

Department of Planning and Budget

2024 Session Fiscal Impact Statement

1. Bill Number: HB816- ER

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

2. Patron: Cherry

3. Committee: General Laws

4. Title: Virginia Freedom of Information Act; effective date of procedures for conducting meetings held.

5. Summary: Provides that the provisions for conducting a meeting by electronic means due to a state of emergency stated in the Virginia Freedom of Information Act (FOIA) are declarative of existing law since March 20, 2020, with respect to the Governor's declared state of emergency due to COVID-19. Under the bill, any meeting by a public body using electronic communication means occurring from that date until July 1, 2021, and any otherwise lawful action taken at it is validated with respect to FOIA if the body provided public notice, public access, and public comment commensurate with the requirements of existing FOIA provisions regarding electronic and closed meetings. The bill is a response to the case *Berry v. Bd. of Supervisors* (Va. 2023) and is a recommendation of the Virginia Freedom of Information Advisory Council.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Final, see Item 8.

8. Fiscal Implications: This bill is not expected to create a state fiscal impact.

9. Specific Agency or Political Subdivisions Affected: All state public bodies subject to the Freedom of Information Act.

10. Technical Amendment Necessary: No

11. Other Comments: Companion to SB244