VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

COMMONWEALTH OF VIRGINIA

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Records Subcommittee of the Virginia Freedom of Information Advisory Council

June 16, 2025
3:00 PM
House Room B - 205
General Assembly Building

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PROPOSED AGENDA (Annotated)

1. **Call to Order, election of chair.**

2. **Bill referred for study.** *As you may recall, the FOIA Council directed the Subcommittee to study several issues, beginning with HB 1590 (Kent), which was referred to the Council by the 2025 Session of the General Assembly:*

   HB 1590 (Kent) **Virginia Freedom of Information Act; exclusions; apprenticeship programs; minors.** Excludes from the mandatory disclosure requirements of the Virginia Freedom of Information Act any personal information in a public record regarding the participation of a minor in a program run by a state public body, such as an internship, externship, or apprenticeship, except as otherwise prescribed by law.

3. **Other issues.** *The Council also directed the Subcommittee to study the following issues after completing its study of HB 1590:*
   - **Definition of "personal information."** The Council observed that HB 1590 and several existing records exemptions use the phrase "personal information." Some of the exemptions cross-reference the definition of "personal information" in the Government Data Collection and Dissemination Practices Act (in Code § 2.2-3801), while others do not have any cross-reference, which could lead to differing interpretations of the same phrase. Therefore, the Council directed the Subcommittee to study options for drafting a general definition of "personal information" to be added to FOIA (in Code § 2.2-3701).

- **Vexatious requests/harassment by requesters.** Noting that the Council last studied this issue in 2010 (see 2010 Subcommittee work here) but did not make any final recommendation (see the Council's November 8, 2010 meeting summary available on the Council Meetings webpage), the Council directed the Subcommittee to study the issue again with the goal of finding a solution to the problem of requesters using FOIA as a weapon that does not also result in a chilling effect on legitimate requests.

4. **Discussion.**

5. **Recommendations.**

6. **Other Business.**

7. **Schedule next meetings.** *The Council directed that the 2025 Subcommittees should meet every other month as needed to complete their work. As a reminder, House Joint Resolution 430 provides as follows: "Interim meetings of any standing committee, joint committee, joint subcommittee, legislative commission, or any other interim study subcommittee or study commission shall be held on Monday, Tuesday, Wednesday, or Thursday during the first and third full weeks of the month, unless otherwise authorized by the Speaker of the House of Delegates or the Chairman of the Senate Committee on Rules, as may be appropriate for the house in which the chairman serves. The interim work of any such committee, subcommittee, or commission shall be completed no later than December 4, 2025."*

8. **Adjournment.**

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Subcommittee Members

Maria J.K. Everett	Lola Perkins
Corrine Louden	Dwayne Yancey

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