



VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL
COMMONWEALTH OF VIRGINIA

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June 5, 2018
10:00 AM

House Committee Room 300A
Pocahontas Building, Richmond, Virginia
PROPOSED AGENDA (Annotated)

**Meetings Subcommittee
of the Virginia Freedom of Information Advisory Council**

1. **Call to Order, introduction of members.**
2. **Bills referred by the 2018 Session of the General Assembly.** *At its meeting on April 4, 2018, the FOIA Council referred the following two bills to the subcommittee for study, as summarized below.*
 - **HB 1101 (Robinson); Virginia Freedom of Information Act; right to speak at open meetings.** Requires that every public body, except for governing boards of public institutions of higher education, afford an opportunity for public comment during any open meeting. The bill provides, however, that if a public body holds more than four meetings in a calendar year, such public body may, by recorded vote, limit the number of meetings at which an opportunity for public comment is afforded to four meetings per calendar year. The bill requires that the notice given by a public body prior to a meeting include information as to the approximate point during the meeting when public comment will be received. In current law, this requirement applies only to public bodies where at least one member has been appointed by the Governor. The bill permits public bodies to choose the approximate point during the meeting when public comment will be received and permits public bodies to adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner, but prohibits public bodies from limiting public comment to only the submission of written comments.
 - **SB 336 (Peake); Virginia Freedom of Information Act; right to speak at open meetings.** Requires that every elected public body afford an opportunity for public comment during any open meeting. The bill permits elected public bodies to choose the approximate point during the meeting when public comment will be received and to adopt reasonable rules governing the public comment portion of the meeting, including

imposing reasonable restrictions on time, place, and manner. Such rules shall not limit public comment to only the submission of written comments. The bill requires that the notice given by any public body prior to a meeting include information as to the approximate point during the meeting when public comment will be received.

3. **Use of text messages by members during a public meeting.** *Also at its meeting on April 4, 2018, the FOIA Council directed the subcommittee to study the issue of the use of text messages by members during a public meeting, an issue that was carried over from the three-year study under House Joint Resolution No. 96 (2014) and the 2017 Study Plan.*
4. **Public Comment.**
5. **Discussion.**
6. **Recommendations.**
7. **Other Business.**
8. **Adjournment.**

Subcommittee Members

Kathleen Dooley (Chair)
Shawri King-Casey
Mark Vucci

William "Billy" Coleburn
Michael Stern

Staff

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