

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend and reenact § 2.2-3708.1 of the Code of Virginia, relating to the Virginia Freedom of
2 Information Act; remote participation in a meeting by a member of a public body; personal
3 matter.

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

5 **1. That § 2.2-3708.1 of the Code of Virginia is amended and reenacted as follows:**

6 **§ 2.2-3708.1. Participation in meetings in event of emergency; certain disabilities; distance**
7 **from meeting location for certain public bodies.**

8 A. A member of a public body may participate in a meeting governed by this chapter through
9 electronic communication means from a remote location that is not open to the public only as follows
10 and subject to the requirements of subsection B:

11 1. If, on or before the day of a meeting, a member of the public body holding the meeting notifies
12 the chair of the public body that such member is unable to attend the meeting due to an emergency or
13 personal matter and identifies with specificity the nature of the emergency or personal matter, and the
14 public body holding the meeting (a) approves such member's participation by a majority vote of the
15 members present at a meeting and (b) records in its minutes the specific nature of the emergency or
16 personal matter and the remote location from which the member participated.

17 Such participation by the member shall be limited each calendar year to two meetings or 25
18 percent of the meetings of the public body, whichever is fewer;

19 2. If a member of a public body notifies the chair of the public body that such member is unable
20 to attend a meeting due to a temporary or permanent disability or other medical condition that prevents
21 the member's physical attendance and the public body records this fact and the remote location from
22 which the member participated in its minutes; or

23 3. If, on the day of a meeting, a member of a regional public body notifies the chair of the public
24 body that such member's principal residence is more than 60 miles from the meeting location identified
25 in the required notice for such meeting and the public body holding the meeting (a) approves such

26 member's participation by a majority vote of the members present and (b) records in its minutes the
27 remote location from which the member participated.

28 B. Participation by a member of a public body as authorized under subsection A shall be only
29 under the following conditions:

30 1. A quorum of the public body is physically assembled at the primary or central meeting
31 location; and

32 2. The public body makes arrangements for the voice of the remote participant to be heard by all
33 persons at the primary or central meeting location.

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