



**Date: November 18, 2020**

**To: Virginia Freedom of Information Act (FOIA) Advisory Council  
HB 321 - Electronic Meetings Subcommittee**

**From: Virginia Press Association**

**Re: Recommendations for Electronic Meetings**

The Virginia Press Association (VPA) has reviewed the most recent draft of legislation to amend § 2.2-3708.2, stemming from HB 321 (Levine), as made available on the Virginia FOIA Advisory Council website. As we have stated previously, VPA had concerns with HB 321 during the 2020 Regular Session, and we remain opposed to a piecemeal approach to addressing participation via electronic means – unrelated to the current COVID-19 pandemic – for the 2021 session.

VPA believes the FOIA Council should conduct a comprehensive study next year on the issue of electronic participation by members and holding electronic meetings outside a pandemic, including the question of whether to change the number of meetings a member of a public body may participate in through electronic means due to a personal matter. It is not feasible or advisable to address all the factors and elements of electronic participation by members/electronic meetings of public bodies before the 2021 session, especially given the current pandemic. The scale and intricacies of this issue deserve thoughtful deliberation and cannot be rushed, particularly as the FOIA Council, stakeholders and advocates, and members of the public participate in the process virtually themselves during the ongoing pandemic. 2021 should allow us to come together more collaboratively to reach a consensus solution.

Right now, the most pressing matter before us is solidifying language on electronic meetings during the current pandemic. VPA joins with other stakeholders on offering language changes that we encourage the FOIA Council to review and recommend for statutory changes in the 2021 legislative session.

Then, the FOIA Council can convene stakeholders in Spring of 2021 to address electronic participation by members/electronic meetings of public bodies comprehensively, including non-pandemic situations and other scenarios for legislation to be introduced in the 2022 Regular Session.

Please contact VPA lobbyist Mark Hickman ([mark@commonwealthstrategy.net](mailto:mark@commonwealthstrategy.net)) with any questions on this matter.

Thank you.

/VPA