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HOUSE BILL NO. 1476**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Public Safety

on February 6, 2026)

(Patron Prior to Substitute—Delegate Schmidt)

A BILL to amend and reenact §§ 2.2-3711, as it is currently effective and as it shall become effective, 16.1-301, and 19.2-11.2 of the Code of Virginia, relating to law-enforcement civilian oversight bodies; closed meetings; disclosure of certain law-enforcement records.

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3711, as it is currently effective and as it shall become effective, 16.1-301, and 19.2-11.2 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-3711. (Effective until July 1, 2026) Closed meetings authorized for certain limited purposes.

A. Public bodies may hold closed meetings only for the following purposes:

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided that the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.

2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student of any public institution of higher education in the Commonwealth or any state school system. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents, or guardians so request in writing and such request is submitted to the presiding officer of the appropriate board.

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

4. The protection of the privacy of individuals in personal matters not related to public business.

5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

9. Discussion or consideration by governing boards of public institutions of higher education of matters relating to gifts, bequests and fund-raising activities, and of grants and contracts for services or work to be performed by such institution. However, the terms and conditions of any such gifts, bequests, grants, and contracts made by a foreign government, a foreign legal entity, or a foreign person and accepted by a public institution of higher education in the Commonwealth shall be subject to public disclosure upon written request to the appropriate board of visitors. For the purpose of this subdivision, (i) "foreign government" means any government other than the United States government or the government of a state or a political subdivision thereof, (ii) "foreign legal entity" means any legal entity (a) created under the laws of the United

60 States or of any state thereof if a majority of the ownership of the stock of such legal entity is owned by
61 foreign governments or foreign persons or if a majority of the membership of any such entity is composed of
62 foreign persons or foreign legal entities or (b) created under the laws of a foreign government, and (iii)
63 "foreign person" means any individual who is not a citizen or national of the United States or a trust territory
64 or protectorate thereof.

65 10. Discussion or consideration by the boards of trustees of the Virginia Museum of Fine Arts, the
66 Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, the Fort Monroe Authority, and
67 The Science Museum of Virginia of matters relating to specific gifts, bequests, and grants from private
68 sources.

69 11. Discussion or consideration of honorary degrees or special awards.

70 12. Discussion or consideration of tests, examinations, or other information used, administered, or
71 prepared by a public body and subject to the exclusion in subdivision 4 of § 2.2-3705.1.

72 13. Discussion, consideration, or review by the appropriate House or Senate committees of possible
73 disciplinary action against a member arising out of the possible inadequacy of the disclosure statement filed
74 by the member, provided that the member may request in writing that the committee meeting not be
75 conducted in a closed meeting.

76 14. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to
77 consider the terms, conditions, and provisions of a hazardous waste siting agreement if the governing body in
78 open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the
79 governing body or the establishment of the terms, conditions and provisions of the siting agreement, or both.
80 All discussions with the applicant or its representatives may be conducted in a closed meeting.

81 15. Discussion by the Governor and any economic advisory board reviewing forecasts of economic
82 activity and estimating general and nongeneral fund revenues.

83 16. Discussion or consideration of medical and mental health records subject to the exclusion in
84 subdivision 1 of § 2.2-3705.5.

85 17. Deliberations of the Virginia Lottery Board in a licensing appeal action conducted pursuant to
86 subsection D of § 58.1-4007 regarding the denial or revocation of a license of a lottery sales agent; and
87 discussion, consideration or review of Virginia Lottery matters related to proprietary lottery game
88 information and studies or investigations excluded from disclosure under subdivision 6 of § 2.2-3705.3 and
89 subdivision 11 of § 2.2-3705.7.

90 18. Those portions of meetings in which the State Board of Local and Regional Jails discusses or discloses
91 the identity of, or information tending to identify, any prisoner who (i) provides information about crimes or
92 criminal activities, (ii) renders assistance in preventing the escape of another prisoner or in the apprehension
93 of an escaped prisoner, or (iii) voluntarily or at the instance of a prison official renders other extraordinary
94 services, the disclosure of which is likely to jeopardize the prisoner's life or safety.

95 19. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity
96 threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency
97 service officials concerning actions taken to respond to such matters or a related threat to public safety;
98 discussion of information subject to the exclusion in subdivision 2 or 14 of § 2.2-3705.2, where discussion in
99 an open meeting would jeopardize the safety of any person or the security of any facility, building, structure,
100 information technology system, or software program; or discussion of reports or plans related to the security
101 of any governmental facility, building or structure, or the safety of persons using such facility, building or
102 structure.

103 20. Discussion by the Board of the Virginia Retirement System, acting pursuant to § 51.1-124.30, or of
104 any local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of trustees of
105 a trust established by one or more local public bodies to invest funds for postemployment benefits other than
106 pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of
107 visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the Board of the Commonwealth
108 Savers Plan, acting pursuant to § 23.1-706, regarding the acquisition, holding or disposition of a security or
109 other ownership interest in an entity, where such security or ownership interest is not traded on a
110 governmentally regulated securities exchange, to the extent that such discussion (i) concerns confidential
111 analyses prepared for the board of visitors of the University of Virginia, prepared by the retirement system, or
112 a local finance board or board of trustees, or the Commonwealth Savers Plan or provided to the retirement
113 system, a local finance board or board of trustees, or the Commonwealth Savers Plan under a promise of
114 confidentiality, of the future value of such ownership interest or the future financial performance of the
115 entity, and (ii) would have an adverse effect on the value of the investment to be acquired, held, or disposed
116 of by the retirement system, a local finance board or board of trustees, the board of visitors of the University
117 of Virginia, or the Commonwealth Savers Plan. Nothing in this subdivision shall be construed to prevent the
118 disclosure of information relating to the identity of any investment held, the amount invested or the present
119 value of such investment.

120 21. Those portions of meetings in which individual child death cases are discussed by the State Child
121 Fatality Review Team established pursuant to § 32.1-283.1, those portions of meetings in which individual

child death cases are discussed by a regional or local child fatality review team established pursuant to § 32.1-283.2, those portions of meetings in which individual death cases are discussed by family violence fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in which individual adult death cases are discussed by the state Adult Fatality Review Team established pursuant to § 32.1-283.5, those portions of meetings in which individual adult death cases are discussed by a local or regional adult fatality review team established pursuant to § 32.1-283.6, those portions of meetings in which individual death cases are discussed by overdose fatality review teams established pursuant to § 32.1-283.7, those portions of meetings in which individual maternal death cases are discussed by the Maternal Mortality Review Team pursuant to § 32.1-283.8, and those portions of meetings in which individual death cases of persons with developmental disabilities are discussed by the Developmental Disabilities Mortality Review Committee established pursuant to § 37.2-314.1.

22. Those portions of meetings of the board of visitors of the University of Virginia or Old Dominion University, as the case may be, and those portions of meetings of any persons to whom management responsibilities for the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, have been delegated, in which there is discussed proprietary, business-related information pertaining to the operations of the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, including business development or marketing strategies and activities with existing or future joint venturers, partners, or other parties with whom the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, has formed, or forms, any arrangement for the delivery of health care, if disclosure of such information would adversely affect the competitive position of the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be.

23. Discussion or consideration by the Virginia Commonwealth University Health System Authority or the board of visitors of Virginia Commonwealth University of any of the following: the acquisition or disposition by the Authority of real property, equipment, or technology software or hardware and related goods or services, where disclosure would adversely affect the bargaining position or negotiating strategy of the Authority; matters relating to gifts or bequests to, and fund-raising activities of, the Authority; grants and contracts for services or work to be performed by the Authority; marketing or operational strategies plans of the Authority where disclosure of such strategies or plans would adversely affect the competitive position of the Authority; and members of the Authority's medical and teaching staffs and qualifications for appointments thereto.

24. Those portions of the meetings of the Health Practitioners' Monitoring Program Committee within the Department of Health Professions to the extent such discussions identify any practitioner who may be, or who actually is, impaired pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1.

25. Meetings or portions of meetings of the Board of the Commonwealth Savers Plan wherein personal information, as defined in § 2.2-3801, which has been provided to the Board or its employees by or on behalf of individuals who have requested information about, applied for, or entered into prepaid tuition contracts or savings trust account agreements pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1 is discussed.

26. Discussion or consideration, by the former Wireless Carrier E-911 Cost Recovery Subcommittee created pursuant to former § 56-484.15, of trade secrets submitted by CMRS providers, as defined in § 56-484.12, related to the provision of wireless E-911 service.

27. Those portions of disciplinary proceedings by any regulatory board within the Department of Professional and Occupational Regulation, Department of Health Professions, or the Board of Accountancy conducted pursuant to § 2.2-4019 or 2.2-4020 during which the board deliberates to reach a decision or meetings of health regulatory boards or conference committees of such boards to consider settlement proposals in pending disciplinary actions or modifications to previously issued board orders as requested by either of the parties.

28. Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected locality or public entity, as those terms are defined in § 33.2-1800, or any independent review panel appointed to review information and advise the responsible public entity concerning such records.

29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

30. Discussion or consideration of grant or loan application information subject to the exclusion in subdivision 17 of § 2.2-3705.6 by the Commonwealth Health Research Board.

31. Discussion or consideration by the Commitment Review Committee of information subject to the exclusion in subdivision 5 of § 2.2-3705.2 relating to individuals subject to commitment as sexually violent predators under Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.

32. Discussion or consideration of confidential proprietary information and trade secrets developed and held by a local public body providing certain telecommunication services or cable television services and

184 subject to the exclusion in subdivision 18 of § 2.2-3705.6. However, the exemption provided by this
185 subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et seq.).

186 33. Discussion or consideration by a local authority created in accordance with the Virginia Wireless
187 Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary information and trade secrets
188 subject to the exclusion in subdivision 19 of § 2.2-3705.6.

189 34. Discussion or consideration by the State Board of Elections or local electoral boards of voting security
190 matters made confidential pursuant to § 24.2-410.2 or 24.2-625.1.

191 35. Discussion or consideration by the Forensic Science Board or the Scientific Advisory Committee
192 created pursuant to Article 2 (§ 9.1-1109 et seq.) of Chapter 11 of Title 9.1 of criminal investigative files.

193 36. Discussion or consideration by the Brown v. Board of Education Scholarship Committee of
194 information or confidential matters subject to the exclusion in subdivision A 3 of § 2.2-3705.4, and meetings
195 of the Committee to deliberate concerning the annual maximum scholarship award, review and consider
196 scholarship applications and requests for scholarship award renewal, and cancel, rescind, or recover
197 scholarship awards.

198 37. Discussion or consideration by the Virginia Port Authority of information subject to the exclusion in
199 subdivision 1 of § 2.2-3705.6 related to certain proprietary information gathered by or for the Virginia Port
200 Authority.

201 38. Discussion or consideration by the Board of Trustees of the Virginia Retirement System acting
202 pursuant to § 51.1-124.30, by the Investment Advisory Committee appointed pursuant to § 51.1-124.26, by
203 any local retirement system, acting pursuant to § 51.1-803, by the Board of the Commonwealth Savers Plan
204 acting pursuant to § 23.1-706, or by the Commonwealth Savers Plan's Investment Advisory Committee
205 appointed pursuant to § 23.1-702 of information subject to the exclusion in subdivision 24 of § 2.2-3705.7.

206 39. Discussion or consideration of information subject to the exclusion in subdivision 3 of § 2.2-3705.6
207 related to economic development.

208 40. Discussion or consideration by the Board of Education of information relating to the denial,
209 suspension, or revocation of teacher licenses subject to the exclusion in subdivision 11 of § 2.2-3705.3.

210 41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by
211 executive order for the purpose of studying and making recommendations regarding preventing closure or
212 realignment of federal military and national security installations and facilities located in Virginia and
213 relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a
214 local governing body, during which there is discussion of information subject to the exclusion in subdivision
215 8 of § 2.2-3705.2.

216 42. Discussion or consideration by the Board of Trustees of the Veterans Services Foundation of
217 information subject to the exclusion in subdivision 28 of § 2.2-3705.7 related to personally identifiable
218 information of donors.

219 43. Discussion or consideration by the Virginia Tobacco Region Revitalization Commission of
220 information subject to the exclusion in subdivision 23 of § 2.2-3705.6 related to certain information contained
221 in grant applications.

222 44. Discussion or consideration by the board of directors of the Commercial Space Flight Authority of
223 information subject to the exclusion in subdivision 24 of § 2.2-3705.6 related to rate structures or charges for
224 the use of projects of, the sale of products of, or services rendered by the Authority and certain proprietary
225 information of a private entity provided to the Authority.

226 45. Discussion or consideration of personal and proprietary information related to the resource
227 management plan program and subject to the exclusion in (i) subdivision 25 of § 2.2-3705.6 or (ii) subsection
228 E of § 10.1-104.7. This exclusion shall not apply to the discussion or consideration of records that contain
229 information that has been certified for release by the person who is the subject of the information or
230 transformed into a statistical or aggregate form that does not allow identification of the person who supplied,
231 or is the subject of, the information.

232 46. Discussion or consideration by the Board of Directors of the Virginia Alcoholic Beverage Control
233 Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.3 related to investigations of
234 applicants for licenses and permits and of licensees and permittees.

235 47. Discussion or consideration of grant, loan, or investment application records subject to the exclusion
236 in subdivision 28 of § 2.2-3705.6 for a grant, loan, or investment pursuant to Article 11 (§ 2.2-2351 et seq.)
237 of Chapter 22.

238 48. Discussion or development of grant proposals by a regional council established pursuant to Article 26
239 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity
240 Board.

241 49. Discussion or consideration of (i) individual sexual assault cases by a sexual assault response team
242 established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a
243 child by a child sexual abuse response team established pursuant to § 15.2-1627.5, (iii) individual cases
244 involving abuse, neglect, or exploitation of adults as defined in § 63.2-1603 pursuant to §§ 15.2-1627.5 and
245 63.2-1605, or (iv) individual human trafficking cases by any human trafficking response team established

pursuant to § 15.2-1627.6.

50. Discussion or consideration by the Board of the Virginia Economic Development Partnership Authority, the Joint Legislative Audit and Review Commission, or any subcommittees thereof, of the portions of the strategic plan, marketing plan, or operational plan exempt from disclosure pursuant to subdivision 33 of § 2.2-3705.7.

51. Those portions of meetings of the subcommittee of the Board of the Virginia Economic Development Partnership Authority established pursuant to subsection F of § 2.2-2237.3 to review and discuss information received from the Virginia Employment Commission pursuant to subdivision C 2 of § 60.2-114 and the Department of Workforce Development and Advancement pursuant to subsection B of § 2.2-2040.

52. Discussion or consideration by the Commonwealth of Virginia Innovation Partnership Authority (the Authority), an advisory committee of the Authority, or any other entity designated by the Authority, of information subject to the exclusion in subdivision 35 of § 2.2-3705.7.

53. Deliberations of the Virginia Lottery Board conducted pursuant to § 58.1-4105 regarding the denial or revocation of a license of a casino gaming operator, or the refusal to issue, suspension of, or revocation of any license or permit related to casino gaming, and discussion, consideration, or review of matters related to investigations excluded from mandatory disclosure under subdivision 1 of § 2.2-3705.3.

54. Deliberations of the Virginia Lottery Board in an appeal conducted pursuant to § 58.1-4007 regarding the denial of, revocation of, suspension of, or refusal to renew any license or permit related to sports betting and any discussion, consideration, or review of matters related to investigations excluded from mandatory disclosure under subdivision 1 of § 2.2-3705.3.

55. Meetings or portions of meetings of the Board of Criminal Justice Services or the Department of Criminal Justice Services concerning the decertification of an identifiable law-enforcement or jail officer.

56. *Discussion or consideration by any law-enforcement civilian oversight body established pursuant to § 9.1-601 of the criminal investigative files, audit findings, and deliberations regarding police operations related to a specific complaint before the body.*

B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the public body, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or motion that shall have its substance reasonably identified in the open meeting.

C. Public officers improperly selected due to the failure of the public body to comply with the other provisions of this section shall be de facto officers and, as such, their official actions are valid until they obtain notice of the legal defect in their election.

D. Nothing in this section shall be construed to prevent the holding of conferences between two or more public bodies, or their representatives, but these conferences shall be subject to the same procedures for holding closed meetings as are applicable to any other public body.

E. This section shall not be construed to (i) require the disclosure of any contract between the Department of Health Professions and an impaired practitioner entered into pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1 or (ii) require the board of directors of any authority created pursuant to the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), or any public body empowered to issue industrial revenue bonds by general or special law, to identify a business or industry to which subdivision A 5 applies. However, such business or industry shall be identified as a matter of public record at least 30 days prior to the actual date of the board's authorization of the sale or issuance of such bonds.

§ 2.2-3711. (Effective July 1, 2026) Closed meetings authorized for certain limited purposes.

A. Public bodies may hold closed meetings only for the following purposes:

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided that the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.

2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student of any public institution of higher education in the Commonwealth or any state school system. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents, or guardians so request in writing and such request is submitted to the presiding officer of the appropriate board.

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition

308 of publicly held real property, where discussion in an open meeting would adversely affect the bargaining
309 position or negotiating strategy of the public body.

310 4. The protection of the privacy of individuals in personal matters not related to public business.

311 5. Discussion concerning a prospective business or industry or the expansion of an existing business or
312 industry where no previous announcement has been made of the business' or industry's interest in locating or
313 expanding its facilities in the community.

314 6. Discussion or consideration of the investment of public funds where competition or bargaining is
315 involved, where, if made public initially, the financial interest of the governmental unit would be adversely
316 affected.

317 7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or
318 probable litigation, where such consultation or briefing in open meeting would adversely affect the
319 negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation"
320 means litigation that has been specifically threatened or on which the public body or its legal counsel has a
321 reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall
322 be construed to permit the closure of a meeting merely because an attorney representing the public body is in
323 attendance or is consulted on a matter.

324 8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters
325 requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to
326 permit the closure of a meeting merely because an attorney representing the public body is in attendance or is
327 consulted on a matter.

328 9. Discussion or consideration by governing boards of public institutions of higher education of matters
329 relating to gifts, bequests and fund-raising activities, and of grants and contracts for services or work to be
330 performed by such institution. However, the terms and conditions of any such gifts, bequests, grants, and
331 contracts made by a foreign government, a foreign legal entity, or a foreign person and accepted by a public
332 institution of higher education in the Commonwealth shall be subject to public disclosure upon written
333 request to the appropriate board of visitors. For the purpose of this subdivision, (i) "foreign government"
334 means any government other than the United States government or the government of a state or a political
335 subdivision thereof, (ii) "foreign legal entity" means any legal entity (a) created under the laws of the United
336 States or of any state thereof if a majority of the ownership of the stock of such legal entity is owned by
337 foreign governments or foreign persons or if a majority of the membership of any such entity is composed of
338 foreign persons or foreign legal entities or (b) created under the laws of a foreign government, and (iii)
339 "foreign person" means any individual who is not a citizen or national of the United States or a trust territory
340 or protectorate thereof.

341 10. Discussion or consideration by the boards of trustees of the Virginia Museum of Fine Arts, the
342 Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, the Fort Monroe Authority, and
343 The Science Museum of Virginia of matters relating to specific gifts, bequests, and grants from private
344 sources.

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347 prepared by a public body and subject to the exclusion in subdivision 4 of § 2.2-3705.1.

348 13. Discussion, consideration, or review by the appropriate House or Senate committees of possible
349 disciplinary action against a member arising out of the possible inadequacy of the disclosure statement filed
350 by the member, provided that the member may request in writing that the committee meeting not be
351 conducted in a closed meeting.

352 14. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to
353 consider the terms, conditions, and provisions of a hazardous waste siting agreement if the governing body in
354 open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the
355 governing body or the establishment of the terms, conditions and provisions of the siting agreement, or both.
356 All discussions with the applicant or its representatives may be conducted in a closed meeting.

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358 activity and estimating general and nongeneral fund revenues.

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360 subdivision 1 of § 2.2-3705.5.

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362 subsection D of § 58.1-4007 regarding the denial or revocation of a license of a lottery sales agent; and
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364 information and studies or investigations excluded from disclosure under subdivision 6 of § 2.2-3705.3 and
365 subdivision 11 of § 2.2-3705.7.

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367 the identity of, or information tending to identify, any prisoner who (i) provides information about crimes or
368 criminal activities, (ii) renders assistance in preventing the escape of another prisoner or in the apprehension
369 of an escaped prisoner, or (iii) voluntarily or at the instance of a prison official renders other extraordinary

370 services, the disclosure of which is likely to jeopardize the prisoner's life or safety.

371 19. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity
372 threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency
373 service officials concerning actions taken to respond to such matters or a related threat to public safety;
374 discussion of information subject to the exclusion in subdivision 2 or 14 of § 2.2-3705.2, where discussion in
375 an open meeting would jeopardize the safety of any person or the security of any facility, building, structure,
376 information technology system, or software program; or discussion of reports or plans related to the security
377 of any governmental facility, building or structure, or the safety of persons using such facility, building or
378 structure.

379 20. Discussion by the Board of the Virginia Retirement System, acting pursuant to § 51.1-124.30, or of
380 any local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of trustees of
381 a trust established by one or more local public bodies to invest funds for postemployment benefits other than
382 pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of
383 visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the Board of the Commonwealth
384 Savers Plan, acting pursuant to § 23.1-706, regarding the acquisition, holding or disposition of a security or
385 other ownership interest in an entity, where such security or ownership interest is not traded on a
386 governmentally regulated securities exchange, to the extent that such discussion (i) concerns confidential
387 analyses prepared for the board of visitors of the University of Virginia, prepared by the retirement system, or
388 a local finance board or board of trustees, or the Commonwealth Savers Plan or provided to the retirement
389 system, a local finance board or board of trustees, or the Commonwealth Savers Plan under a promise of
390 confidentiality, of the future value of such ownership interest or the future financial performance of the
391 entity, and (ii) would have an adverse effect on the value of the investment to be acquired, held, or disposed
392 of by the retirement system, a local finance board or board of trustees, the board of visitors of the University
393 of Virginia, or the Commonwealth Savers Plan. Nothing in this subdivision shall be construed to prevent the
394 disclosure of information relating to the identity of any investment held, the amount invested or the present
395 value of such investment.

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397 Fatality Review Team established pursuant to § 32.1-283.1, those portions of meetings in which individual
398 child death cases are discussed by a regional or local child fatality review team established pursuant to
399 § 32.1-283.2, those portions of meetings in which individual death cases are discussed by family violence
400 fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in which individual
401 adult death cases are discussed by the state Adult Fatality Review Team established pursuant to § 32.1-283.5,
402 those portions of meetings in which individual adult death cases are discussed by a local or regional adult
403 fatality review team established pursuant to § 32.1-283.6, those portions of meetings in which individual
404 death cases are discussed by overdose fatality review teams established pursuant to § 32.1-283.7, those
405 portions of meetings in which individual maternal death cases are discussed by the Maternal Mortality
406 Review Team pursuant to § 32.1-283.8, and those portions of meetings in which individual death cases of
407 persons with developmental disabilities are discussed by the Developmental Disabilities Mortality Review
408 Committee established pursuant to § 37.2-314.1.

409 22. Those portions of meetings of the board of visitors of the University of Virginia or Old Dominion
410 University, as the case may be, and those portions of meetings of any persons to whom management
411 responsibilities for the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center
412 at Old Dominion University, as the case may be, have been delegated, in which there is discussed proprietary,
413 business-related information pertaining to the operations of the University of Virginia Medical Center or the
414 Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, including business
415 development or marketing strategies and activities with existing or future joint venturers, partners, or other
416 parties with whom the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center
417 at Old Dominion University, as the case may be, has formed, or forms, any arrangement for the delivery of
418 health care, if disclosure of such information would adversely affect the competitive position of the
419 University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion
420 University, as the case may be.

421 23. Discussion or consideration by the Virginia Commonwealth University Health System Authority or
422 the board of visitors of Virginia Commonwealth University of any of the following: the acquisition or
423 disposition by the Authority of real property, equipment, or technology software or hardware and related
424 goods or services, where disclosure would adversely affect the bargaining position or negotiating strategy of
425 the Authority; matters relating to gifts or bequests to, and fund-raising activities of, the Authority; grants and
426 contracts for services or work to be performed by the Authority; marketing or operational strategies plans of
427 the Authority where disclosure of such strategies or plans would adversely affect the competitive position of
428 the Authority; and members of the Authority's medical and teaching staffs and qualifications for
429 appointments thereto.

430 24. Those portions of the meetings of the Health Practitioners' Monitoring Program Committee within the
431 Department of Health Professions to the extent such discussions identify any practitioner who may be, or who

432 actually is, impaired pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1.

433 25. Meetings or portions of meetings of the Board of the Commonwealth Savers Plan wherein personal
434 information, as defined in § 2.2-3801, which has been provided to the Board or its employees by or on behalf
435 of individuals who have requested information about, applied for, or entered into prepaid tuition contracts or
436 savings trust account agreements pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1 is discussed.

437 26. Discussion or consideration, by the former Wireless Carrier E-911 Cost Recovery Subcommittee
438 created pursuant to former § 56-484.15, of trade secrets submitted by CMRS providers, as defined in
439 § 56-484.12, related to the provision of wireless E-911 service.

440 27. Those portions of disciplinary proceedings by any regulatory board within the Department of
441 Professional and Occupational Regulation, Department of Health Professions, or the Board of Accountancy
442 conducted pursuant to § 2.2-4019 or 2.2-4020 during which the board deliberates to reach a decision or
443 meetings of health regulatory boards or conference committees of such boards to consider settlement
444 proposals in pending disciplinary actions or modifications to previously issued board orders as requested by
445 either of the parties.

446 28. Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6
447 by a responsible public entity or an affected locality or public entity, as those terms are defined in
448 § 33.2-1800, or any independent review panel appointed to review information and advise the responsible
449 public entity concerning such records.

450 29. Discussion of the award of a public contract involving the expenditure of public funds, including
451 interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in
452 an open session would adversely affect the bargaining position or negotiating strategy of the public body.

453 30. Discussion or consideration of grant or loan application information subject to the exclusion in
454 subdivision 17 of § 2.2-3705.6 by the Commonwealth Health Research Board.

455 31. Discussion or consideration by the Commitment Review Committee of information subject to the
456 exclusion in subdivision 5 of § 2.2-3705.2 relating to individuals subject to commitment as sexually violent
457 predators under Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.

458 32. Discussion or consideration of confidential proprietary information and trade secrets developed and
459 held by a local public body providing certain telecommunication services or cable television services and
460 subject to the exclusion in subdivision 18 of § 2.2-3705.6. However, the exemption provided by this
461 subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et seq.).

462 33. Discussion or consideration by a local authority created in accordance with the Virginia Wireless
463 Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary information and trade secrets
464 subject to the exclusion in subdivision 19 of § 2.2-3705.6.

465 34. Discussion or consideration by the State Board of Elections or local electoral boards of voting security
466 matters made confidential pursuant to § 24.2-410.2 or 24.2-625.1 and review by the State Board of Elections
467 of complaints related to the personal use of campaign funds pursuant to § 24.2-948.7.

468 35. Discussion or consideration by the Forensic Science Board or the Scientific Advisory Committee
469 created pursuant to Article 2 (§ 9.1-1109 et seq.) of Chapter 11 of Title 9.1 of criminal investigative files.

470 36. Discussion or consideration by the Brown v. Board of Education Scholarship Committee of
471 information or confidential matters subject to the exclusion in subdivision A 3 of § 2.2-3705.4, and meetings
472 of the Committee to deliberate concerning the annual maximum scholarship award, review and consider
473 scholarship applications and requests for scholarship award renewal, and cancel, rescind, or recover
474 scholarship awards.

475 37. Discussion or consideration by the Virginia Port Authority of information subject to the exclusion in
476 subdivision 1 of § 2.2-3705.6 related to certain proprietary information gathered by or for the Virginia Port
477 Authority.

478 38. Discussion or consideration by the Board of Trustees of the Virginia Retirement System acting
479 pursuant to § 51.1-124.30, by the Investment Advisory Committee appointed pursuant to § 51.1-124.26, by
480 any local retirement system, acting pursuant to § 51.1-803, by the Board of the Commonwealth Savers Plan
481 acting pursuant to § 23.1-706, or by the Commonwealth Savers Plan's Investment Advisory Committee
482 appointed pursuant to § 23.1-702 of information subject to the exclusion in subdivision 24 of § 2.2-3705.7.

483 39. Discussion or consideration of information subject to the exclusion in subdivision 3 of § 2.2-3705.6
484 related to economic development.

485 40. Discussion or consideration by the Board of Education of information relating to the denial,
486 suspension, or revocation of teacher licenses subject to the exclusion in subdivision 11 of § 2.2-3705.3.

487 41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by
488 executive order for the purpose of studying and making recommendations regarding preventing closure or
489 realignment of federal military and national security installations and facilities located in Virginia and
490 relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a
491 local governing body, during which there is discussion of information subject to the exclusion in subdivision
492 8 of § 2.2-3705.2.

493 42. Discussion or consideration by the Board of Trustees of the Veterans Services Foundation of

information subject to the exclusion in subdivision 28 of § 2.2-3705.7 related to personally identifiable information of donors.

43. Discussion or consideration by the Virginia Tobacco Region Revitalization Commission of information subject to the exclusion in subdivision 23 of § 2.2-3705.6 related to certain information contained in grant applications.

44. Discussion or consideration by the board of directors of the Commercial Space Flight Authority of information subject to the exclusion in subdivision 24 of § 2.2-3705.6 related to rate structures or charges for the use of projects of, the sale of products of, or services rendered by the Authority and certain proprietary information of a private entity provided to the Authority.

45. Discussion or consideration of personal and proprietary information related to the resource management plan program and subject to the exclusion in (i) subdivision 25 of § 2.2-3705.6 or (ii) subsection E of § 10.1-104.7. This exclusion shall not apply to the discussion or consideration of records that contain information that has been certified for release by the person who is the subject of the information or transformed into a statistical or aggregate form that does not allow identification of the person who supplied, or is the subject of, the information.

46. Discussion or consideration by the Board of Directors of the Virginia Alcoholic Beverage Control Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.3 related to investigations of applicants for licenses and permits and of licensees and permittees.

47. Discussion or consideration of grant, loan, or investment application records subject to the exclusion in subdivision 28 of § 2.2-3705.6 for a grant, loan, or investment pursuant to Article 11 (§ 2.2-2351 et seq.) of Chapter 22.

48. Discussion or development of grant proposals by a regional council established pursuant to Article 26 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity Board.

49. Discussion or consideration of (i) individual sexual assault cases by a sexual assault response team established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a child by a child sexual abuse response team established pursuant to § 15.2-1627.5, (iii) individual cases involving abuse, neglect, or exploitation of adults as defined in § 63.2-1603 pursuant to §§ 15.2-1627.5 and 63.2-1605, or (iv) individual human trafficking cases by any human trafficking response team established pursuant to § 15.2-1627.6.

50. Discussion or consideration by the Board of the Virginia Economic Development Partnership Authority, the Joint Legislative Audit and Review Commission, or any subcommittees thereof, of the portions of the strategic plan, marketing plan, or operational plan exempt from disclosure pursuant to subdivision 33 of § 2.2-3705.7.

51. Those portions of meetings of the subcommittee of the Board of the Virginia Economic Development Partnership Authority established pursuant to subsection F of § 2.2-2237.3 to review and discuss information received from the Virginia Employment Commission pursuant to subdivision C 2 of § 60.2-114 and the Department of Workforce Development and Advancement pursuant to subsection B of § 2.2-2040.

52. Discussion or consideration by the Commonwealth of Virginia Innovation Partnership Authority (the Authority), an advisory committee of the Authority, or any other entity designated by the Authority, of information subject to the exclusion in subdivision 35 of § 2.2-3705.7.

53. Deliberations of the Virginia Lottery Board conducted pursuant to § 58.1-4105 regarding the denial or revocation of a license of a casino gaming operator, or the refusal to issue, suspension of, or revocation of any license or permit related to casino gaming, and discussion, consideration, or review of matters related to investigations excluded from mandatory disclosure under subdivision 1 of § 2.2-3705.3.

54. Deliberations of the Virginia Lottery Board in an appeal conducted pursuant to § 58.1-4007 regarding the denial of, revocation of, suspension of, or refusal to renew any license or permit related to sports betting and any discussion, consideration, or review of matters related to investigations excluded from mandatory disclosure under subdivision 1 of § 2.2-3705.3.

55. Meetings or portions of meetings of the Board of Criminal Justice Services or the Department of Criminal Justice Services concerning the decertification of an identifiable law-enforcement or jail officer.

56. Discussion or consideration by any law-enforcement civilian oversight body established pursuant to § 9.1-601 of the criminal investigative files, audit findings, and deliberations regarding police operations related to a specific complaint before the body.

B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the public body, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or motion that shall have its substance reasonably identified in the open meeting.

C. Public officers improperly selected due to the failure of the public body to comply with the other provisions of this section shall be de facto officers and, as such, their official actions are valid until they obtain notice of the legal defect in their election.

D. Nothing in this section shall be construed to prevent the holding of conferences between two or more

public bodies, or their representatives, but these conferences shall be subject to the same procedures for holding closed meetings as are applicable to any other public body.

E. This section shall not be construed to (i) require the disclosure of any contract between the Department of Health Professions and an impaired practitioner entered into pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1 or (ii) require the board of directors of any authority created pursuant to the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), or any public body empowered to issue industrial revenue bonds by general or special law, to identify a business or industry to which subdivision A 5 applies. However, such business or industry shall be identified as a matter of public record at least 30 days prior to the actual date of the board's authorization of the sale or issuance of such bonds.

§ 16.1-301. Confidentiality of juvenile law-enforcement records; disclosures to school principal and others.

A. The court shall require all law-enforcement agencies to take special precautions to ensure that law-enforcement records concerning a juvenile are protected against disclosure to any unauthorized person. The police departments of the cities of the Commonwealth, and the police departments or sheriffs of the counties of the Commonwealth, as the case may be, shall keep separate records as to violations of law committed by juveniles other than violations of motor vehicle laws. Such records with respect to such juvenile shall not be open to public inspection nor their contents disclosed to the public unless a juvenile 14 years of age or older is charged with a violent juvenile felony as specified in subsections B and C of § 16.1-269.1.

B. Notwithstanding any other provision of law, the chief of police or sheriff of a jurisdiction or his designee shall disclose, for the protection of the juvenile, his fellow students and school personnel, to the school principal that a juvenile has been charged with or may disclose when a juvenile is a suspect in (i) a violent juvenile felony, as specified in subsections B and C of § 16.1-269.1; (ii) a violation of any of the provisions of Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2; (iii) a violation of law involving any weapon as described in subsection A of § 18.2-308; or (iv) a violation of law as described in subsection G of § 16.1-260. If a chief of police or sheriff or a designee has disclosed to a school principal pursuant to this section that a juvenile is a suspect in or has been charged with a crime as specified in clauses (i) through (iv), upon a court disposition of a proceeding regarding such crime in which a juvenile is adjudicated delinquent, convicted, found not guilty or the charges are reduced, the chief of police or sheriff or a designee shall, within 15 days of the expiration of the appeal period, if there is no notice of appeal, provide notice of the disposition ordered by the court to the school principal to whom disclosure was made. If the court defers disposition or if charges are withdrawn, dismissed or nolle prosequi, the chief of police or sheriff or a designee shall, within 15 days of such action provide notice of such action to the school principal to whom disclosure was made. If charges are withdrawn in intake or handled informally without a court disposition or if charges are not filed within 90 days of the initial disclosure, the chief of police or sheriff or a designee shall so notify the school principal to whom disclosure was made. In addition to any other disclosure that is permitted by this subsection, the principal in his discretion may provide such information to a threat assessment team established by the local school division. No member of a threat assessment team shall (a) disclose any juvenile record information obtained pursuant to this section or (b) use such information for any purpose other than evaluating threats to students and school personnel. For the purposes of this subsection, "principal" also refers to the chief administrator of any private primary or secondary school.

C. Inspection of law-enforcement records concerning juveniles shall be permitted only by the following:

1. A court having the juvenile currently before it in any proceeding;

2. The officers of public and nongovernmental institutions or agencies to which the juvenile is currently committed, and those responsible for his supervision after release;

3. Any other person, agency, or institution, by order of the court, having a legitimate interest in the case or in the work of the law-enforcement agency;

4. Law-enforcement officers of other jurisdictions, by order of the court, when necessary for the discharge of their current official duties;

5. The probation and other professional staff of a court in which the juvenile is subsequently convicted of a criminal offense for the purpose of a presentence report or other dispositional proceedings, or by officials of penal institutions and other penal facilities to which he is committed, or by a parole board in considering his parole or discharge or in exercising supervision over him;

6. The juvenile, the parent, guardian, or other custodian of the juvenile, and counsel for the juvenile only if (i) no other law or rule of the Supreme Court of Virginia requires or allows withholding of the record; (ii) the parent, guardian, or other custodian requesting the record is not a suspect, offender, or person of interest in the record; and (iii) any identifying information of any other involved juveniles is redacted; ~~and~~

7. As provided in §§ 19.2-389.1 and 19.2-390; and

8. Law-enforcement civilian oversight bodies established pursuant to § 9.1-601 when required to perform their duties and any independent policing auditor, manager, director, or other person responsible for duties enumerated in subsection C of § 9.1-601 when designated by the local governing body.

D. The police departments of the cities and towns and the police departments or sheriffs of the counties

may release, upon request to one another and to state and federal law-enforcement agencies, and to law-enforcement agencies in other states, current information on juvenile arrests. The information exchanged shall be used by the receiving agency for current investigation purposes only and shall not result in the creation of new files or records on individual juveniles on the part of the receiving agency.

E. Upon request, the police departments of the cities and towns and the police departments or sheriffs of the counties may release current information on juvenile arrests or juvenile victims to the Virginia Workers' Compensation Commission solely for purposes of determining whether to make an award to the victim of a crime, and such information shall not be disseminated or used by the Commission for any other purpose than provided in § 19.2-368.3.

F. Nothing in this section shall prohibit the exchange of other criminal investigative or intelligence information among law-enforcement agencies.

G. Nothing in this section shall prohibit the disclosure of law-enforcement records concerning a juvenile to a court services unit-authorized diversion program in accordance with this chapter, which includes programs authorized by subdivision 1 of § 16.1-227 and § 16.1-260. Such records shall not be further disclosed by the authorized diversion program or any participants therein. Law-enforcement officers may prohibit a disclosure to such a program to protect a criminal investigation or intelligence information.

H. Nothing in this section shall prohibit the disclosure of accident reports and other reports required to be made to the Department of Motor Vehicles pursuant to § 46.2-374 involving a juvenile even if such reports are in the custody of a law-enforcement agency or were created by a law-enforcement officer.

§ 19.2-11.2. Crime victim's right to nondisclosure of certain information; exceptions; testimonial privilege.

Upon request of any witness in a criminal prosecution under § 18.2-46.2, 18.2-46.3, or 18.2-248 or of any violent felony as defined by subsection C of § 17.1-805, or any crime victim, neither a law-enforcement agency, the attorney for the Commonwealth, the counsel for a defendant, a court nor the Department of Corrections, nor any employee of any of them, may disclose, except among themselves, the residential address, any telephone number, email address, or place of employment of the witness or victim or a member of the witness' or victim's family, except to the extent that disclosure is (i) of the site of the crime, (ii) required by law or Rules of the Supreme Court, (iii) necessary for law-enforcement purposes or preparation for court proceedings, or (iv) permitted by the court for good cause.

Except with the written consent of the victim of any crime involving any sexual assault, sexual abuse, or family abuse or the victim's next of kin if the victim is a minor and the victim's death results from any crime, a law-enforcement agency may not disclose to the public information that directly or indirectly identifies the victim of such crime except to the extent that disclosure is (a) of the site of the crime, (b) required by law, (c) necessary for law-enforcement purposes, ~~or~~ (d) *to a law-enforcement civilian oversight body established pursuant to § 9.1-601 and any independent policing auditor, manager, director, or other person responsible for duties enumerated in subsection C of § 9.1-601 when designated by the local governing body*, or (e) permitted by the court for good cause. In addition, at the request of the victim to the Court of Appeals of Virginia or the Supreme Court of Virginia hearing, on or after July 1, 2007, the case of a crime involving any sexual assault or sexual abuse, no appellate decision shall contain the first or last name of the victim.

Nothing herein shall limit the right to examine witnesses in a court of law or otherwise affect the conduct of any criminal proceeding.