

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 2.2-3711, as it is currently effective and as it shall become effective,*
 3 *16.1-301, and 19.2-11.2 of the Code of Virginia, relating to law-enforcement civilian oversight bodies;*
 4 *closed meetings; disclosure of certain law-enforcement records.*

5 [H 1476]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

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

10 **§ 2.2-3711. (Effective until July 1, 2026) Closed meetings authorized for certain limited purposes.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

118 21. Those portions of meetings in which individual child death cases are discussed by the State Child

119 Fatality Review Team established pursuant to § 32.1-283.1, those portions of meetings in which individual
 120 child death cases are discussed by a regional or local child fatality review team established pursuant to
 121 § 32.1-283.2, those portions of meetings in which individual death cases are discussed by family violence
 122 fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in which individual
 123 adult death cases are discussed by the state Adult Fatality Review Team established pursuant to § 32.1-283.5,
 124 those portions of meetings in which individual adult death cases are discussed by a local or regional adult
 125 fatality review team established pursuant to § 32.1-283.6, those portions of meetings in which individual
 126 death cases are discussed by overdose fatality review teams established pursuant to § 32.1-283.7, those
 127 portions of meetings in which individual maternal death cases are discussed by the Maternal Mortality
 128 Review Team pursuant to § 32.1-283.8, and those portions of meetings in which individual death cases of
 129 persons with developmental disabilities are discussed by the Developmental Disabilities Mortality Review
 130 Committee established pursuant to § 37.2-314.1.

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

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

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

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

159 26. Discussion or consideration, by the former Wireless Carrier E-911 Cost Recovery Subcommittee
 160 created pursuant to former § 56-484.15, of trade secrets submitted by CMRS providers, as defined in
 161 § 56-484.12, related to the provision of wireless E-911 service.

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

168 28. Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6
 169 by a responsible public entity or an affected locality or public entity, as those terms are defined in
 170 § 33.2-1800, or any independent review panel appointed to review information and advise the responsible
 171 public entity concerning such records.

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

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

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

180 32. Discussion or consideration of confidential proprietary information and trade secrets developed and

181 held by a local public body providing certain telecommunication services or cable television services and
182 subject to the exclusion in subdivision 18 of § 2.2-3705.6. However, the exemption provided by this
183 subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et seq.).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

236 48. Discussion or development of grant proposals by a regional council established pursuant to Article 26
237 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity
238 Board.

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

243 63.2-1605, or (iv) individual human trafficking cases by any human trafficking response team established
 244 pursuant to § 15.2-1627.6.

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

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

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

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

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

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

266 56. *Discussion or consideration by any law-enforcement civilian oversight body established pursuant to*
 267 *§ 9.1-601 or established by a local governing body before July 1, 2020, and operating in a manner consistent*
 268 *with § 9.1-601 of the criminal investigative files, audit findings, and deliberations regarding police*
 269 *operations related to a specific complaint before the body involving any violation or attempted violation of*
 270 *any offense (i) enumerated in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2; (ii) specified in*
 271 *§ 18.2-361, 18.2-370, or 18.2-370.1; or (iii) involving a juvenile the records of which would not be open to*
 272 *public inspection pursuant to § 16.1-301 or 16.1-305.*

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

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

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

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

290 **§ 2.2-3711. (Effective July 1, 2026) Closed meetings authorized for certain limited purposes.**

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

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

302 2. Discussion or consideration of admission or disciplinary matters or any other matters that would
 303 involve the disclosure of information contained in a scholastic record concerning any student of any public
 304 institution of higher education in the Commonwealth or any state school system. However, any such student,

305 legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be
306 present during the taking of testimony or presentation of evidence at a closed meeting, if such student,
307 parents, or guardians so request in writing and such request is submitted to the presiding officer of the
308 appropriate board.

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

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

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

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

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

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

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

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

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

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

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

354 14. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to
355 consider the terms, conditions, and provisions of a hazardous waste siting agreement if the governing body in
356 open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the
357 governing body or the establishment of the terms, conditions and provisions of the siting agreement, or both.
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359 15. Discussion by the Governor and any economic advisory board reviewing forecasts of economic
360 activity and estimating general and nongeneral fund revenues.

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362 subdivision 1 of § 2.2-3705.5.

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364 subsection D of § 58.1-4007 regarding the denial or revocation of a license of a lottery sales agent; and
365 discussion, consideration or review of Virginia Lottery matters related to proprietary lottery game
366 information and studies or investigations excluded from disclosure under subdivision 6 of § 2.2-3705.3 and

367 subdivision 11 of § 2.2-3705.7.

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

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

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

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

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

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

429 the Authority where disclosure of such strategies or plans would adversely affect the competitive position of
430 the Authority; and members of the Authority's medical and teaching staffs and qualifications for
431 appointments thereto.

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

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

439 26. Discussion or consideration, by the former Wireless Carrier E-911 Cost Recovery Subcommittee
440 created pursuant to former § 56-484.15, of trade secrets submitted by CMRS providers, as defined in
441 § 56-484.12, related to the provision of wireless E-911 service.

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

448 28. Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6
449 by a responsible public entity or an affected locality or public entity, as those terms are defined in
450 § 33.2-1800, or any independent review panel appointed to review information and advise the responsible
451 public entity concerning such records.

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

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

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

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

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

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

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

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

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

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

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

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

489 41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by
490 executive order for the purpose of studying and making recommendations regarding preventing closure or

491 realignment of federal military and national security installations and facilities located in Virginia and
 492 relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a
 493 local governing body, during which there is discussion of information subject to the exclusion in subdivision
 494 8 of § 2.2-3705.2.

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

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

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

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

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

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

517 48. Discussion or development of grant proposals by a regional council established pursuant to Article 26
 518 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity
 519 Board.

520 49. Discussion or consideration of (i) individual sexual assault cases by a sexual assault response team
 521 established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a
 522 child by a child sexual abuse response team established pursuant to § 15.2-1627.5, (iii) individual cases
 523 involving abuse, neglect, or exploitation of adults as defined in § 63.2-1603 pursuant to §§ 15.2-1627.5 and
 524 63.2-1605, or (iv) individual human trafficking cases by any human trafficking response team established
 525 pursuant to § 15.2-1627.6.

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

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

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

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

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

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

547 56. Discussion or consideration by any law-enforcement civilian oversight body established pursuant to
 548 § 9.1-601 or established by a local governing body before July 1, 2020, and operating in a manner consistent
 549 with § 9.1-601 of the criminal investigative files, audit findings, and deliberations regarding police
 550 operations related to a specific complaint before the body involving any violation or attempted violation of
 551 any offense (i) enumerated in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2; (ii) specified in
 552 § 18.2-361, 18.2-370, or 18.2-370.1; or (iii) involving a juvenile the records of which would not be open to

553 *public inspection pursuant to § 16.1-301 or 16.1-305.*

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

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

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

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

571 **§ 16.1-301. Confidentiality of juvenile law-enforcement records; disclosures to school principal and**
572 **others.**

573 A. The court shall require all law-enforcement agencies to take special precautions to ensure that
574 law-enforcement records concerning a juvenile are protected against disclosure to any unauthorized person.
575 The police departments of the cities of the Commonwealth, and the police departments or sheriffs of the
576 counties of the Commonwealth, as the case may be, shall keep separate records as to violations of law
577 committed by juveniles other than violations of motor vehicle laws. Such records with respect to such
578 juvenile shall not be open to public inspection nor their contents disclosed to the public unless a juvenile 14
579 years of age or older is charged with a violent juvenile felony as specified in subsections B and C of
580 § 16.1-269.1.

581 B. Notwithstanding any other provision of law, the chief of police or sheriff of a jurisdiction or his
582 designee shall disclose, for the protection of the juvenile, his fellow students and school personnel, to the
583 school principal that a juvenile has been charged with or may disclose when a juvenile is a suspect in (i) a
584 violent juvenile felony, as specified in subsections B and C of § 16.1-269.1; (ii) a violation of any of the
585 provisions of Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2; (iii) a violation of law involving any
586 weapon as described in subsection A of § 18.2-308; or (iv) a violation of law as described in subsection G of
587 § 16.1-260. If a chief of police or sheriff or a designee has disclosed to a school principal pursuant to this
588 section that a juvenile is a suspect in or has been charged with a crime as specified in clauses (i) through (iv),
589 upon a court disposition of a proceeding regarding such crime in which a juvenile is adjudicated delinquent,
590 convicted, found not guilty or the charges are reduced, the chief of police or sheriff or a designee shall, within
591 15 days of the expiration of the appeal period, if there is no notice of appeal, provide notice of the disposition
592 ordered by the court to the school principal to whom disclosure was made. If the court defers disposition or if
593 charges are withdrawn, dismissed or nolle prosequi, the chief of police or sheriff or a designee shall, within
594 15 days of such action provide notice of such action to the school principal to whom disclosure was made. If
595 charges are withdrawn in intake or handled informally without a court disposition or if charges are not filed
596 within 90 days of the initial disclosure, the chief of police or sheriff or a designee shall so notify the school
597 principal to whom disclosure was made. In addition to any other disclosure that is permitted by this
598 subsection, the principal in his discretion may provide such information to a threat assessment team
599 established by the local school division. No member of a threat assessment team shall (a) disclose any
600 juvenile record information obtained pursuant to this section or (b) use such information for any purpose
601 other than evaluating threats to students and school personnel. For the purposes of this subsection, "principal"
602 also refers to the chief administrator of any private primary or secondary school.

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

- 604 1. A court having the juvenile currently before it in any proceeding;
- 605 2. The officers of public and nongovernmental institutions or agencies to which the juvenile is currently
606 committed, and those responsible for his supervision after release;
- 607 3. Any other person, agency, or institution, by order of the court, having a legitimate interest in the case or
608 in the work of the law-enforcement agency;
- 609 4. Law-enforcement officers of other jurisdictions, by order of the court, when necessary for the discharge
610 of their current official duties;

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

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

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

620 8. *Law-enforcement civilian oversight bodies established pursuant to § 9.1-601 or established by a local*
621 *governing body before July 1, 2020, and operating in a manner consistent with § 9.1-601 when required to*
622 *perform their duties and any independent policing auditor, manager, director, or other person responsible*
623 *for duties enumerated in subsection C of § 9.1-601 when designated by the local governing body.*

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

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

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

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

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

644 **§ 19.2-11.2. Crime victim's right to nondisclosure of certain information; exceptions; testimonial**
645 **privilege.**

646 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
647 violent felony as defined by subsection C of § 17.1-805, or any crime victim, neither a law-enforcement
648 agency, the attorney for the Commonwealth, the counsel for a defendant, a court nor the Department of
649 Corrections, nor any employee of any of them, may disclose, except among themselves, the residential
650 address, any telephone number, email address, or place of employment of the witness or victim or a member
651 of the witness' or victim's family, except to the extent that disclosure is (i) of the site of the crime, (ii)
652 required by law or Rules of the Supreme Court, (iii) necessary for law-enforcement purposes or preparation
653 for court proceedings, or (iv) permitted by the court for good cause.

654 Except with the written consent of the victim of any crime involving any sexual assault, sexual abuse, or
655 family abuse or the victim's next of kin if the victim is a minor and the victim's death results from any crime,
656 a law-enforcement agency may not disclose to the public information that directly or indirectly identifies the
657 victim of such crime except to the extent that disclosure is (a) of the site of the crime, (b) required by law, (c)
658 necessary for law-enforcement purposes, ~~or~~ (d) *to a law-enforcement civilian oversight body established*
659 *pursuant to § 9.1-601 or established by a local governing body before July 1, 2020, and operating in a*
660 *manner consistent with § 9.1-601 and any independent policing auditor, manager, director, or other person*
661 *responsible for duties enumerated in subsection C of § 9.1-601 when designated by the local governing body,*
662 *or (e) permitted by the court for good cause. In addition, at the request of the victim to the Court of Appeals*
663 *of Virginia or the Supreme Court of Virginia hearing, on or after July 1, 2007, the case of a crime involving*
664 *any sexual assault or sexual abuse, no appellate decision shall contain the first or last name of the victim.*

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