

SENATE BILL REPORT

SB 5151

As of February 5, 2003

Title: An act relating to open public meetings.

Brief Description: Changing provisions relating to open public meetings.

Sponsors: Senators Benton, Reardon and Mulliken.

Brief History:

Committee Activity: Government Operations & Elections: 2/5/03.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Ronda Larson (786-7429)

Background: The Open Public Meetings Act requires that governing bodies of public agencies deliberate openly. Governing bodies cannot adopt valid rules and regulations unless they do so in a public meeting. They also must notify the public about the meeting.

As for notice of regular meetings, both state and local agency governing bodies must adopt resolutions or bylaws that set out the time for holding regular meetings. State agencies must publish a schedule of the time and place for their regular meetings. As for notice of special meetings, a body's presiding officer or a majority of its members must notify other members of the body in writing at least 24 hours before the meeting. Unlike regular meetings, at special meetings the body may not take final action on any matter.

As for meeting location, agency governing bodies may hold their public meetings outside the boundaries of the territory over which they have authority.

If a state or local governing body needs to quickly convene to address fire, flood, or another emergency, the body need not satisfy notice requirements for regular meetings. The body need not satisfy notice requirements for special meetings if the emergency involves personal injury or property damage and if notice is impractical.

Summary of Bill: Requirements for meeting notice and location are made more stringent, but emergency exceptions to notice requirements are broadened. An agency must post a meeting agenda in advance of every meeting. For regular meetings, the body must post the agenda 72 hours in advance. For special meetings, the body must post the agenda 24 hours in advance.

Each agenda item description can be 20 words or less, but it must specify the subject matter or action to be considered. Unless a matter is on an agenda that has been posted within the deadlines, the body may not take final action on the matter. Furthermore, the body can adopt an ordinance or resolution only if the agenda clearly shows that the body can take final action on it.

The body may require members of the public to identify themselves if they wish to speak or give written comments at a meeting.

As for meeting location, a state agency body cannot take final action on an agenda item unless the meeting occurs within the state. A local agency cannot take final action unless the meeting occurs within the boundaries of the agency's jurisdictional territory. If that territory encompasses more than one county, such meeting must occur in the county with the largest population.

If an emergency occurs, the body may waive the requirements of the Open Public Meetings Act. The term "emergency" means unforeseen circumstances beyond the control of the public agency.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.