



VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL
COMMONWEALTH OF VIRGINIA

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May 24, 2022
9:00 AM
Virtual Meeting

Click [HERE](#) to Access the Zoom Link.

PROPOSED AGENDA (Annotated)

HB 444 Workgroup
of the Virginia Freedom of Information Advisory Council

- 1. Call to Order, introduction of participants.**
- 2. Review of recommended best practices summary draft re: public comment.** *At its last meeting the workgroup considered best practices on how to take public comment virtually. Staff made a best practices summary draft to reflect the workgroup's recommendations and distributed it to the participants by email. Staff only received comments from one participant, so wanted to provide this opportunity for any other comments.*
- 3. Best practices regarding the proper use of video by public body members.** *This is the second directive to the workgroup from the General Assembly in HB 444 (see Appendix). After today's meeting, staff will again summarize the recommendations of the workgroup and distribute the summary draft via email.*
- 4. Other considerations and suggestions.** *The directive to the workgroup was "including but not limited to" the issues raised in items #2 and #3 above. If there are other issues the participants wish to raise, the workgroup can address them today (time permitting) or schedule a third meeting.*
- 5. Scheduling future meetings.**
- 6. Other Business.**
- 7. Adjournment.**

Workgroup Participants

Staff

Alan Gernhardt, Esq., Executive Director

Appendix

Summary of House Bill 444 (Bennett-Parker) referred by the 2022 Session of the General Assembly.

- **Virginia Freedom of Information Act; meetings conducted through electronic communication means.** Amends existing provisions concerning electronic meetings by keeping the provisions for electronic meetings held in response to declared states of emergency, repealing the provisions that are specific to regional and state public bodies, and allowing certain public bodies to conduct all-virtual public meetings where all of the members who participate do so remotely and that the public may access through electronic communications means. The bill excepts local governing bodies, local school boards, planning commissions, architectural review boards, zoning appeals boards, and any board with the authority to deny, revoke, or suspend a professional or occupational license from the provisions that allow public bodies to conduct all-virtual public meetings. Definitions, procedural requirements, and limitations for all-virtual public meetings are set forth in the bill, along with technical amendments. The bill has a delayed effective date of September 1, 2022.

Charge to the workgroup (second enactment clause of HB 444).

- 2. That the Virginia Freedom of Information Advisory Council shall convene a work group, no later than May 1, 2022, to develop recommendations for best practices for public bodies holding all-virtual public meetings, including but not limited to how to take public comment virtually and the proper use of video by public body members. Such recommendations must be completed by August 1, 2022. The work group shall include representatives of the Virginia Association of Counties, the Virginia Municipal League, the Virginia Coalition for Open Government, and the Virginia Press Association and such other stakeholders the Council deem appropriate.