



**Date: October 20, 2020**

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

**From: Virginia Press Association**

**Re: Concerns with HB 321 and Recommendations for Electronic Meetings**

The Virginia Press Association (VPA) appreciates the opportunity to comment on HB 321 and electronic meetings in general. VPA had strong 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 Advisory Council should instead conduct a comprehensive study on the issue of electronic participation outside a pandemic next year, in preparation for the 2022 legislative session. It is not feasible or advisable to address all the factors and elements of electronic meetings of public bodies before the 2021 session, especially given the current pandemic. There are countless state and local entities included in the definition of "public body," each with its own meeting schedule, frequency, and membership.

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. The FOIA Council should review the applicable state budget language and offer a recommendation for statutory changes in the 2021 legislative session.

Then, the FOIA Council can convene stakeholders in Spring of 2021 to address electronic meetings comprehensively, including non-pandemic situations and other scenarios for members of public bodies to be able to participate in meetings via electronic means.

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

Thank you.

/VPA