

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-3708.1 of the Code of Virginia, relating to the Virginia Freedom of*
3 *Information Act; remote participation in a meeting by a member of a public body; personal matter.*

4 [H 2026]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 2.2-3708.1 of the Code of Virginia is amended and reenacted as follows:**8 **§ 2.2-3708.1. Participation in meetings in event of emergency or personal matter; certain**
9 **disabilities; distance from meeting location for certain public bodies.**10 A. A member of a public body may participate in a meeting governed by this chapter through
11 electronic communication means from a remote location that is not open to the public only as follows
12 and subject to the requirements of subsection B:13 1. If, on *or before* the day of a meeting, a member of the public body holding the meeting notifies
14 the chair of the public body that such member is unable to attend the meeting due to an emergency *or*
15 *personal matter* and identifies with specificity the nature of the emergency *or personal matter*, and the
16 public body holding the meeting (a) approves such member's participation by a majority vote of the
17 members present *at a meeting* and (b) records in its minutes the specific nature of the emergency *or*
18 *personal matter* and the remote location from which the member participated.19 Such participation by the member shall be limited each calendar year to two meetings or 25 percent
20 of the meetings of the public body, whichever is fewer;21 2. If a member of a public body notifies the chair of the public body that such member is unable to
22 attend a meeting due to a temporary or permanent disability or other medical condition that prevents the
23 member's physical attendance and the public body records this fact and the remote location from which
24 the member participated in its minutes; or25 3. If, on the day of a meeting, a member of a regional public body notifies the chair of the public
26 body that such member's principal residence is more than 60 miles from the meeting location identified
27 in the required notice for such meeting and the public body holding the meeting (a) approves such
28 member's participation by a majority vote of the members present and (b) records in its minutes the
29 remote location from which the member participated.30 B. Participation by a member of a public body as authorized under subsection A shall be only under
31 the following conditions:32 1. A quorum of the public body is physically assembled at the primary or central meeting location;
33 and34 2. The public body makes arrangements for the voice of the remote participant to be heard by all
35 persons at the primary or central meeting location.

ENROLLED

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