



# VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

## COMMONWEALTH OF VIRGINIA

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## **2023 FOIA LEGISLATIVE UPDATE**

*NOTE: Unless otherwise stated, the changes in the law described in this update will take effect July 1, 2023.*

### **I. Introduction**

The General Assembly passed a total of 17 bills amending the Virginia Freedom of Information Act (FOIA) during the 2023 Session. One legislative draft was recommended by the Virginia Freedom of Information Advisory Council (the Council) to the 2023 Session of the General Assembly, but it was not introduced.

Section II of this update lists the 17 bills enacted at the 2023 Session as each relates to the sections of FOIA. Section III presents a brief overview of amendments to FOIA section by section in order to provide context and organization to the numerous bills. Section IV presents a brief overview of other access-related legislation passed during the 2023 Session.

For more specific information regarding each bill, please see the bill itself. Unless otherwise indicated, the changes will become effective July 1, 2023.

### **II. Bills Enacted at the 2023 Session that Amend FOIA**

Two bills add a new records exemption in FOIA as follows:

- HB 2394 and SB 1497 exclude from mandatory disclosure under FOIA trade secrets, proprietary information, or financial information supplied by an individual or a private or nongovernmental entity to the Fort Monroe Authority for the purpose of complying with the obligations of any lease, easement, license, permit, or other agreement, whether of a commercial or residential real-estate nature, pertaining to the use or occupancy of any portion of Fort Monroe. The bills provide that in order for such trade secrets, proprietary information, or financial information to be excluded, the applicant shall (i) invoke this exclusion upon submission of the data or other materials for which protection from disclosure is sought, (ii) identify with specificity the data or other materials for which protection is sought, and (iii) state the reasons why protection is necessary.(amending § 2.2-3705.6)

Nine bills amend existing provisions of FOIA as follows:

- HB 1569 clarifies that personnel records excluded from disclosure under FOIA include those of persons employed by (i) a public body engaged in emergency medical services or fire protection services, (ii) a law-enforcement agency, or (iii) an emergency 911 system

or any other equivalent reporting system. The bill also contains technical amendments.(amending § 2.2-3706)

- HB 1738 provides that all state public bodies may provide public access to meetings through electronic communication means and may provide the public with the opportunity to comment at such meetings through the use of such electronic communication means when public comment is customarily received. (amending §§ 2.2-3707, 2.2-3707.2, 15.2-1416, 15.2-2308.1, and 23.1-1303)
- HB 2006 provides that any local public body that charges for the production of public records pursuant to FOIA may provide an electronic method of payment through which all payments for the production of such records to such locality may be made. (amending § 2.2-3704)
- HB 2007 requires a public body to make available upon request and post on its website or otherwise publish a written policy (i) explaining how the public body assesses charges for accessing or searching for requested records and (ii) noting the current fee charged, if any, by the public body for accessing and searching for the requested records. (amending § 2.2-3704.1)
- HB 2156 and SB 1170 clarify the duty of agencies and political subdivisions of the Commonwealth to cooperate with and assist the Behavioral Health Commission in the performance of its duties and require such agencies and political subdivisions to provide to the Commission (i) to the fullest extent possible and except as prohibited by law, any records, including data and information, requested by the Commission and (ii) upon request and availability, access to the facilities of any such agency or political subdivision. The bills also exclude from the mandatory disclosure provisions of FOIA records of the Commission. (amending §§ 2.2-3705.3 and 30-408)
- HB 2345 and SB 1255 rename the Emergency Department Care Coordination Program as the Smartchart Network Program and expand the Program to allow participation by all health care providers, insurance carriers, and other organizations with a treatment, payment, or operations relationship with a patient in the Commonwealth to facilitate real-time communication and collaboration. Under current law, participation is limited to hospital emergency departments. The bills makes several other modifications to the Program, including adding a requirement that the Program allow health care providers, health care entities, and insurance carriers to access information necessary to evaluate and monitor the care and treatment of a patient in accordance with applicable patient privacy and security requirements and adding a requirement that such entities continue to improve care coordination in hospital emergency departments in order to reduce the frequency of visits by high-volume emergency department utilizers. The bills also direct the State Health Commissioner and the Director of the Department of Health Professions to convene a work group to study and establish a plan to develop and implement a system to share information regarding a patient's prescription history and medication reconciliation. The bills require the Commissioner and the Director to report their findings and recommendations to the Chairmen of the Joint Commission on Health Care, Senate Committee on Education and Health, and House Committee on Health, Welfare and Institutions by October 1, 2023. The provisions of the bills other than creation of the work group have a delayed effective date of January 1, 2024. (amending §§ 2.2-3705.5, 32.1-372, 54.1-2523, and 54.1-2525)
- HB 2498 adds members of any boards governing any authority established pursuant to the Park Authorities Act to the list of persons to whom the Council or the local government

attorney is required to provide training. The bill requires such members to complete such training sessions within two months after assuming the local elected office and requires the clerk of each governing body or school board to maintain records indicating the names of such members and the dates of training completion. (amending § 2.2-3704.3)

Two identical bills remove existing provisions in FOIA and amend Title 53.1 as follows:

- HB 2169 and SB 1361 remove provisions that exempted from the mandatory disclosure provisions of FOIA the records of the Parole Board. The bills require the Board to (i) adopt rules regarding parole eligibility as set forth in the bills; (ii) publish the statement of actions taken by the Board by the fifteenth day of each month; (iii) include in such statement individualized reasons for the granting or denial of parole and the vote of each member; (iv) conduct final deliberations and votes on parole decisions at public meetings; (v) publish an annual report that summarizes actions taken by the Board during the prior year; and (vi) provide a prisoner or his attorney with all information, other than the personal information of the victim, gathered by the Board during an investigation, provided that such information shall not be further disclosed, reproduced, copied, or disseminated.

The bills provide that final discharges may be issued by the Board only upon approval by a majority of Board members and require the Board to publish an annual report regarding such final discharges, with items specified in the bills. The bills also require the Board, prior to making any decision to grant discretionary parole to an inmate, to have discussed and debated such decision at a meeting at which a majority of the Board members were present. The bills require, in cases in which the Board grants discretionary parole to an inmate, each Board member to identify his reasoning for such decision at the time such member's vote is cast. The bills require that parole review hearings include a live interview of the prisoner, which may be conducted in person or by videoconference or telephone, and, absent imminent death or other extraordinary circumstances, prohibit the Board from granting parole to any prisoner who has not received a live interview within the prior calendar year. The bills also allow the victim of the crime for which the prisoner is incarcerated to present testimony to the Board by virtual means. The bills have a delayed effective date of July 1, 2024. (amending §§ 2.2-3703, 53.1-136, 53.1-154, and 53.1-155)

Two identical bills amend existing provisions in FOIA, add new sections in Title 23.1, and repeal a chapter in Title 23.1:

- HB 1840 and SB 1211 repeal provisions establishing and relating to Eastern Virginia Medical School and designate the schools and divisions previously existing as Eastern Virginia Medical School and such other academic units of Old Dominion University related to the health sciences as may be identified by the Old Dominion University Board of Visitors as the Eastern Virginia Health Sciences Center at Old Dominion University (the Health Sciences Center). The bills permit Old Dominion University to provide medical and health sciences education and related research through the teaching hospitals and related health care and health maintenance facilities at the Health Sciences Center and contain provisions relating to the operations of the Health Sciences Center, including provisions relating to cooperative arrangements and joint ventures. The bills have a delayed effective date of the date after July 1, 2023, on which the Governor and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations provide written approval for Old Dominion University and Eastern Virginia Medical

School to complete a merger to create the Eastern Virginia Health Sciences Center at Old Dominion University. *(Note: the bills make technical amendments to existing records and meetings exemptions within FOIA.)* (amending §§ 2.2-3106, 2.2-3705.4, 2.2-3711, 2.2-4343, 2.2-4345, 22.1-209.2, 23.1-608, 23.1-608.1, 23.1-809, 23.1-1100, 23.1-1200, 23.1-2001, 23.1-2002, 32.1-69.3, 32.1-279, 38.2-5008, and 54.1-2961; adding in Chapter 20 of Title 23.1 sections numbered 23.1-2005, 23.1-2006, and 23.1-2007; and repealing Chapter 30 (§§ 23.1-3000 through 23.1-3014) of Title 23.1)

Two identical bills amend an existing closed meeting exemption in FOIA, add a new chapter in Title 2.2, and repeal various sections and a chapter in Titles 2.2, 40.1, and 60.2:

- HB 2195 and SB 1470 create the Department of Workforce Development and Advancement (the Department) to administer workforce development programs. The bills consolidate statewide workforce program evaluation and data sharing under the Department and provides protections against improper disclosure of data. The bills provide for the Virginia Board of Workforce Development to conduct an independent evaluation of the operations and program objectives of the Department on a biennial basis with the first report due on December 1, 2025. The bills also (i) transfer administration of apprenticeship programs from the Department of Labor and Industry to the Department, (ii) direct the State Council of Higher Education for Virginia to collaborate with the Department to grow and expand the Innovative Internship Fund and Program, and (iii) direct the Secretary of Labor (the Secretary) to conduct a comprehensive review of the Commonwealth's workforce development programs and make recommendations to address a wide range of subjects relating to improving the effectiveness and efficiency of such programs. The Secretary is also required to convene a stakeholder work group to advise the Secretary during the transition period. As introduced, the bills were a recommendation of the Small Business Commission. *(Note: Amends an existing exemption for closed meetings of a subcommittee of the Board of the Virginia Economic Development Partnership Authority.)* (amending §§ 2.2-214.2, 2.2-214.3, 2.2-435.10, 2.2-2237.3, 2.2-2238, 2.2-2472, 2.2-3711, 2.2-3905, 40.1-100, 54.1-1101, 60.2-105, 60.2-111, and 60.2-631; adding a new chapter numbered 20.2 in Title 2.2, containing articles numbered 1 through 4, consisting of sections numbered 2.2-2035 through 2.2-2057; and repealing § 2.2-435.8, Chapter 6 (§§ 40.1-117 through 40.1-127) of Title 40.1, §§ 60.2-110, 60.2-113, 60.2-113.1, 60.2-309, and 60.2-310, and Chapter 4 (§§ 60.2-400, 60.2-400.1, and 60.2-401) of Title 60.2)

### **III. Amendments to FOIA by Code Section**

**§ 2.2-3703. Public bodies and records to which chapter inapplicable; voter registration and election records; access by persons incarcerated in a state, local, or federal correctional facility.**

**HB 2169 and SB 1361 Parole Board; eligibility determinations; reports.** Removes provisions that exempted from the mandatory disclosure provisions of the Virginia Freedom of Information Act the records of the Parole Board. The bill requires the Board to (i) adopt rules regarding parole eligibility as set forth in the bill; (ii) publish the statement of actions taken by the Board by the

fifteenth day of each month; (iii) include in such statement individualized reasons for the granting or denial of parole and the vote of each member; (iv) conduct final deliberations and votes on parole decisions at public meetings; (v) publish an annual report that summarizes actions taken by the Board during the prior year; and (vi) provide a prisoner or his attorney with all information, other than the personal information of the victim, gathered by the Board during an investigation, provided that such information shall not be further disclosed, reproduced, copied, or disseminated.

The bill provides that final discharges may be issued by the Board only upon approval by a majority of Board members and requires the Board to publish an annual report regarding such final discharges, with items specified in the bill. The bill also requires the Board, prior to making any decision to grant discretionary parole to an inmate, to have discussed and debated such decision at a meeting at which a majority of the Board members were present. The bill requires, in cases in which the Board grants discretionary parole to an inmate, each Board member to identify his reasoning for such decision at the time such member's vote is cast. The bill requires that parole review hearings include a live interview of the prisoner, which may be conducted in person or by videoconference or telephone, and, absent imminent death or other extraordinary circumstances, prohibits the Board from granting parole to any prisoner who has not received a live interview within the prior calendar year. The bill also allows the victim of the crime for which the prisoner is incarcerated to present testimony to the Board by virtual means. The bill has a delayed effective date of July 1, 2024 (2023 Acts of Assembly, cc. 805 and 806).

## **§ 2.2-3704. Public records to be open to inspection; procedure for requesting records and responding to request; charges; transfer of records for storage, etc.**

**HB 2006 Virginia Freedom of Information Act; public records charges; electronic payment method.** Provides that any local public body that charges for the production of public records pursuant to the Virginia Freedom of Information Act may provide an electronic method of payment through which all payments for the production of such records to such locality may be made (2023 Acts of Assembly, c. 534).

### **§ 2.2-3704.1. Posting of notice of rights and responsibilities by state and local public bodies; assistance by the Freedom of Information Advisory Council.**

**HB 2007 Virginia Freedom of Information Act; posting of fee policy.** Requires a public body to make available upon request and post on its website or otherwise publish a written policy (i) explaining how the public body assesses charges for accessing or searching for requested records and (ii) noting the current fee charged, if any, by the public body for accessing and searching for the requested records (2023 Acts of Assembly, c. 599).

### **§ 2.2-3704.3. Training for local officials.**

**HB 2498 Virginia Freedom of Information Act; training for local officials; members of park authorities' boards.** Adds members of any boards governing any authority established pursuant to the Park Authorities Act to the list of persons to whom the Virginia Freedom of Information Advisory Council or the local government attorney is required to provide training. The bill requires such members to complete such training sessions within two months after assuming the local elected office and requires the clerk of each governing body or school board to maintain records

indicating the names of such members and the dates of training completion (2023 Acts of Assembly, c. 461).

### **§ 2.2-3705.3. Exclusions to application of chapter; records relating to administrative investigations.**

**HB 2156 and SB 1170 Behavioral Health Commission; agency assistance; access; records.** Clarifies the duty of agencies and political subdivisions of the Commonwealth to cooperate with and assist the Behavioral Health Commission in the performance of its duties and requires such agencies and political subdivisions to provide to the Commission (i) to the fullest extent possible and except as prohibited by law, any records, including data and information, requested by the Commission and (ii) upon request and availability, access to the facilities of any such agency or political subdivision. The bill also excludes from the mandatory disclosure provisions of the Virginia Freedom of Information Act records of the Commission (2023 Acts of Assembly, cc. 668 and 669).

### **§ 2.2-3705.4. Exclusions to application of chapter; educational records and certain records of educational institutions.**

**HB 1840 and SB 1211 Eastern Virginia Medical School; establishment of Eastern Virginia Health Sciences Center at Old Dominion University.** Repeals provisions establishing and relating to Eastern Virginia Medical School and designates the schools and divisions previously existing as Eastern Virginia Medical School and such other academic units of Old Dominion University related to the health sciences as may be identified by the Old Dominion University Board of Visitors as the Eastern Virginia Health Sciences Center at Old Dominion University (the Health Sciences Center). The bill permits Old Dominion University to provide medical and health sciences education and related research through the teaching hospitals and related health care and health maintenance facilities at the Health Sciences Center and contains provisions relating to the operations of the Health Sciences Center, including provisions relating to cooperative arrangements and joint ventures. This bill has a delayed effective date of the date after July 1, 2023, on which the Governor and the chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations provide written approval for Old Dominion University and Eastern Virginia Medical School to complete a merger to create the Eastern Virginia Health Sciences Center at Old Dominion University (2023 Acts of Assembly, cc. 778 and 756). *(Note: the bill makes technical amendments to existing records and meetings exemptions within FOIA.)*

### **§ 2.2-3705.5. Exclusions to application of chapter; health and social services records.**

**HB 2345 and SB 1255 Smartchart Network Program.** Renames the Emergency Department Care Coordination Program as the Smartchart Network Program and expands the Program to allow participation by all health care providers, insurance carriers, and other organizations with a treatment, payment, or operations relationship with a patient in the Commonwealth to facilitate real-time communication and collaboration. Under current law, participation is limited to hospital emergency departments. The bill makes several other modifications to the Program, including

adding a requirement that the Program allow health care providers, health care entities, and insurance carriers to access information necessary to evaluate and monitor the care and treatment of a patient in accordance with applicable patient privacy and security requirements and adding a requirement that such entities continue to improve care coordination in hospital emergency departments in order to reduce the frequency of visits by high-volume emergency department utilizers. The bill also directs the State Health Commissioner and the Director of the Department of Health Professions to convene a work group to study and establish a plan to develop and implement a system to share information regarding a patient's prescription history and medication reconciliation. The bill requires the Commissioner and the Director to report their findings and recommendations to the Chairmen of the Joint Commission on Health Care, Senate Committee on Education and Health, and House Committee on Health, Welfare and Institutions by October 1, 2023. The provisions of the bill other than creation of the work group have a delayed effective date of January 1, 2024 (2023 Acts of Assembly, cc. 628 and 629). *(Note: Makes a technical amendment to an existing records exemption to reflect the name change.)*

### **§ 2.2-3705.6. Exclusions to application of chapter; proprietary records and trade secrets.**

**HB 2394 and SB 1497 Virginia Freedom of Information Act; exclusions; proprietary records and trade secrets; Fort Monroe Authority.** Excludes from mandatory disclosure under the Virginia Freedom of Information Act trade secrets, proprietary information, or financial information supplied by an individual or a private or nongovernmental entity to the Fort Monroe Authority for the purpose of complying with the obligations of any lease, easement, license, permit, or other agreement, whether of a commercial or residential real-estate nature, pertaining to the use or occupancy of any portion of Fort Monroe. The bill provides that in order for such trade secrets, proprietary information, or financial information to be excluded, the applicant shall (i) invoke this exclusion upon submission of the data or other materials for which protection from disclosure is sought, (ii) identify with specificity the data or other materials for which protection is sought, and (iii) state the reasons why protection is necessary (2023 Acts of Assembly, cc. 575 and 576).

### **§ 2.2-3706. Disclosure of law-enforcement and criminal records; limitations.**

**HB 1569 Virginia Freedom of Information Act; disclosure of personnel records.** Clarifies that personnel records excluded from disclosure under the Virginia Freedom of Information Act include those of persons employed by (i) a public body engaged in emergency medical services or fire protection services, (ii) a law-enforcement agency, or (iii) an emergency 911 system or any other equivalent reporting system. The bill also contains technical amendments (2023 Acts of Assembly, c. 420).

### **§ 2.2-3707. Meetings to be public; notice of meetings; recordings; minutes.**

**HB 1738 Virginia Freedom of Information Act; state public bodies; meetings; virtual public access.** Provides that all state public bodies may provide public access to meetings through electronic communication means and may provide the public with the opportunity to comment at such meetings through the use of such electronic communication means when public comment is customarily received (2023 Acts of Assembly, c. 536).

## **§ 2.2-3707.2. Posting of minutes for local public bodies.**

**HB 1738 Virginia Freedom of Information Act; state public bodies; meetings; virtual public access.** *See summary under § 2.2-3707, supra (2023 Acts of Assembly, c. 536).*

## **§ 2.2-3711. Closed meetings authorized for certain limited purposes.**

**HB 2195 and SB 1470 Department of Workforce Development and Advancement created; consolidation of the Commonwealth's workforce development policies and programs; report.** Creates the Department of Workforce Development and Advancement (the Department) to administer workforce development programs. The bill consolidates statewide workforce program evaluation and data sharing under the Department and provides protections against improper disclosure of data. The bill provides for the Virginia Board of Workforce Development to conduct an independent evaluation of the operations and program objectives of the Department on a biennial basis with the first report due on December 1, 2025. The bill also (i) transfers administration of apprenticeship programs from the Department of Labor and Industry to the Department, (ii) directs the State Council of Higher Education for Virginia to collaborate with the Department to grow and expand the Innovative Internship Fund and Program, and (iii) directs the Secretary of Labor (the Secretary) to conduct a comprehensive review of the Commonwealth's workforce development programs and make recommendations to address a wide range of subjects relating to improving the effectiveness and efficiency of such programs. The Secretary is also required to convene a stakeholder work group to advise the Secretary during the transition period. As introduced, this bill was a recommendation of the Small Business Commission (2023 Acts of Assembly, cc. 624 and 625). (*Note: Amends an existing exemption for closed meetings of a subcommittee of the Board of the Virginia Economic Development Partnership Authority.*)

## **IV. Other Access-Related Legislation**

### **Charters**

**HB 2005 Charter; Town of Haymarket.** Updates the charter for the Town of Haymarket in Prince William County to reflect the shift of municipal elections from May to November. Additional changes include (i) updating the town's boundary description, (ii) removing a provision requiring an affirmative vote of a majority of all of the members elected to the town council for approval of certain debts and appropriations, (iii) deleting outdated provisions, and (iv) providing numerous clarifying and technical changes (2023 Acts of Assembly, c. 70). (*Note: Amends an existing charter provision concerning executive meetings of the Town Council to reference FOIA.*)

### **Title 2.2. Administration of Government**

**HB 1591 and SB 914 Office of Data Governance and Analytics; Chief Data Officer.** Repeals the sunset provision enacted in 2021 that created the Office of Data Governance and Analytics (the Office) and the position of Chief Data Officer within the Office of the Secretary of Administration, making both permanent. The provision is currently scheduled to expire on July 1, 2023. The bill also requires the Office to oversee and support any workforce development data systems, to

facilitate data sharing, to identify innovative technology solutions, and to support processes that create data-informed decisions (2023 Acts of Assembly, cc. 46 and 47).

**HB 1840 and SB 1211 Eastern Virginia Medical School; establishment of Eastern Virginia Health Sciences Center at Old Dominion University.** *See summary under § 2.2-3705.4, supra (2023 Acts of Assembly, cc. 778 and 756).*

**HB 2195 and SB 1470 Department of Workforce Development and Advancement created; consolidation of the Commonwealth's workforce development policies and programs; report.** *See summary under § 2.2-3711, supra (2023 Acts of Assembly, cc. 624 and 625).*

**SB 1081 Office of the Children's Ombudsman.** Repeals the Children's Advocacy Fund, created to support the Office of the Children's Ombudsman (Office), as general funds are used to fund the Office. The definition of "abused and neglected child" is amended to match the definition in Title 63.2. The bill removes the authority previously granted to the Office to investigate "adoption attorneys." The bill also clarifies that the Office is exempt from the Virginia Freedom of Information Act. Finally, the bill contains several technical amendments (2023 Acts of Assembly, c. 750).

#### **Title 4.1. Alcoholic Beverage and Cannabis Control**

**HB 1598 and SB 788 Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority.** Transfers oversight and administration of the Commonwealth's medical cannabis program from the Board of Pharmacy to the Virginia Cannabis Control Authority. The bill has a delayed effective date of January 1, 2024 (2023 Acts of Assembly, cc. 773 and 740). *(Note: Amends existing confidentiality provisions regarding consent agreements and exempts from FOIA certain registration information.)*

#### **Title 8.01. Civil Remedies and Procedure**

**HB 1757 and SB 845 Immunity of persons; tort actions; assertion of immunity; attorney fees and costs.** Provides that a person shall be immune from tort liability if the tort claim is based solely on statements (i) regarding matters of public concern that would be protected under the First Amendment to the Constitution of the United States made by that person that are communicated to a third party; (ii) made at a public hearing before the governing body of any locality or other political subdivision, or the boards, commissions, agencies, and authorities thereof, and other governing bodies of any local governmental entity concerning matters properly before such body; or (iii) made by an employee against his employer and where retaliatory action against an employee by such employer is otherwise prohibited by law. The bill also provides that any person who prevails in such a legal action may be awarded reasonable attorney fees and costs (2023 Acts of Assembly, cc. 462 and 463).

#### **Title 9.1 Commonwealth Public Safety**

**HB 1704 and SB 821 Public elementary and secondary schools; reports of certain arrests and convictions; receipt, report, and compilation.** Requires each division superintendent to annually designate an employee in the local school division as the division safety official whose duty is to

receive all reports required to be made pursuant to relevant law from (i) every state official or agency and every sheriff, police officer, or other local law-enforcement officer or conservator of the peace having the power to arrest for a felony upon arresting a person who is known or discovered by the arresting official to be a full-time, part-time, permanent, or temporary teacher or any other employee in such local school division for a felony or a Class 1 misdemeanor or an equivalent offense in another state and (ii) the clerk of any circuit court or any district court in the Commonwealth upon the felony conviction of any person known by such clerk to be employed by such local school division.

The bill requires each division superintendent to include such division safety official designation in the collated packet of school safety audits submitted to the Virginia Center for School and Campus Safety pursuant to relevant law and requires the Center to designate an employee of the Center as the school personnel safety official for the Commonwealth whose duty is to compile, maintain, and make publicly available a list of each such division safety official. The bill requires such designation to include updated contact information for the division safety official and requires such safety official to at least annually confirm with each division superintendent that such contact information is up to date and accurate.

The bill also provides that a probation and parole officer who is supervising a person employed by a local school division in the Commonwealth shall, upon discovering that such supervised person has been arrested or convicted of a felony offense or an equivalent offense in another state, report such arrest or conviction to the Superintendent of Public Instruction and the designated division safety official in the local school division where such supervised person is employed as soon as practicable. The bill requires any such report to be transmitted via certified mail to the mailing address identified by the division superintendent or via fax and email to the fax number and email address identified by the division superintendent, pursuant to the applicable provisions of the bill. Finally, the bill requires, until July 1, 2027, that all such arresting officials or agencies request in writing that the Virginia Employment Commission provide the name of the current employer of each arrested person for purposes of determining whether such notice is required (2023 Acts of Assembly, cc. 282 and 283).

**HB 2400 and SB 1402 Criminal records; expungement and sealing of records; repeal.** Repeals the statute providing for the limitation on the dissemination of criminal history record information related to the possession of marijuana and the statute related to automatic sealing for mistaken identity or unauthorized use of identifying information. The bill also repeals the provisions related to the automatic and petition-based expungement of former marijuana offenses and instead provides for the sealing of such offenses. The bill also removes the provisions related to the automatic sealing of underage possession of alcohol offenses and instead provides for petition-based sealing of such offenses.

The bill creates an electronic, name-based criminal history record search to be used when an expungement or sealing petition is filed and requires the court to maintain a copy of a sealing order and send an electronic notification, rather than an order as current law requires, to the Department of State Police after an offense is sealed. The bill also allows courts and attorneys for the Commonwealth to access sealed records in instances where the court or parties failed to strictly comply with sealing procedures or an order for sealing was entered contrary to law and clarifies that a petition for sealing can only include offenses that arose out of the same transaction or

occurrence. The bill makes additional changes to the processes for expungement and sealing, including updates to the process of forwarding a petitioner's criminal history record to the court and maintaining expungement pleadings under seal. The bill provides a petition process by which the person who was charged with an offense that was ordered to be expunged may request access to such expunged court or police record.

The repeal of the statute related to the limitation on the dissemination of criminal history record information related to the possession of marijuana and various other provisions of the bill have a delayed effective date of the earlier of (i) the date on which the processes to seal criminal history record information and court records pursuant to Chapters 524 and 542 of the Acts of Assembly of 2021, Special Session I, become effective or (ii) July 1, 2025. As introduced, this bill was a recommendation of the Virginia State Crime Commission (2023 Acts of Assembly, cc. 554 and 555).

## **Title 15.2. Counties, Cities and Towns**

**HB 1738 Virginia Freedom of Information Act; state public bodies; meetings; virtual public access.** *See summary under § 2.2-3707, supra (2023 Acts of Assembly, c. 536).*

**HB 2161 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** Standardizes the frequency and length of time that notices of certain meetings, hearings, and other intended actions of localities must be published in newspapers and other print media. The notice provisions included in the bill are organized into the following three groups: (i) publication required one week before the meeting, hearing, or intended action; (ii) publication required two consecutive weeks before the meeting, hearing, or intended action; and (iii) publication required three consecutive weeks before the meeting, hearing, or intended action. In addition, the bill amends provisions related to the content of notices for zoning ordinances and amendments to such ordinances by removing the requirement that such notices contain a descriptive summary of the proposed action and providing that such notices shall include the street address or tax map parcel number of the parcels subject to the action. In cases where the intended action affects more than 25 parcels, the notice must also include the approximate acreage subject to the intended action. For more than 100 parcels of land, the advertisement may instead include a description of the boundaries of the area subject to the changes and a link to a map of the subject area. The bill also removes the requirement that notices of proposed amendments to a zoning map state the general usage and density range of the proposed amendment and the general usage density set forth in the applicable part of the comprehensive plan. The bill directs the Virginia Code Commission to convene a work group to continue review of the notice requirements throughout the Code of Virginia and requires the Virginia Code Commission to submit a report to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology summarizing the work and any recommendations of the work group by November 1, 2023 (2023 Acts of Assembly, c. 507).

**SB 1151 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** Standardizes the frequency and length of time that notices of certain meetings, hearings, and other intended actions of localities must be published in newspapers and other print media. The notice provisions included in the bill are organized into the following three groups: (i) publication required one week before the meeting, hearing, or intended

action; (ii) publication required two consecutive weeks before the meeting, hearing, or intended action; and (iii) publication required three consecutive weeks before the meeting, hearing, or intended action. In addition, the bill amends provisions related to the content of notices for zoning ordinances and amendments to such ordinances by removing the requirement that such notices contain a descriptive summary of the proposed action and providing that such notices shall include the street address or tax map parcel number of the parcels subject to the action. In cases where the intended action affects more than 25 parcels, the notice must also include the approximate acreage subject to the intended action. The bill also removes the requirement that notices of proposed amendments to a zoning map state the general usage and density range of the proposed amendment and the general usage density set forth in the applicable part of the comprehensive plan. The bill directs the Virginia Code Commission to convene a work group to continue review of the notice requirements throughout the Code of Virginia and requires the Virginia Code Commission to submit a report to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology summarizing the work and any recommendations of the work group by November 1, 2023 (2023 Acts of Assembly, c. 506).

## **Title 16.1. Courts Not of Record**

**SB 1264 Notifications in juvenile cases; exception to confidentiality.** Provides that whenever an intake officer proceeds informally against a juvenile, the Department of Juvenile Justice or a local court service unit may disclose only such information as necessary to enforce any provision of the diversion program to any law-enforcement officer, school principal where such juvenile attends school, or known victim. The bill also provides that a local court service unit may provide information regarding the availability and ordering of a protective order and restitution and dispositional information to the victim in the case (2023 Acts of Assembly, c. 677).

## **Title 17.1. Courts of Record**

**HB 2168 Judicial Inquiry and Review Commission; annual report; breach of Canons of Judicial Conduct; disciplinary action.** Requires the Judicial Inquiry and Review Commission to include in its annual report (i) the name of any judge who the Commission concluded breached the Canons of Judicial Conduct and took disciplinary action against as a result of such conclusion, if the date on which the Commission reached such conclusion was after the previous annual report was published; (ii) the specific Canons of Judicial Conduct breached by such judge; and (iii) the disciplinary action taken against such judge by the Commission. The bill provides that the provisions of this act shall apply only to disciplinary actions taken on or after July 1, 2023 (2023 Acts of Assembly, c. 700).

**HB 2400 and SB 1402 Criminal records; expungement and sealing of records; repeal.** *See summary under Title 9.1, supra (2023 Acts of Assembly, cc. 554 and 555).*

**SB 1031 Judicial Inquiry and Review Commission; exception to confidentiality; complainant notification of final decision or action.** Requires the Judicial Inquiry and Review Commission to provide notice to a complainant of any final decision made or action taken in regards to his filed complaint within 30 days of such decision or action (2023 Acts of Assembly, c. 329).

## **Title 18.2. Crimes and Offenses Generally**

**HB 1416 and SB 1436 Testing persons charged with certain crimes for sexually transmitted infections.** Provides that as soon as practicable following arrest, or following indictment, arrest by warrant, or service of a petition in the case of a juvenile, the attorney for the Commonwealth may request after consultation with any complaining witness, or shall request upon the request of the complaining witness, that any person charged with certain specified crimes be requested to submit to testing for sexually transmitted infections, as that term is defined in the bill. The bill provides that if the person charged refuses to submit to testing or the competency of the person to submit to testing is at issue, a court finding probable cause that the complaining witness was exposed to body fluids of the person charged in a manner that may transmit a sexually transmitted infection shall order such testing. The bill also provides that the results of such tests shall not be admissible as evidence in any criminal proceeding (2023 Acts of Assembly, cc. 680 and 681).

**HB 1598 and SB 788 Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority.** *See summary under Title 4.1, supra (2023 Acts of Assembly, cc. 773 and 740).*

**HB 2024 and SB 1310 Personal information of judges and magistrates; penalty.** Prohibits the Commonwealth from publishing on the Internet the personal information of any active or retired federal or Virginia justice, judge, or magistrate who has made a demand in writing to the Commonwealth that the Commonwealth not publish such information; such demand shall be effective until rescinded by such judge, justice, or magistrate. The bill adds active or retired federal or Virginia justices, judges, and magistrates to the list of people for which an enhanced punishment applies for the crime of using such person's identity with the intent to coerce, intimidate, or harass. The bill also adds active and retired magistrates to the list of people who may furnish, in addition to his residence street address, a post office box address located within the Commonwealth to be included in lieu of his street address on the lists of registered voters. The bill removes state and federal judges and justices from the definition of "public official." As introduced, this bill was a recommendation of the Judicial Council of Virginia (2023 Acts of Assembly, cc. 801 and 802).

## **Title 19.2 Criminal Procedure**

**HB 1704 and SB 821 Public elementary and secondary schools; reports of certain arrests and convictions; receipt, report, and compilation.** *See summary under Title 9.1, supra (2023 Acts of Assembly, cc. 282 and 283).*

**HB 1943 and SB 989 Crime victim rights; notification from the attorney for the Commonwealth.** Requires an attorney for the Commonwealth to consult with a crime victim in a felony case to (i) inform the victim of the contents of a proposed plea agreement and (ii) obtain the victim's views about the disposition of the case. The bill provides that the victim shall be notified of any proceeding in which the plea agreement will be tendered to the court. The bill also provides that the attorney for the Commonwealth may satisfy his notification responsibilities by consulting with a parent or guardian of an unemancipated minor victim, if the parent or guardian is not a suspect, person of interest, or defendant in the criminal investigation of the proceeding. Under current law, such consultation and notification is required only upon the victim's request (2023 Acts of Assembly, cc. 784 and 746).

**HB 2400 and SB 1402 Criminal records; expungement and sealing of records; repeal.** *See summary under Title 9.1, supra (2023 Acts of Assembly, cc. 554 and 555).*

**SB 1413 Motion for the disclosure of expunged records in a civil case.** Provides that in an action for damages against a locality or a law-enforcement officer arising out of or relating to charges where a petition for the expungement of police and court records for such charges is pending or where the records have been expunged, any party to such action may file a motion in the court in which the action is pending, or in the court where the petition for the expungement was or is pending, for the release of the expunged records for use in the civil litigation, and, upon motion and for good cause shown, such police and court records shall be ordered to be released and the relevant penalties relating to disclosure of such expunged records shall not apply (2023 Acts of Assembly, c. 465).

## **Title 21 Drainage, Soil Conservation, Sanitation and Public Facilities Districts**

**HB 2161 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** *See summary under Title 15.2, supra (2023 Acts of Assembly, c. 507).*

**SB 1151 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** *See summary under Title 15.2, supra (2023 Acts of Assembly, c. 506).*

## **Title 22.1. Education**

**HB 1598 and SB 788 Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority.** *See summary under Title 4.1, supra (2023 Acts of Assembly, cc. 773 and 740).*

**HB 1629 and SB 1329 Board of Education; creation and maintenance of Virginia Parent Data Portal; report.** Requires the Board of Education, on or before July 1, 2025, to create and maintain the Virginia Parent Data Portal that, among other things, (i) displays individualized student assessment data on all state-supported assessments, as that term is defined in the bill, (a) in a format that shows both current and cumulative data over time and (b) within 45 days of a state-supported assessment window closing for each state-supported assessment; (ii) provides a description of the purpose of each state-supported assessment, an explanation of how to interpret student data on each state-supported assessment, and a comparison of a student's performance on each state-supported assessment with the performance of the student's school, the student's school division, and the Commonwealth; (iii) is viewable from a mobile device in addition to a desktop computer; and (iv) provides functionality to enable school division personnel to manage and restrict user access to students and their parents.

The bill requires the Board and the Department of Education to provide certain guidance and technical assistance to local school divisions on professional development for principals and teachers in parent engagement on and interpretation of student assessment data available through the Portal and requires each school board to annually provide high-quality professional

development to principals and teachers on such topics. The foregoing provisions of the bill do not become effective unless reenacted by the 2024 Session of the General Assembly.

Finally, the bill establishes a work group for the purpose of advising the Board of Education on the criteria for and the process of procuring the goods and services necessary to implement the Portal and requires such work group to submit a report containing its findings and any recommendations to the Board of Education and the General Assembly no later than November 1, 2023 (2023 Acts of Assembly, cc. 652 and 653).

**HB 1704 and SB 821 Public elementary and secondary schools; reports of certain arrests and convictions; receipt, report, and compilation.** *See summary under Title 9.1, supra (2023 Acts of Assembly, cc. 282 and 283).*

**HB 1840 and SB 1211 Eastern Virginia Medical School; establishment of Eastern Virginia Health Sciences Center at Old Dominion University.** *See summary under § 2.2-3705.4, supra (2023 Acts of Assembly, cc. 778 and 756).*

**HB 2225 and SB 1253 Certain student assessment results; availability.** Requires each school board to provide teachers, parents, principals, and other school leaders with their students' results on any Standards of Learning assessment or Virginia Alternate Assessment Program assessment as soon as practicable after the assessment is administered (2023 Acts of Assembly, cc. 158 and 159).

**SB 1151 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** *See summary under Title 15.2, supra (2023 Acts of Assembly, c. 506).*

## **Title 23.1. Institutions of Higher Education; Other Educational and Cultural Institutions**

**HB 1738 Virginia Freedom of Information Act; state public bodies; meetings; virtual public access.** *See summary under § 2.2-3707, supra (2023 Acts of Assembly, c. 536).*

**HB 1840 and SB 1211 Eastern Virginia Medical School; establishment of Eastern Virginia Health Sciences Center at Old Dominion University.** *See summary under § 2.2-3705.4, supra (2023 Acts of Assembly, cc. 778 and 756).*

## **Title 24.2. Elections**

**HB 2024 and SB 1310 Personal information of judges and magistrates; penalty.** *See summary under Title 18.2, supra (2023 Acts of Assembly, cc. 801 and 802).*

## **Title 30. General Assembly**

**HB 2156 and SB 1170 Behavioral Health Commission; agency assistance; access; records.** *See summary under § 2.2-3705.3, supra (2023 Acts of Assembly, cc. 668 and 669).*

## **Title 32.1. Health**

**HB 1598 and SB 788 Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority.** *See summary under Title 4.1, supra (2023 Acts of Assembly, cc. 773 and 740).*

**HB 1840 and SB 1211 Eastern Virginia Medical School; establishment of Eastern Virginia Health Sciences Center at Old Dominion University.** *See summary under § 2.2-3705.4, supra (2023 Acts of Assembly, cc. 778 and 756).*

**HB 2345 and SB 1255 Smartchart Network Program.** *See summary under § 2.2-3705.5, supra (2023 Acts of Assembly, cc. 628 and 629).*

**SB 1232 Death investigations; individuals receiving services in a state hospital or training center.** Clarifies that the deaths of individuals who are or who were, immediately prior to admission to another hospital, receiving services in a state hospital or training center operated by the Department of Behavioral Health and Developmental Services must be investigated by the Office of the Chief Medical Examiner, whether the death of such individual was expected or unexpected. The bill also requires that any report concerning the death of an individual who is receiving services or who, immediately prior to admission to another hospital, received services in a state hospital or training center operated by the Department of Behavioral Health and Developmental Services be delivered to the Commissioner of Behavioral Health and Developmental Services and to the State Inspector General. Current law only requires the delivery of autopsy reports (2023 Acts of Assembly, c. 566).

**SB 1254 Maternal Mortality Review Team; annual compilation and release of statistical data.** Requires the Maternal Mortality Review Team to annually compile statistical data and make such data available to the Governor, General Assembly, and the public. Currently, the Maternal Mortality Review Team is required to compile and release such data on a triennial basis (2023 Acts of Assembly, c. 369).

## **Title 33.2 Highways and Other Surface Transportation Systems**

**HB 2161 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** *See summary under Title 15.2, supra (2023 Acts of Assembly, c. 507).*

**SB 1151 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** *See summary under Title 15.2, supra (2023 Acts of Assembly, c. 506).*

## **Title 36 Housing**

**HB 2161 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** *See summary under Title 15.2, supra (2023 Acts of Assembly, c. 507).*

**SB 1151 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** *See summary under Title 15.2, supra (2023 Acts of Assembly, c. 506).*

## **Title 38.2 Insurance**

**HB 1840 and SB 1211 Eastern Virginia Medical School; establishment of Eastern Virginia Health Sciences Center at Old Dominion University.** *See summary under § 2.2-3705.4, supra (2023 Acts of Assembly, cc. 778 and 756).*

## **Title 40.1 Labor and Employment**

**HB 1598 and SB 788 Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority.** *See summary under Title 4.1, supra (2023 Acts of Assembly, cc. 773 and 740).*

**HB 2195 and SB 1470 Department of Workforce Development and Advancement created; consolidation of the Commonwealth's workforce development policies and programs; report.** *See summary under § 2.2-3711, supra (2023 Acts of Assembly, cc. 624 and 625).*

**SB 1086 Living organ donors; unpaid leave; civil penalty.** Requires that an employer that employs 50 or more employees provide eligible employees, defined in the bill, with (i) up to 60 business days of unpaid organ donation leave in any 12-month period to serve as an organ donor and (ii) up to 30 business days of unpaid organ donation leave in any 12-month period to serve as a bone marrow donor. The bill requires the employer to restore the employee's position following the leave, to continue to provide coverage for the employee under any health benefit plan during the leave, and to pay the employee any commission earned prior to the leave. The bill prohibits the employer from taking retaliatory action against the employee for taking organ donation leave. The bill requires the Commissioner of Labor and Industry to enforce its provisions and provides for civil penalties for violations of its requirements (2023 Acts of Assembly, c. 751). *(Note: Contains provisions regarding confidentiality of names and identifying information of persons reporting violations.)*

## **Title 42.1. Libraries**

**HB 1844 and SB 1024 Virginia Public Records Act; confidentiality of certain archived records.** Provides that medical and educational records made confidential by law shall remain so after being archived by The Library of Virginia (2023 Acts of Assembly, cc. 126 and 127).

## **Title 46.2. Motor Vehicles**

**HB 1598 and SB 788 Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority.** *See summary under Title 4.1, supra (2023 Acts of Assembly, cc. 773 and 740).*

**HB 1620 and SB 1028 Crash reports; inspection by certain persons.** Changes the person authorized to inspect a crash report from the present owner of a vehicle or property involved in the crash to the owner of such vehicle or property at the time of the crash (2023 Acts of Assembly, cc. 601 and 602).

**HB 1806 and SB 1057 Farm use placards.** Delays from July 1, 2023, to July 1, 2024, the date by which vehicles claiming a farm use exemption are required to obtain a farm use placard from the Department of Motor Vehicles and display such placard at all times. The bill provides that the requirement to display a farm use placard only applies to pickup or panel trucks and sport utility vehicles. The bill removes certain requirements on the application for a farm use placard, prohibits requesting additional information on such application, and prohibits disclosure of application information. The bill authorizes the use of an agricultural or horticultural vehicle for disposing of incidental refuse and a seasonal transportation vehicle for driving to a storage house, packing plant, or market regardless of distance. The bill clarifies that the exemption for transporting back to a farm essential food includes procuring a meal for a farmer or his employees and that such exemption applies while engaged in authorized farm vehicle uses. The bill exempts vehicles required to obtain a farm use placard from the motor vehicle sales and use tax and authorizes localities to exempt such vehicles from personal property tax (2023 Acts of Assembly, cc. 85 and 86).

## **Title 54.1. Professions and Occupations**

**HB 1598 and SB 788 Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority.** *See summary under Title 4.1, supra (2023 Acts of Assembly, cc. 773 and 740).*

**HB 1638 and SB 1060 Department of Professional and Occupational Regulation, Department of Health Professions, and related regulatory boards; disclosure of information regarding examinations, licensure, certification, registration, or permitting.** Allows the Department of Professional and Occupational Regulation, the Department of Health Professions, and professional, occupational, and health regulatory boards to mail or email upon request records regarding applications for admission to examinations or for licensure, certification, registration, or permitting and the related scoring records to the individual to whom such records pertain. Under current law, such records may be made available for copying by the subject individual at the office of the Department or board that possesses the material during normal working hours (2023 Acts of Assembly, cc. 249 and 250).

**HB 1840 and SB 1211 Eastern Virginia Medical School; establishment of Eastern Virginia Health Sciences Center at Old Dominion University.** *See summary under § 2.2-3705.4, supra (2023 Acts of Assembly, cc. 778 and 756).*

**HB 1846 and SB 1337 Medical marijuana program; product, registration, dispensing, and recordkeeping requirements; advertising.** Amends and adds numerous provisions regarding the Commonwealth's medical marijuana program, including provisions related to recordkeeping, product registration, allowable deviations, dispensing, packaging, labeling, and advertising. The bill requires pharmaceutical processors and cannabis dispensing facilities to collect and provide to the Board of Pharmacy by July 1, 2024, data regarding implementation of the bill. The bill also requires the Board of Pharmacy to make certain amendments to its regulations (2023 Acts of Assembly, cc. 780 and 760).

**HB 2195 and SB 1470 Department of Workforce Development and Advancement created; consolidation of the Commonwealth's workforce development policies and programs; report.** *See summary under § 2.2-3711, supra (2023 Acts of Assembly, cc. 624 and 625).*

**HB 2345 and SB 1255 Smartchart Network Program.** *See summary under § 2.2-3705.5, supra (2023 Acts of Assembly, cc. 628 and 629).*

## **Title 58.1 Taxation**

**HB 1806 and SB 1057 Farm use placards.** *See summary under Title 46.2, supra (2023 Acts of Assembly, cc. 85 and 86).*

**HB 2161 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** *See summary under Title 15.2, supra (2023 Acts of Assembly, c. 507).*

**SB 1151 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** *See summary under Title 15.2, supra (2023 Acts of Assembly, c. 506).*

## **Title 59.1. Trade and Commerce**

**HB 1598 and SB 788 Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority.** *See summary under Title 4.1, supra (2023 Acts of Assembly, cc. 773 and 740).*

**HB 2238 and SB 1134 Precision Plastic Manufacturing Grant Fund; established.** Establishes the Precision Plastic Manufacturing Grant Fund to provide up to \$56 million in grants between July 1, 2027, and July 1, 2035, to a qualified company that engages in the manufacture and distribution of precision plastic products in an eligible county and that between June 1, 2022, and December 31, 2035, is expected to make a capital investment of at least \$1 billion and create at least 1,761 new full-time jobs related to or supportive of its business (2023 Acts of Assembly, cc. 154 and 155). *(Note: Provides that certain documents relevant and applicable to determining whether a qualified company has met the requirements for receipt of a grant shall be considered confidential and proprietary.)*

## **Title 60.2 Unemployment Compensation**

**HB 1704 and SB 821 Public elementary and secondary schools; reports of certain arrests and convictions; receipt, report, and compilation.** *See summary under Title 9.1, supra (2023 Acts of Assembly, cc. 282 and 283).*

**HB 2195 and SB 1470 Department of Workforce Development and Advancement created; consolidation of the Commonwealth's workforce development policies and programs; report.** *See summary under § 2.2-3711, supra (2023 Acts of Assembly, cc. 624 and 625).*

## **Title 62.1 Waters of the State, Ports and Harbors**

**HB 2161 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** *See summary under Title 15.2, supra (2023 Acts of Assembly, c. 507).*

**SB 1151 Local government; standardization of public notice requirements for certain intended actions and hearings; report.** *See summary under Title 15.2, supra (2023 Acts of Assembly, c. 506).*

## **Title 63.2 Welfare (Social Services)**

**HB 1598 and SB 788 Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority.** *See summary under Title 4.1, supra (2023 Acts of Assembly, cc. 773 and 740).*

## **Title 64.2 Wills, Trusts, and Fiduciaries**

**HB 2383 Guardianship and conservatorship; identifying information and evaluation report; separate confidential addendum.** Requires that any petition, pleading, motion, order, or report filed pursuant to a guardianship or conservatorship proceeding not contain any financial information of a respondent to such a proceeding but such information shall be included in a separate confidential addendum. The bill provides that such confidential addendum shall be made available only to the parties, their attorneys, a guardian ad litem appointed to represent the respondent, the commissioner of accounts or assistant commissioner of accounts for the circuit court that has jurisdiction over the guardianship or conservatorship, and such other persons as the court in its discretion may allow for good cause shown. The bill provides that an evaluation report shall also be filed with the court in a separate confidential addendum (2023 Acts of Assembly, c. 16).