

Department of Planning and Budget 2005 Fiscal Impact Statement

1. Bill Number SB1196

| | | | |
|------------------------|---------------------------------------|--|------------------------------------|
| House of Origin | <input type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| Second House | <input type="checkbox"/> In Committee | <input checked="" type="checkbox"/> Substitute | <input type="checkbox"/> Enrolled |

2. Patron Newman

3. Committee General Laws

4. Title Freedom of Information Act; electronic communication meetings.

5. Summary/Purpose:

Reduces the notice required for electronic communication meetings from 30 days to seven working days. The bill also (i) eliminates the 25 percent limitation on the number of electronic meetings held annually; (ii) eliminates the requirement that an audio or audio/visual recording be made of the electronic communication meeting, but retains the requirement that minutes be taken pursuant to § 2.2-3707; (iii) allows for the conduct of closed meetings during electronic meetings; (iv) changes the annual reporting requirement from the Virginia Information Technologies Agency (VITA) to the Virginia Freedom of Information Advisory Council and the Joint Commission on Technology and Science; and (v) expands the type of information required to be reported. The bill specifies that regular, special, or reconvened sessions of the General Assembly held pursuant Article IV, Section 6 of the Constitution of Virginia are not meetings for purposes of the electronic communication meeting provisions. The also bill defines “electronic communication.” The bill is a recommendation of the Joint Commission on Technology and Science.

6. Fiscal Impact: See item 8.

7. Budget amendment necessary: No.

8. Fiscal implications:

Implications include:

State agencies in general – Some cost savings to agencies are expected as greater reliance on electronic meetings, with a commensurate reduction in on-site meetings, is a likely consequence of this proposed legislation. The added costs to agencies for audio or video conferences are expected to be more than balanced out by savings in travel costs, employee time in transit, etc. Several agencies possess extensive video conferencing equipment and capabilities and, in some cases, allow other agencies to access their video conferencing facilities/equipment at minimal or no cost. The Freedom of Information Advisory Council and the Joint Commission on Technology and Science may incur expenses associated with assuming annual reporting responsibilities.

VITA -- As the Virginia Information Technologies Agency (VITA) is the primary provider of audio conferencing services to state agencies, if the proposed legislation has the effect of increasing demand for these services VITA could incur additional costs that would be passed along to agencies. Whether this will actually happen cannot be projected, and neither can the revenue impact. At the operations level for VITA's three citizen boards, the fiscal impact is indeterminate because none of the boards has, to date, held an electronic meeting that could be used as a model for cost comparisons.

9. Specific agency or political subdivisions affected: All agencies

10. Technical amendment necessary: No.

11. Other comments: Same as SB711.

Date: 02/18/05 /wfb

Document: G:\Bos Stuff\2005 Legislation\Sb1196H2.Doc

cc: Secretary of Technology