VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

COMMONWEALTH OF VIRGINIA

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Records Subcommittee of the Virginia Freedom of Information Advisory Council

Monday, September 22, 2025, 9:00 AM
House South Subcommittee Room, Room 210
General Assembly Building
Click HERE for live stream.

PROPOSED AGENDA (Annotated)

1. **Call to Order.**

2. **HB 1590 (Kent).** *As a reminder, at its last meeting the Subcommittee recommended an amended draft version of HB 1590 that will be presented to the FOIA Council at its next meeting (scheduled for today).*

3. **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). *At its last meeting the Subcommittee heard from staff on how the phrase "personal information" and the word "personal" are currently used in Virginia's FOIA and defined in the Government Data Collection and Dissemination Practices Act (Code § 2.2-3801). The Subcommittee directed staff to do additional research to see what, if any, definitions of "personal information" were used in other states.*

4. **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. *The Subcommittee considered the issue at its first meeting but decided to wait to give it further consideration. The Subcommittee directed staff to update the multistate research conducted during the prior study in 2010.*

5. **Discussion.**

6. **Recommendations.**

7. **Other Business.**

8. **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."*

9. **Adjournment.**

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Subcommittee Members

Lola Perkins (Chair)
Corrine Louden
Maria J.K. Everett
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