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SENATE BILL NO. 89

Offered January 13, 2016

Prefiled December 22, 2015

A BILL to amend and reenact § 24.2-107 of the Code of Virginia, relating to meetings of the electoral boards; minutes required to be posted on website.

 Patron—Marsden

 Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:**1. That § 24.2-107 of the Code of Virginia is amended and reenacted as follows:****§ 24.2-107. Meetings; quorum; notice; account of proceedings; seal; records open to inspection.**

The electoral board of each city and county shall meet during the first week in February of the year in which it is to appoint officers of election pursuant to § 24.2-115 and during the month of March each year at the time set by the board and at any other time on the call of any board member. Two members shall constitute a quorum. Notice of each meeting shall be given to all board members either by the secretary or the member calling the meeting at least three business days prior to the meeting except in the case of an emergency as defined in § 2.2-3701. Notice shall be given to the public as required by § 2.2-3707. All meetings shall be conducted in accordance with the requirements of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) unless otherwise provided by this section. Notwithstanding the public notice requirements of § 2.2-3707, two or more members of an electoral board may meet on election day to discuss a matter concerning that day's election, where such matter requires resolution on that day, and an effort has been made by all available means to give notice of the meeting to all board members. The presence of two or more board members while the ballots, election materials, or voting equipment are being prepared, current or potential polling places are being inspected, or election officials are being trained, or a telephone call between two board members preparing for a meeting, shall not constitute a meeting provided that no discussion or deliberation takes place that would otherwise constitute a meeting.

The secretary shall keep an accurate account of all board proceedings in a minute book, including all appointments and removals of general registrars and officers of election. The secretary shall keep in his custody the duly adopted seal of the board.

Minutes of meetings that are required to be recorded pursuant to § 2.2-3707 shall be posted on the website of the electoral board or the official website for the county or city. Draft minutes of meetings shall be posted as soon as possible but no later than 10 working days after the conclusion of the meeting. Final approved meeting minutes shall be posted within three working days of final approval of the minutes.

Books, papers, and records of the board shall be open to public inspection and copying whenever the general registrar's office is open for business either at the office of the board or the office of the general registrar. The general registrar shall determine a reasonable charge, not to exceed the fee authorized pursuant to subdivision A 8 of § 17.1-275, to be paid for copies made from the books, papers, and records of the board.

No election record containing an individual's social security number, or any part thereof, shall be made available for inspection or copying by anyone. The State Board of Elections shall prescribe procedures for local electoral boards and general registrars to make the information in certificates of candidate qualification available in a manner that does not reveal social security numbers or any parts thereof.

INTRODUCED

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