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HOUSE BILL NO. 2210

Offered January 8, 2003

Prefiled January 8, 2003

A *BILL to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 38.1, consisting of sections numbered 2.2-3820 and 2.2-3821, relating to the Sensitive Records Protection Act; penalty.*

Patrons—Jones, S.C., Woodrum, Amundson, Baskerville, Brink, Darner, Keister, Melvin, Miles, Moran, O'Bannon, Petersen, Putney, Sherwood and Shuler; Senators: Howell and Stolle

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 2.2 a chapter numbered 38.1, consisting of sections numbered 2.2-3820 and 2.2-3821, as follows:

CHAPTER 38.1.

SENSITIVE RECORDS PROTECTION ACT.

§ 2.2-3820. Definitions.

As used in this chapter unless the context requires a different meaning:

"Public body" means the same as that term is defined in § 2.2-3701.

"Sensitive records" means those portions of engineering and architectural drawings, operational, procedural, tactical planning or training manuals, or staff meeting minutes or other records that reveal critical structural components, security equipment and systems, ventilation systems, fire protection equipment, mandatory building emergency equipment or systems, elevators, electrical systems, telecommunications equipment and systems, other utility equipment and systems of any building; surveillance techniques, personnel deployments, alarm or security systems or technologies, or operational and transportation plans or protocols; or vulnerability assessments submitted to or in the possession of a public body, the disclosure of which would jeopardize the security of any facility, building or structure or the safety of persons using such facility, building or structure.

§ 2.2-3821. Disclosure of sensitive records prohibited; exceptions; penalty.

A. Notwithstanding any provision of law to the contrary and except as provided herein, no public body, its officers, employees or appointees, or any former officer, employee or appointee of a public body shall disseminate or release any sensitive record or divulge any information acquired by him in the performance of his duties with respect to a sensitive record. Any person violating the provisions of this section shall be guilty of a Class 2 misdemeanor.

B. The provisions of this section shall not apply to the disclosure of sensitive records made pursuant to:

1. A proper judicial order; or

2. A request by a duly authorized representative of an agency or instrumentality of federal, state, or local government in the ordinary course of performing its official duties.

INTRODUCED

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