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**HOUSE BILL NO. 1457**

Offered January 12, 2011

Prefiled November 29, 2010

*A BILL to amend and reenact § 2.2-3714 of the Code of Virginia, relating to violations and penalties under the Virginia Freedom of Information Act.*

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Patron—Marshall, R.G.

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Committee Referral Pending

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

**1. That § 2.2-3714 of the Code of Virginia is amended and reenacted as follows:**

§ 2.2-3714. Violations and penalties.

In a proceeding commenced against ~~members~~ *any officer, employee, or member of a public body* under § 2.2-3713 for a violation of § 2.2-3704, 2.2-3705.1 through 2.2-3705.8, 2.2-3706, 2.2-3707, 2.2-3708, 2.2-3708.1, 2.2-3710, 2.2-3711 or 2.2-3712, the court, if it finds that a violation was willfully and knowingly made, shall impose upon such *officer, employee, or member* in his individual capacity, whether a writ of mandamus or injunctive relief is awarded or not, a civil penalty of not less than \$250 nor more than \$1,000, which amount shall be paid into the State Literary Fund. For a second or subsequent violation, such civil penalty shall be not less than \$1,000 nor more than \$2,500. *A public employee found to have committed a willful and knowing violation may also be subject to other disciplinary action, including suspension, demotion, or termination of public employment.*

INTRODUCED

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