



**Legislative History of § 2.2-3708  
Electronic Communications Meetings  
under FOIA**

| <b>Year</b> | <b>Chapter/Act of Assembly</b> | <b>Effect of Amendment</b>                                                                                                                                                                                                                                                    | <b>Comment</b>                                                                                              |
|-------------|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| 1984        | c. 252                         | Electronic communication meetings prohibited (§ 2.1-343.1)                                                                                                                                                                                                                    | Enacted as result of <i>Roanoke City School Board v. Times-World Corp.</i> , 226 VA 185, September 9, 1983. |
| 1989        | c. 538                         | State public bodies authorized to conduct two-year pilot program (expiring July 1, 1991) for electronic communication meetings in accordance with statutorily mandated procedures; such meetings for political subdivisions and local public bodies prohibited. (§ 2.1-343.1) |                                                                                                             |
| 1991        | c. 473                         | Two-year pilot program expanded to three-year program, expiring July 1, 1992. (§ 2.1-343.1)                                                                                                                                                                                   |                                                                                                             |
| 1992        | c. 153                         | Authorization for state public bodies to conduct electronic communication meetings made permanent (i.e., three-year sunset repealed). (§ 2.1-343.1)                                                                                                                           |                                                                                                             |

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| 1993 | c. 270     | Clarification of application of law (i.e., what public bodies may conduct electronic communication meetings. (§ 2.1-343.1)                                        |                                                                                 |
| 1995 | c. 278     | Language "Nothing in this section shall be construed to prohibit the use of interactive audio or video means to expand public participation" added. (§ 2.1-343.1) |                                                                                 |
| 1996 | c. 289     | Requirement for quorum physically assembled at one location added. (§ 2.1-343.1)                                                                                  |                                                                                 |
| 1999 | c.703/726  | Technical changes as result of 1999 rewrite of FOIA. (§ 2.1-343.1)                                                                                                | Recommendation of the HJR 187/501 Joint Subcommittee Studying FOIA              |
| 2001 | c. 844     | Technical changes as result of Title 2.1 revision into Title 2.2. (§ 2.2-3708)                                                                                    | No substantive changes made; renumbering of existing Code sections in Title 2.2 |
| 2003 | c. 981/102 | Technical changes as result of creation of the Virginia Information Technologies Agency (VITA). (§ 2.2-3708)                                                      |                                                                                 |
| 2005 | c. 352     | Substantive rewrite of § 2.2-3708 to relax procedural requirements                                                                                                | Recommendation of FOIA Council and JCOTS                                        |
| 2007 | c. 945     | <ul style="list-style-type: none"> <li>Reduces the notice requirement for electronic communication meetings from 7 to 3 working days;</li> </ul>                  | Recommendation of FOIA Council                                                  |

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|  |  | <ul style="list-style-type: none"><li>• Clarifies that political subdivisions, other than units of local government, may conduct electronic communication meetings</li><li>• Allows an individual member of a public body to participate in a meeting through electronic communication means from a remote location that is <i>not open</i> to the public in the event of an emergency, temporary or permanent disability or other medical condition, or when a member of a regional public body's principal residence is more than 60 miles from the primary meeting location.</li><li>• For a member to participate in the above described manner, the bill requires that a quorum of the public body be physically assembled at the primary or central meeting location and that the public body make arrangements for the voice of the remote participant to be heard by all persons at the</li></ul> |  |
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|  |  | primary or central meeting location. <ul style="list-style-type: none"><li>• Adds definition of "regional public body."</li></ul> |  |
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*Source: Virginia Freedom of Information Advisory Council; July 2005; revised May 2007.*