



# VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

## COMMONWEALTH OF VIRGINIA

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October 17, 2016

10:00 AM

House Room D

General Assembly Building, Richmond, Virginia

### Meeting of the MEETINGS Subcommittee of the FOIA Council

*Proposed Agenda  
(Annotated)*

1. Call to order.
2. Review of HB 698 (Kory, 2016) and HB 757 (R. Bell, 2016) referred by General Assembly.
  - **HB 698** Kory--Requires that every public body afford an opportunity for public comment during any open meeting. A public body may adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner.
  - **HB 757** Bell, RB--Requires a local or regional public body to disseminate to the public an agenda for a public meeting at least seven days prior to the meeting or 24 hours prior to an emergency meeting. The bill also requires such body to provide at least five minutes for public comment on each agenda item at the public meeting.
3. Review of proposed amendments to:
  - § 2.2-3707.1, website posting of meeting minutes (LD 17100786D).  
*At its May 4, 2016 meeting, the Subcommittee directed staff to prepare a draft amending this section to require posting of meeting minutes for all state public bodies and local governing bodies, including school boards; however, for such local governing bodies, posting is required only for approved minutes. This limitation for local governing bodies and school boards was acknowledgment of the fact that such local governing bodies and school boards meet monthly and as a practical matter, draft minutes are prepared in time for approval at the next meeting. At its June 6, July 18, and August 11, 2016 meetings, the Subcommittee discussed the draft again in-depth and took additional public comment. At the September 19, 2016 meeting, the Subcommittee directed staff to prepare another draft reflecting the consensus of the Subcommittee for its review on October 17, 2016.*

- § 2.2-3707 Notice of Meetings/Continuation of Meetings Draft (LD 17100047D). *Note: § 15.2-1416 authorizes local governing bodies to adjourn their meetings from time to time, without further notice to the public, until the work of the body is complete. Given the Subcommittee's recommendation for notice of continued meetings be given under FOIA, amendment to § 15.2-1416 was recommended by the Meetings Subcommittee to make this section consistent with the Subcommittee's prior recommendation concerning § 2.2-3707.*
4. Continue implementation of subcommittee work plan:
    - § 2.2-3701, FOIA definitions;
    - § 2.2-3702, notice of chapter;
    - § 2.2-3703, applicability of FOIA to certain public bodies;
    - § 2.2-3703.1, disclosure pursuant to court order or subpoena;
    - § 2.2-3704.1, posting of rights and responsibilities by state and local public bodies; and
    - § 2.2-3704.2, FOIA officers.
  5. Discussion.
  6. Other Business.
  7. Public comment.
  8. Adjournment.

### **Subcommittee Members**

**Kathleen Dooley, Chair      Marisa Porto**  
**Shawri King-Casey          William "Billy" Coleburn**  
**Michael Stern**

### **Staff**

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VA FOIA Council

The FOIA Council's web site is: <http://foiacouncil.dls.virginia.gov/>. To assist us in providing Internet dissemination of materials, presenters are requested to submit written comments and handouts in electronic format by (i) e-mail to staff prior to meetings or (ii) diskette furnished to staff at meetings. Presenters are also requested to bring 20 copies of their remarks or handouts to meetings. These copies will be provided to FOIA Council Subcommittee members and the public.

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