



*Personal Identifying Information Subcommittee
of the
VIRGINIA FREEDOM OF INFORMATION
ADVISORY COUNCIL*

Monday, October 8, 2007
1:00 p.m. Speaker's Conference Room
General Assembly Building

SUGGESTED AGENDA

1. Call to Order and introduction of members.
2. Introduction of JCOTS' Subcommittee members and staff.
3. Where we are:
 - A. Disposition of bills referred by 2007 Session of General Assembly:¹
 - **HB 2821 (Sickles)--*Still under consideration.***
 - **SB 819 (Cuccinelli)--*Tabled pending reconsideration request by patron.***
 - **HB 2558 (Brink)--*Awaiting final agreement between Virginia Veterinary Association and Treasurer's Association concerning development of uniform dog license application.***
 - **HB 3097 (Cole)/SB 1106 (Chichester)--*Tabled.***
 - **HB 3118 (Carrico)/SB 883 (Deeds)--*Patrons and DGIF invited to full FOIA Council meeting on December 3, 2007 for further discussion.***
 - **HB 3161 (Marshall, D.W.)/SB 1404 (Hanger)--*Tabled.***

- B. Access to information about holders of concealed weapons permits--Review of FOIA Subcommittee Draft.
4. Issues still under consideration by Joint Subcommittees.
 - Definition of "personal information" (Government Data Collection and Dissemination Practices Act, § 2.2-3800 et seq.). **DRAFT.**
 - Release of one's own SSN (Personal Information Privacy Act, § 59.1-442 et seq.) **DRAFT.**
 5. Government Data Collection and Dissemination Practices Act:
 - Appropriateness of strengthening language limiting collection of SSNs by public bodies; **(DRAFT)**
 - Appropriateness of adding enforcement provisions/remedies for violation. **(DRAFT)**
 6. Discussion.
 7. Public Comment.
 8. Other Business.
 9. Set next meeting of Joint Subcommittees/Continuation of study by Joint Subcommittees.
 10. Adjournment.

#

FOIA Subcommittee Members

Senator Houck, Chair	Delegate Griffith
John Edwards	Mary Yancey Spencer
Courtney Malveaux	Sandra Treadway
<i>Staff: Maria Everett, Alan Gernhardt</i>	

JCOTS Subcommittee Members

Delegate May	Delegate Alexander
Senator Watkins	
<i>Staff: Lisa Wallmeyer</i>	

-
- **¹ HB 2821 (Sickles)**--Exempts from the mandatory disclosure requirements of the Freedom of Information Act those portions of records containing an individual's social security number; except that access shall not be denied to the person who is the subject thereof. Any person who is the subject of any such record and who is 18 years of age or older may waive, in writing, these protections. If the protections are so waived, the public body shall open such records for inspection and copying.¹
 - **SB 819 (Cuccinelli)**--Exempts those portions of records containing personal information concerning an identifiable individual, including date of birth, social security number, driver's license number, bank account numbers, credit or debit card numbers, personal identification numbers, electronic identification codes, automated or electronic signatures, biometric data, or fingerprints; except that access shall not be denied to the person who is the subject thereof. Any person who is the subject of any such record and who is 18 years of age or older may waive, in writing, these protections. If the protections are so waived, the public body shall open such records for inspection and copying.
 - **HB 2558 (Brink)**--Exempts the identification of breed of a vaccinated animal and any personal identifying information relating to the animal owner that is not made a part of an animal license application from the mandatory disclosure provisions of the Freedom of Information Act..
 - **HB 3097 (Cole)/SB 1106 (Chichester)**--Exempts the name, physical address, telephone number, e-mail address, social security number, and bank or other financial account information contained in correspondence to and from an individual and a member of a local governing body, school board or other local public body in which the individual is a resident, unless the correspondence relates to a public matter before such public body. The bill also provides, however, that no record, which is otherwise open to inspection under FOIA, shall be deemed exempt by virtue

of the fact that it has been attached to or incorporated within any such correspondence.

- **HB 3118 (Carrico)/SB 883 (Deeds)**--Exempts personal information concerning individual applicants for or holders of any hunting, fishing, boating, or trapping license issued by an agent of the Department of Game and Inland Fisheries, including social security or other identification numbers appearing on a driver's license or other form of identification, credit card or bank account data, home address, phone number, and date of birth, provided the individual has requested in writing that the Department not release such information .
- **HB 3161 (Marshall, D.W.)/SB 1404 (Hanger)**--Exempts certain personal identifying information of a complainant with respect to an investigation of a violation of a local ordinance may be withheld. Currently, such information may only be withheld with respect to an investigation of an individual zoning enforcement complaint.