

2003 SESSION

INTRODUCED

036088536

SENATE BILL NO. 1344

Offered January 17, 2003

A BILL to amend and reenact § 2.2-3709 of the Code of Virginia, relating to electronic meetings of the Board of Visitors of the University of Virginia.

Patron—Stolle

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-3709 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-3709. (Effective until July 1, 2004) Meetings of Board of Visitors of the University of Virginia.

A. Members of the Board of Visitors of the University of Virginia may participate by video, telephone, or video and telephone at their meetings or meetings of their committees, *including executive sessions convened in accordance with the procedures of § 2.2-3712*, where (i) at least ~~two-thirds~~ of the membership a quorum of such board or its committees is physically assembled at its regular or, primary location or other location, (ii) any such meeting is duly convened with advance public notice in accordance with § 2.2-3707, *including advance public notice of the location of the physically assembled quorum*, and (iii) a speaker phone is provided at the location where at least ~~two-thirds~~ the quorum of such membership is physically present.

No more than ~~twenty-five~~ 25 percent of all meetings held annually by such board or its committee committees, including meetings of any ad hoc committees, may be held by telephonic or video means; *however, this restriction on the percent of all annual meetings of the board or its committees that may be held by telephonic or video means shall not apply to meetings of the Board's investment subcommittee, also known as the "University of Virginia Investment Management Company," when the Company is convened for the purpose of properly investing and managing endowment, endowment income, and gifts in accordance with § 23-76.1.*

B. ~~Where at least two-thirds~~ When the required quorum of such board or its committees is physically assembled at one location for the purpose of conducting a meeting authorized under this section, additional members of such board or its committees may participate in the meeting through telephonic means ~~provided if~~ the public is permitted to hear and observe such participation during any public session. Any interruption in the telephonic or video broadcast of the meeting shall result in the suspension of action at the ~~meeting~~ public session until repairs are made and public access is restored.

C. Except as otherwise provided in this section, all meetings shall be conducted in accordance with this chapter. Any meeting conducted pursuant to this section shall not be considered an "electronic communication meeting" for purposes of § 2.2-3708; ~~provided; however,~~ such board or its committees shall comply with the provisions of subsection D of § 2.2-3708, requiring minutes, recordation and preservation of the audio or audio/visual recording of the meeting. Votes taken by those participating by telephone or video shall also be publicly recorded by name in roll-call fashion and shall be included in the minutes, which shall be approved by such board or its committees in public session.

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