:** Virginia Freedom of Information Act; procedure for responding to requests; charges; posting of notice of rights and responsibilities.

**Bill Summary:** Limits the fees charged for producing public records to the median hourly rate of pay of employees of the public body or the actual hourly rate of pay of the person performing the work, whichever is less, and provides that a public body may petition a court for relief from this fee limit if there is no one who can process the request at the median hourly rate of pay or less. The bill makes corresponding amendments to the required statement on charges in the notice of rights and responsibilities that must be posted on a public body's website. The bill also amends existing law providing that a public body may petition a court for additional time to respond to a request for public records to allow such petitions to be heard in either general district or circuit court, to give such petitions priority on the court's docket, and to toll the response time while such a petition is pending before a court. The bill makes technical amendments, including moving provisions regarding charges for the production of public records into a separate section of the Virginia Freedom of Information Act.

**Budget Amendment Necessary:** No

**Items Impacted:** None

**Explanation:** N/A

**Fiscal Summary:** The provisions of this bill could potentially create an indeterminate impact to state agencies and other public bodies covered by the Virginia Freedom of Information Act. The exact impact, if any, to a specific state agency or other public body will depend on the current policies implemented by such agencies or bodies to recover the costs associated with accessing and searching for records as part of responding to requests for information. To the extent that the provisions of this bill are in line with an agency's or public body's current practices, no negative impact is expected for that agency or body. To the extent that an agency's or other public body's current policies allow for a higher charge than that outlined in this bill, they may experience a fiscal impact in the form of a reduction in the amount charged to requesting parties.

The provisions of this bill also allow the affected public body to petition the appropriate court for relief from fee cap imposed by this bill, which could potentially increase the administrative workloads for the Office of the Attorney General and the Virginia Court System. However, it is not possible at this time to determine the costs of this potential increase in workload.

**Fiscal Analysis:** See Fiscal Summary

**Other:** Similar to SB324 from 2024 General Assembly Session