

West's Annotated Code of Virginia

Title 2.2. Administration of Government (Refs & Annos)
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Subtitle II. Administration of State Government

Part B. Transaction of Public Business
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Chapter 37. Virginia Freedom of Information Act (Refs & Annos)
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VA Code Ann. § 2.2-3708.1

§ 2.2-3708.1. Participation in meetings due to personal matter; certain disabilities; distance from meeting location for certain public bodies

Effective: July 1, 2017

Currentness

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

1. If, on or before the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter, and the public body holding the meeting records in its minutes the specific nature of the personal matter and the remote location from which the member participated. If a member's participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection B, such disapproval shall be recorded in the minutes with specificity.

Such participation by the member shall be limited each calendar year to two meetings;

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

3. If, on the day of a meeting, a member of a regional public body notifies the chair of the public body that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting and the public body holding the meeting records in its minutes the remote location from which the member participated. If a member's participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection B, such disapproval shall be recorded in the minutes with specificity.

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

1. The public body has adopted a written policy allowing for and governing participation of its members by electronic communication means, including an approval process for such participation, subject to the express limitations imposed by this section. Once adopted, the policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;

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

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

Credits

Acts 2007, c. 945; Acts 2013, c. 119; Acts 2013, c. 694; Acts 2014, c. 492; Acts 2014, c. 524. Amended by Acts 2017, c. 616.

VA Code Ann. § 2.2-3708.1, VA ST § 2.2-3708.1
Current through End of the 2017 Reg. Sess.

End of Document

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PROPOSE NEW SECTION ____: Remote Participation in Meetings Due to Emergency, Personal Matter, Disability, and/or Distance from Meeting Location

A. A member of the CCFAC may participate in a scheduled monthly meeting governed by these bylaws through electronic communication from a remote location that is not open to the public only as follows and subject to the requirements of this policy:

1. If, on or before the day of a meeting, a member of the CCFAC notifies the CCFAC Chairman and/or the CCFAC staff coordinator that such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter, and the CCFAC records in its minutes the specific nature of the personal matter and the remote location from which the member participated. If a member's participation from a remote location is disapproved because such participation would violate the conditions outlined in subsection B, such disapproval shall be recorded in the minutes with specificity.

Remote participation by individual CCFAC members shall be limited each calendar year to two meetings or 25 percent of the meetings of the public body, whichever is fewer;

2. If a member of the CCFAC notifies the Chairman of the CCFAC and/or the CCFAC staff coordinator that such member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the CCFAC records this fact and the remote location from which the member participated in its minutes; or

3. If, on the day of a meeting, a member of the CCFAC notifies the CCFAC Chairman and/or the CCFAC staff coordinator that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting and the CCFAC records in its minutes the remote location from which the member participated. If a member's participation from a remote location is disapproved because such participation would violate the conditions outlined in subsection B, such disapproval shall be recorded in the minutes with specificity; and

B. Participation by a member of the CCFAC, as authorized by subsection A, shall be only under the following conditions:

1. A quorum of the CCFAC is physically assembled at the primary or central meeting location; and

2. The CCFAC is able to make arrangements for the voice of the remote member to be heard by all persons at the primary or central meeting location.

C. This policy shall be applied strictly and uniformly, without exception, to the entire membership of the CCFAC and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.