

## REVISED SECTION REMOVING APA, JLARC, AND OSIG

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

7. Investigative notes, correspondence and information furnished in confidence, and records otherwise exempted by this chapter or any Virginia statute, provided to or produced by or for (i) ~~the Auditor of Public Accounts; (ii) the Joint Legislative Audit and Review Commission; (iii) an~~ appropriate authority as defined in § 2.2-3010 with respect to an allegation of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act (§ 2.2-3009 et seq.); ~~(iv) the Office of the State Inspector General with respect to an investigation initiated through the Fraud, Waste and Abuse Hotline or an investigation initiated pursuant to Chapter 3.2 (§ 2.2-307 et seq.);~~ (iv) internal auditors appointed by the head of a state agency or by any public institution of higher education; ~~(iiiiv)~~ the committee or the auditor with respect to an investigation or audit conducted pursuant to § 15.2-825; or ~~(ivii)~~ the auditors, appointed by the local governing body of any county, city, or town or a school board, who by charter, ordinance, or statute have responsibility for conducting an investigation of any officer, department, or program of such body. Information contained in completed investigations shall be disclosed in a form that does not reveal the identity of the complainants or persons supplying information to investigators. Unless disclosure is excluded by this subdivision, the information disclosed shall include the agency involved, the identity of the person who is the subject of the complaint, the nature of the complaint, and the actions taken to resolve the complaint. If an investigation does not lead to corrective action, the identity of the person who is the subject of the complaint may be released only with the consent of the subject person. Local governing bodies shall adopt guidelines to govern the disclosure required by this subdivision.

## **NEW SECTION**

Notes, correspondence, analyses, and information furnished in confidence, and records otherwise exempted by this chapter or any Virginia statute, provided to or produced by or for (i) the Auditor of Public Accounts; (ii) the Joint Legislative Audit and Review Commission; or (iii) the Office of the State Inspector General, including investigations initiated through the Fraud, Waste and Abuse Hotline, in carrying out their statutory duties related to analyses, audits, investigations, reviews, and studies that are in process. Information contained in completed analyses, audits, investigations, reviews, and studies shall be disclosed, unless otherwise exempted by this chapter or any Virginia statute, in a form that does not reveal the identity of complainants or persons supplying information. Unless disclosure is excluded by this subdivision, information disclosed shall include the agency involved, the identity of the person who is the subject of the complaint, the nature of the complaint, and the actions taken to resolve the complaint. If there is no corrective action required, the identity of the person who is the subject of the complaint may be released only with the consent of the subject person.