

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend and reenact §§ 2.2-3706, 2.2-3711, and 15.2-1713.1 of the Code of Virginia, relating to
2 the Virginia Freedom of Information Act; disclosure of law-enforcement and criminal records.

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

4 **1. That §§ 2.2-3706, 2.2-3711, and 15.2-1713.1 of the Code of Virginia are amended and reenacted**
5 **as follows:**

6 **§ 2.2-3706. Disclosure of law-enforcement and criminal records; limitations.**

7 A. Records required to be released. All public bodies engaged in criminal law-enforcement
8 activities shall provide ~~requested records in accordance with this chapter as follows~~ the following records
9 when requested in accordance with the provisions of this chapter:

10 1. ~~Records required to be released:~~

11 ~~a.~~ Criminal incident information relating to felony offenses, which shall include:

12 ~~(1) a.~~ A general description of the criminal activity reported;

13 ~~(2) b.~~ The date the alleged crime was committed;

14 ~~(3) c.~~ The general location where the alleged crime was committed;

15 ~~(4) d.~~ The identity of the investigating officer or other point of contact; and

16 ~~(5) e.~~ A general description of any injuries suffered or property damaged or stolen.

17 A verbal response as agreed to by the requester and the public body is sufficient to satisfy the
18 requirements of subdivision ~~a~~ 1.

19 Where the release of criminal incident information, however, is likely to jeopardize an ongoing
20 investigation or prosecution or the safety of an individual, cause a suspect to flee or evade detection, or
21 result in the destruction of evidence, such information may be withheld until the above-referenced damage
22 is no longer likely to occur from release of the information. Nothing in subdivision ~~a~~ 1 shall be construed
23 to authorize the withholding of those portions of such information that are not likely to cause the above-
24 referenced damage;

25 ~~b-2.~~ Adult arrestee photographs taken during the initial intake following the arrest and as part of
26 the routine booking procedure, except when necessary to avoid jeopardizing an investigation in felony
27 cases until such time as the release of the photograph will no longer jeopardize the investigation;

28 ~~e-3.~~ Information relative to the identity of any individual, other than a juvenile, who is arrested
29 and charged, and the status of the charge or arrest; and

30 ~~d-4.~~ Records of completed unattended death investigations to the parent or spouse of the decedent
31 or, if there is no living parent or spouse, to the most immediate family member of the decedent, provided
32 the person is not a person of interest or a suspect. For the purposes of this subdivision, "unattended death"
33 means a death determined to be a suicide, accidental or natural death where no criminal charges will be
34 initiated, and "immediate family" means the decedent's personal representative or, if no personal
35 representative has qualified, the decedent's next of kin in order of intestate succession as set forth in §
36 64.2-200.

37 ~~2-B.~~ Discretionary releases. The following records are excluded from the mandatory disclosure
38 provisions of this chapter, but may be disclosed by the custodian, in his discretion, except where such
39 disclosure is prohibited by law:

40 ~~a-1.~~ Criminal investigative files, defined as any documents and information, including complaints,
41 court orders, memoranda, notes, diagrams, maps, photographs, correspondence, reports, witness
42 statements, and evidence relating to a criminal investigation or prosecution, other than criminal incident
43 information subject to release in accordance with subdivision [A 1-a](#);

44 ~~b-2.~~ Reports submitted in confidence to (i) state and local law-enforcement agencies, (ii)
45 investigators authorized pursuant to Chapter 3.2 (§ 2.2-307 et seq.), and (iii) campus police departments
46 of public institutions of higher education established pursuant to Article 3 (§ 23.1-809 et seq.) of Chapter
47 8 of Title 23.1;

48 ~~e-3.~~ Records of local law-enforcement agencies relating to neighborhood watch programs that
49 include the names, addresses, and operating schedules of individual participants in the program that are
50 provided to such agencies under a promise of anonymity;

51 ~~d-4.~~ All records of persons imprisoned in penal institutions in the Commonwealth provided such
52 records relate to the imprisonment;

53 ~~e-5.~~ Records of law-enforcement agencies, to the extent that such records contain specific tactical
54 plans, the disclosure of which would jeopardize the safety or security of law-enforcement personnel or the
55 general public;

56 ~~f-6.~~ All records of adult persons under (i) investigation or supervision by a local pretrial services
57 agency in accordance with Article 5 (§ 19.2-152.2 et seq.) of Chapter 9 of Title 19.2; (ii) investigation,
58 probation supervision, or monitoring by a local community-based probation services agency in accordance
59 with Article 9 (§ 9.1-173 et seq.) of Chapter 1 of Title 9.1; or (iii) investigation or supervision by state
60 probation and parole services in accordance with Article 2 (§ 53.1-141 et seq.) of Chapter 4 of Title 53.1;

61 ~~g-7.~~ Records of a law-enforcement agency to the extent that they disclose the telephone numbers
62 for cellular telephones, pagers, or comparable portable communication devices provided to its personnel
63 for use in the performance of their official duties;

64 ~~h-8.~~ Those portions of any records containing information related to undercover operations or
65 protective details that would reveal the staffing, logistics, or tactical plans of such undercover operations
66 or protective details. Nothing in this subdivision shall operate to allow the withholding of information
67 concerning the overall costs or expenses associated with undercover operations or protective details;

68 ~~i-9.~~ Records of (i) background investigations of applicants for law-enforcement agency
69 employment, (ii) administrative investigations relating to allegations of wrongdoing by employees of a
70 law-enforcement agency, and (iii) other administrative investigations conducted by law-enforcement
71 agencies that are made confidential by law;

72 ~~j-10.~~ The identity of any victim, witness, or undercover officer, or investigative techniques or
73 procedures. However, the identity of any victim or witness shall be withheld if disclosure is prohibited or
74 restricted under § 19.2-11.2; and

75 ~~k-11.~~ Records of the Sex Offender and Crimes Against Minors Registry maintained by the
76 Department of State Police pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, including information

77 obtained from state, local, and regional officials, except to the extent that information is required to be
78 posted on the Internet pursuant to § 9.1-913; ~~and~~.

79 ~~3-C.~~ Prohibited releases. The identity of any individual providing information about a crime or
80 criminal activity under a promise of anonymity shall not be disclosed.

81 ~~B-D.~~ Noncriminal records. Those portions of noncriminal incident or other noncriminal
82 investigative reports or materials in the possession of public bodies engaged in criminal law-enforcement
83 activities that contain identifying information of a personal, medical, or financial nature may be withheld
84 where the release of such information would jeopardize the safety or privacy of any person. Access to
85 personnel records of persons employed by a law-enforcement agency shall be governed by the provisions
86 of subdivision ~~A-2~~ B 9 of this section and subdivision 1 of § 2.2-3705.1, as applicable.

87 ~~C-E.~~ Records of any call for service or other communication to an emergency 911 system or
88 communicated with any other equivalent reporting system shall be subject to the provisions of this chapter.

89 ~~D-F.~~ Conflict resolution. In the event of conflict between this section as it relates to requests made
90 under this section and other provisions of law, this section shall control.

91 **§ 2.2-3711. Closed meetings authorized for certain limited purposes.**

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

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

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

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

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

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

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

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

127 8. Consultation with legal counsel employed or retained by a public body regarding specific legal
128 matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be

129 construed to permit the closure of a meeting merely because an attorney representing the public body is
130 in attendance or is consulted on a matter.

131 9. Discussion or consideration by governing boards of public institutions of higher education of
132 matters relating to gifts, bequests and fund-raising activities, and of grants and contracts for services or
133 work to be performed by such institution. However, the terms and conditions of any such gifts, bequests,
134 grants, and contracts made by a foreign government, a foreign legal entity, or a foreign person and
135 accepted by a public institution of higher education in the Commonwealth shall be subject to public
136 disclosure upon written request to the appropriate board of visitors. For the purpose of this subdivision,
137 (i) "foreign government" means any government other than the United States government or the
138 government of a state or a political subdivision thereof, (ii) "foreign legal entity" means any legal entity
139 (a) created under the laws of the United States or of any state thereof if a majority of the ownership of the
140 stock of such legal entity is owned by foreign governments or foreign persons or if a majority of the
141 membership of any such entity is composed of foreign persons or foreign legal entities or (b) created under
142 the laws of a foreign government, and (iii) "foreign person" means any individual who is not a citizen or
143 national of the United States or a trust territory or protectorate thereof.

144 10 Discussion or consideration by the boards of trustees of the Virginia Museum of Fine Arts, the
145 Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, and The Science Museum of
146 Virginia of matters relating to specific gifts, bequests, and grants from private sources.

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

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

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

154 14. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or
155 to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the governing

156 body in open meeting finds that an open meeting will have an adverse effect upon the negotiating position
157 of the governing body or the establishment of the terms, conditions and provisions of the siting agreement,
158 or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.

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

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

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

168 18. Those portions of meetings in which the Board of Corrections discusses or discloses the
169 identity of, or information tending to identify, any prisoner who (i) provides information about crimes or
170 criminal activities, (ii) renders assistance in preventing the escape of another prisoner or in the
171 apprehension of an escaped prisoner, or (iii) voluntarily or at the instance of a prison official renders other
172 extraordinary services, the disclosure of which is likely to jeopardize the prisoner's life or safety.

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

181 20. Discussion by the Board of the Virginia Retirement System, acting pursuant to § 51.1-124.30,
182 or of any local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of

183 trustees of a trust established by one or more local public bodies to invest funds for postemployment
184 benefits other than pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2,
185 or by the board of visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the Board
186 of the Virginia College Savings Plan, acting pursuant to § 23.1-706, regarding the acquisition, holding or
187 disposition of a security or other ownership interest in an entity, where such security or ownership interest
188 is not traded on a governmentally regulated securities exchange, to the extent that such discussion (i)
189 concerns confidential analyses prepared for the board of visitors of the University of Virginia, prepared
190 by the retirement system, or a local finance board or board of trustees, or the Virginia College Savings
191 Plan or provided to the retirement system a local finance board or board of trustees, or the Virginia College
192 Savings Plan under a promise of confidentiality, of the future value of such ownership interest or the future
193 financial performance of the entity, and (ii) would have an adverse effect on the value of the investment
194 to be acquired, held, or disposed of by the retirement system, a local finance board or board of trustees,
195 the board of visitors of the University of Virginia, or the Virginia College Savings Plan. Nothing in this
196 subdivision shall be construed to prevent the disclosure of information relating to the identity of any
197 investment held, the amount invested or the present value of such investment.

198 21. Those portions of meetings in which individual child death cases are discussed by the State
199 Child Fatality Review team established pursuant to § 32.1-283.1, those portions of meetings in which
200 individual child death cases are discussed by a regional or local child fatality review team established
201 pursuant to § 32.1-283.2, those portions of meetings in which individual death cases are discussed by
202 family violence fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in
203 which individual adult death cases are discussed by the state Adult Fatality Review Team established
204 pursuant to § 32.1-283.5, and those portions of meetings in which individual adult death cases are
205 discussed by a local or regional adult fatality review team established pursuant to § 32.1-283.6.

206 22. Those portions of meetings of the board of visitors of the University of Virginia or the Eastern
207 Virginia Medical School Board of Visitors, as the case may be, and those portions of meetings of any
208 persons to whom management responsibilities for the University of Virginia Medical Center or Eastern
209 Virginia Medical School, as the case may be, have been delegated, in which there is discussed proprietary,

210 business-related information pertaining to the operations of the University of Virginia Medical Center or
211 Eastern Virginia Medical School, as the case may be, including business development or marketing
212 strategies and activities with existing or future joint venturers, partners, or other parties with whom the
213 University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, has formed,
214 or forms, any arrangement for the delivery of health care, if disclosure of such information would
215 adversely affect the competitive position of the Medical Center or Eastern Virginia Medical School, as
216 the case may be.

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

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

229 25. Meetings or portions of meetings of the Board of the Virginia College Savings Plan wherein
230 personal information, as defined in § 2.2-3801, which has been provided to the Board or its employees by
231 or on behalf of individuals who have requested information about, applied for, or entered into prepaid
232 tuition contracts or savings trust account agreements pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title
233 23.1 is discussed.

234 26. Discussion or consideration, by the Wireless Carrier E-911 Cost Recovery Subcommittee
235 created pursuant to § 56-484.15, of trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336

236 et seq.), submitted by CMRS providers as defined in § 56-484.12, related to the provision of wireless E-
237 911 service.

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

244 28. Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-
245 3705.6 by a responsible public entity or an affected locality or public entity, as those terms are defined in
246 § 33.2-1800, or any independent review panel appointed to review information and advise the responsible
247 public entity concerning such records.

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

252 30. Discussion or consideration of grant or loan application information subject to the exclusion
253 in subdivision 17 of § 2.2-3705.6 by (i) the Commonwealth Health Research Board or (ii) the Innovation
254 and Entrepreneurship Investment Authority or the Research and Technology Investment Advisory
255 Committee appointed to advise the Innovation and Entrepreneurship Investment Authority.

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

259 32. Discussion or consideration of confidential proprietary information and trade secrets developed
260 and held by a local public body providing certain telecommunication services or cable television services
261 and subject to the exclusion in subdivision 18 of § 2.2-3705.6. However, the exemption provided by this

262 subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et
263 seq.).

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

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

269 35. Discussion or consideration by the Forensic Science Board or the Scientific Advisory
270 Committee created pursuant to Article 2 (§ 9.1-1109 et seq.) of Chapter 11 of Title 9.1 of criminal
271 investigative files subject to the exclusion in subdivision ~~A-2-a~~ B 1 of § 2.2-3706.

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

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

280 38. Discussion or consideration by the Board of Trustees of the Virginia Retirement System acting
281 pursuant to § 51.1-124.30, by the Investment Advisory Committee appointed pursuant to § 51.1-124.26,
282 by any local retirement system, acting pursuant to § 51.1-803, by the Board of the Virginia College
283 Savings Plan acting pursuant to § 23.1-706, or by the Virginia College Savings Plan's Investment Advisory
284 Committee appointed pursuant to § 23.1-702 of information subject to the exclusion in subdivision 24 of
285 § 2.2-3705.7.

286 39. Discussion or consideration of information subject to the exclusion in subdivision 3 of § 2.2-
287 3705.6 related to economic development.

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

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

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

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

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

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

312 46. (Effective January 15, 2018) Discussion or consideration by the Board of Directors of the
313 Virginia Alcoholic Beverage Control Authority of information subject to the exclusion in subdivision 1

314 of § 2.2-3705.3 related to investigations of applicants for licenses and permits and of licensees and
315 permittees.

316 47. Discussion or consideration of grant or loan application records subject to the exclusion in
317 subdivision 28 of § 2.2-3705.6 related to the submission of an application for an award from the Virginia
318 Research Investment Fund pursuant to Article 8 (§ 23.1-3130 et seq.) of Chapter 31 of Title 23.1 or
319 interviews of parties to an application by a reviewing entity pursuant to subsection D of § 23.1-3133 or
320 by the Virginia Research Investment Committee.

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

324 49. Discussion or consideration of (i) individual sexual assault cases by a sexual assault team
325 established pursuant to § 15.2-1627.4 or (ii) individual child abuse or neglect cases or sex offenses
326 involving a child by a child abuse team established pursuant to § 15.2-1627.5.

327 50. Discussion or consideration by the Board of the Virginia Economic Development Partnership
328 Authority, or any subcommittee thereof, of the portions of the strategic plan, marketing plan, or
329 operational plan exempt from disclosure pursuant to subdivision 33 of § 2.2-3705.7.

330 51. Those portions of meetings of the subcommittee of the Board of the Virginia Economic
331 Development Partnership Authority established pursuant to subsection F of § 2.2-2237.3 to review and
332 discuss information received from the Virginia Employment Commission pursuant to subdivision C 2 of
333 § 60.2-114.

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

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

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

344 E. This section shall not be construed to (i) require the disclosure of any contract between the
345 Department of Health Professions and an impaired practitioner entered into pursuant to Chapter 25.1 (§
346 54.1-2515 et seq.) of Title 54.1 or (ii) require the board of directors of any authority created pursuant to
347 the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), or any public body empowered
348 to issue industrial revenue bonds by general or special law, to identify a business or industry to which
349 subdivision A 5 applies. However, such business or industry shall be identified as a matter of public record
350 at least 30 days prior to the actual date of the board's authorization of the sale or issuance of such bonds.

351 **§ 15.2-1713.1. Local "Crime Stoppers" programs; confidentiality.**

352 A. As used in this section, a "Crime Stoppers," "crime solvers," "crime line," or other similarly
353 named organization is defined as a private, nonprofit Virginia corporation governed by a civilian volunteer
354 board of directors that is operated on a local or statewide level that (i) offers anonymity to persons
355 providing information to the organization, (ii) accepts and expends donations for cash rewards to persons
356 who report to the organization information about alleged criminal activity and that the organization
357 forwards to the appropriate law-enforcement agency, and (iii) is established as a cooperative alliance
358 between the news media, the community, and law-enforcement officials.

359 B. Evidence of a communication or any information contained therein between a person submitting
360 a report of an alleged criminal act to a "Crime Stoppers" organization and the person who accepted the
361 report on behalf of the organization is not admissible in a court proceeding. Law-enforcement agencies
362 receiving information concerning alleged criminal activity from a "Crime Stoppers" organization shall
363 maintain confidentiality pursuant to subdivision ~~A-3~~C of § 2.2-3706.

364 #