

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend and reenact §§ 2.2-3707.1 and 23-2.02 of the Code of Virginia, relating to the
2 Virginia Freedom of Information Act; website posting of meeting minutes by certain public
3 bodies.

4 Be it enacted by the General Assembly of Virginia:

5 1. That § 2.2-3707.1 of the Code of Virginia is amended and reenacted as follows:

6 § 2.2-3707.1. Posting of minutes for state boards and commissions; local governing bodies
7 and school boards.

8 ~~All A. State~~ boards, commissions, councils, and other state public bodies ~~created in the executive~~
9 ~~branch of state government and~~ subject to the provisions of this chapter shall post minutes of their
10 meetings on such body's publicly available website, ~~if any,~~ and on ~~the~~ a central electronic calendar
11 maintained by the ~~Virginia Information Technologies Agency commonly known as the~~ Commonwealth
12 ~~Calendar~~. Draft minutes of meetings of such state public bodies shall be posted as soon as possible but
13 no later than ~~ten~~ 10 working days after the conclusion of the meeting. Final approved meeting minutes
14 for public bodies under this subsection shall be posted within three working days of final approval of the
15 minutes.

16 B. The governing body of any county, city, or town and any local school board shall post
17 minutes of their meetings on such body's publicly available website, if any. The posting of draft meeting
18 minutes shall not be required; however, final approved meeting minutes for public bodies under this
19 subsection shall be posted within three working days of final approval of the minutes.

20 § 23-2.02. Boards of visitors; bylaws.

21 The board of visitors of each public institution of higher education and the State Board for
22 Community Colleges shall adopt bylaws for its own governance. This document shall be posted
23 conspicuously on the board's website and shall include provisions that:

24 1. Establish the requirement of transparency, to the extent required by law, in all board actions;

25 2. Describe the board's obligations under the Virginia Freedom of Information Act (§ 2.2-3700 et
26 seq.), as set forth in § 23-2.01, including the requirements that:

27 a. The board shall record minutes of each open meeting and post the minutes on the board's
28 website, in accordance with subsection I of § 2.2-3707 and subsection A of § 2.2-3707.1;

29 b. Discussions and actions on any topic not specifically exempted by § 2.2-3711 shall be held in
30 an open meeting;

31 c. The board shall give public notice of all meetings, in accordance with subsection C of § 2.2-
32 3707; and

33 d. Any official action taken in a closed meeting shall be approved in an open meeting before it
34 can have any force or effect, in accordance with subsection B of § 2.2-3711; and

35 3. Require that the board notify and invite the Attorney General's appointee or representative to
36 all meetings of the board, executive committee, and board committees.

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