

2026 SESSION

INTRODUCED

26104792D

1 **HOUSE BILL NO. 879**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 A BILL to amend and reenact § 63.2-102 of the Code of Virginia, relating to the Department of Social
5 Services; requests for records or information concerning applicants for and recipients of public
6 assistance; public notice required.

7 Patron—Shin

8 Committee Referral Pending

9 Be it enacted by the General Assembly of Virginia:

10 1. That § 63.2-102 of the Code of Virginia is amended and reenacted as follows:

11 § 63.2-102. Allowing access to records and information for public assistance programs and child
12 support enforcement; penalty.

13 A. All records, information and statistical registries of the Department and local boards and other
14 information that pertain to public assistance and child support enforcement provided to or on behalf of any
15 individual shall be confidential and shall not be disclosed except to persons specified hereinafter and to the
16 extent permitted by state and federal law and regulation. The local boards shall allow the Commissioner, at
17 all times, to have access to the records of the local boards relating to the appropriation, expenditure and
18 distribution of funds for, and other matters concerning, public assistance under this title.

19 Except as provided by state and federal law and regulation, no record, information or statistical registries
20 concerning applicants for and recipients of public assistance and child support shall be made available except
21 for purposes directly connected with the administration of such programs. Such purposes include establishing
22 eligibility, determining the amount of the public assistance and child support, and providing social services
23 for applicants and recipients. It shall be unlawful for any person to disclose, directly or indirectly, any such
24 confidential information, and any person violating these provisions shall be guilty of a Class 1 misdemeanor.

25 B. If a request for a record or information concerning applicants for and recipients of public assistance or
26 child support is made to the Department or a local department for a purpose not directly connected to the
27 administration of such programs, the Commissioner or local director shall not provide the record or
28 information unless permitted by state or federal law or regulation.

29 C. If a request for a record or information, including personally identifiable information, concerning 25
30 or more applicants for or recipients of public assistance or child support is made to the Department or a
31 local department for a purpose not directly connected to the administration of such programs, the
32 Commissioner or local director shall make a public notice available on the Department's website within 10
33 days of receiving the request. Such notice shall include:

34 1. That the Department or local department received a request for information;
35 2. The type of record or information requested;
36 3. When the Department or local department received the request;
37 4. The identity of the requestor or requesting entity and the stated purpose for the request;
38 5. The public assistance program for which the requestor requested information;
39 6. Whether the Department or local department intends to comply with the request and, if applicable, the
40 date by which such compliance will occur; and
41 7. Contact information for a representative of the Department or local department who shall respond to
42 questions or concerns.

43 The public notice required by this subsection shall not include personally identifiable information for any
44 applicant for or recipient of social services. The Commissioner or local director shall make such notice
45 available regardless of whether information requested has previously been provided to the requesting entity
46 or any other entity and regardless of whether the applicant or recipient previously consented to the sharing
47 of their information. Requests for information requiring public notice pursuant to this subsection include
48 requests from any federal agency, other state government, law-enforcement agency, or other agency whose
49 principal obligation does not include providing public assistance to individuals and families in the
50 Commonwealth, except where such requests are permitted pursuant to subsection A. Public notice pursuant
51 to this subsection shall be required even when a request is made in compliance with state and federal law and
52 regulation.

INTRODUCED

HB879