

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 614 by Representative Abramson

PUBLIC MEETINGS: Provides relative to certain deadlines relative to meetings of public bodies

Synopsis of Senate Amendments

1. Adds provisions requiring a public body that has a website to post the written minutes of its open meetings on the website. Provides deadlines and requirements relative to the posting of minutes on the website of the public body.

Digest of Bill as Finally Passed by Senate

Present law (R.S. 42:11 et seq.—Open Meetings Law) contains several 24-hour minimum time periods, including: the minimum amount of time before the start of the meeting that notice must be given to a person whose character, professional competence, or physical or mental health will be discussed in executive session (R.S. 42:17(A)); the minimum amount of time before which written public notice must be given for any regular, special, or rescheduled meeting (R.S. 42:19(A)(1)(b)(i)); the minimum amount of time to change the agenda before the start of the meeting (R.S. 42:19(A)(1)(b)(ii)); and the minimum amount of time that notice of the meeting must be posted.

Present law (C.C.P. Art. 5059) excludes legal holidays for purposes of calculating any time period under seven days. "Legal holidays" is defined in present law (R.S. 1:55) to include Saturdays, Sundays, all major holidays observed by the state, additional days depending on event or locale, and days of declared emergencies. Proposed law retains present law and specifies that Saturdays, Sundays, and legal holidays are not part of the 24-hour minimum time periods in the Open Meetings Law.

Present law (R.S. 42:20) requires each public body to keep written minutes of all of its open meetings. Provides minimum content requirements for such minutes. Provides that the minutes are public records and must be available within a reasonable time after the meeting, except where such disclosures would be inconsistent with present law provisions relative to executive sessions (R.S. 42:16, 17, and 18).

Present law (R.S. 43:143) provides that the official journal of a parish, town, city, or school board shall publish all minutes, ordinances, resolutions, budgets, and other official proceedings of the police jury, town or city council, or school board. Present law (R.S. 43:144) requires copies of the official proceedings, including minutes, to be provided to the official journal within 20 days of the date of the meeting. Provides penalties for wilfully neglecting or failing to provide such copies.

Proposed law retains present law and additionally requires each public body that has a website to post on its website a copy of the minutes made available pursuant to present law and to maintain the copy of those minutes on the website for at least three months after the posting. Provides that if the public body is required to publish its minutes in an official journal, the public body shall post its minutes on its website within 10 days after publication in the official journal. Provides that if the public body is not required to publish its minutes in an official journal, the public body shall post its minutes on its website within a reasonable time after the meeting. Provides further that the inability of the public to access the public body's website due to any type of technological failure shall not be a violation of the provisions proposed law.

(Amends R.S. 42:17(A)(1), 19(A)(1)(b)(i) and (ii)(aa) and (2)(a), and 20(B))