

Government Data Collection and Dissemination Practices Act

To discuss the requirement in the requirements under the Government Data Collection and Dissemination Practices Act including (Current law at <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+2.2-3800>)

"C. Recordkeeping agencies of the Commonwealth and political subdivisions shall adhere to the following principles of information practice to ensure safeguards for personal privacy:

...

6. There shall be a prescribed procedure for an individual to learn the purpose for which information has been recorded and particulars about its use and dissemination.

7. There shall be a clearly prescribed and uncomplicated procedure for an individual to correct, erase or amend inaccurate, obsolete or irrelevant information.

9. There shall be a clearly prescribed procedure to prevent personal information collected for one purpose from being used for another purpose.

10. The Commonwealth or any agency or political subdivision thereof shall not collect personal information except as explicitly or implicitly authorized by law.

New Requirements per HB634/SB132 <http://leg1.state.va.us/cgi-bin/legp504.exe?081+ful+CHAP0843>

...2—"Personal information" means all information that (i) describes, locates or indexes anything about an individual including, *but not limited to*, his *social security number, driver's license number, agency-issued identification number, student identification number*, real or personal property holdings derived from tax returns, and his education, financial transactions, medical history, ancestry, religion, political ideology, criminal or employment record, or ~~that~~ (ii) affords a basis for inferring personal characteristics, such as finger and voice prints, photographs, or things done by or to such individual; and the record of his presence, registration, or membership in an organization or activity, or admission to an institution. "Personal information" shall not include routine information maintained for the purpose of internal office administration whose use could not be such as to affect adversely any data subject nor does the term include real estate assessment information.

3. That every state agency subject to the provisions of the Government Data Collection and Dissemination Practices Act (§ [2.2-3800](#) et seq.) shall conduct an analysis and review of its collection and use of social security numbers, to be completed by October 1, 2008. Each such agency shall submit, no later than October 1, 2008, to the chairmen of the Freedom of Information Advisory Council and the Joint Commission on Technology and Science, on forms developed by the Council and the Commission, (i) a list of (a) all state or federal statutes authorizing or requiring the collection of social security numbers by such agency and (b) instances where social security numbers are voluntarily collected or (ii) in the absence of statutory authority to collect social security numbers, written justification explaining why continued collection is essential to its transaction of public business. In conducting such a review, each agency shall be encouraged to consider whether such collection and use is essential for its transaction of public business and to find alternative means of identifying individuals. The chairmen of the Council and the Commission may withhold from public disclosure any such lists or portions of lists as legislative working papers, if it deems that the public dissemination of such lists or portions of lists would cause a potential invasion of privacy.

