



# VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

## COMMONWEALTH OF VIRGINIA

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**November 18, 2024**  
**10:00 AM**  
**(via Zoom)**

### **PROPOSED AGENDA (Annotated)**

#### **SB 324 Workgroup Studying Charges under the Virginia Freedom of Information Act**

- 1. Call to Order, introduction of participants.**
- 2. Review fee cap draft.** *At its last meeting the workgroup recommended amendments to draft legislation previously considered. The most recent version of the draft would set a fee cap based on the median employee hourly rate or hourly rate of the employee who actually did the work, whichever is less; allow petitions for additional time to respond to requests to be heard in general district or circuit court on an expedited basis and toll the response time which such a petition is pending; amend the rights and responsibilities statement requirements to match the new language regarding charges; allow public bodies to petition a court for relief from the fee cap and allow the court to set the hourly rate in the court's discretion, up to the actual cost as the upper limit in accord with current law; and move all the provisions on charges from the current Code section (§ 2.2-3704) into a new Code section.*
- 3. Review draft and determine final recommendations to be made in executive summary and report to the FOIA Council.** *The executive summary and final report will recap the workgroup's meetings, the issues and options considered, and the final recommendations made by the workgroup. Staff will revise the draft executive summary and final report for presentation to the FOIA Council at the Council's next meeting on December 4, 2024.*
- 4. Other Business.**
- 5. Schedule reminder.** *Today's meeting is the final one scheduled for the work group before the FOIA Council holds its last meeting for the year on December 4, 2024.*

**6. Adjournment.**

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**Staff**

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