

FINAL BILL REPORT

SHB 2105

C 61 L 14
Synopsis as Enacted

Brief Description: Promoting transparency in government by requiring public agencies with governing bodies to post their agendas online in advance of meetings.

Sponsors: House Committee on Government Operations & Elections (originally sponsored by Representatives Hawkins, Bergquist, Buys, S. Hunt, Holy, Orwall, Ross, Reykdal, Hayes, Pollet, Kochmar, Hudgins, Magendanz, Moscoso, Vick, Riccelli, Klippert, Stonier, Nealey, Tarleton, Scott, Pike, Fagan, Fey, Seaquist, Chandler, Farrell, Haigh, Fitzgibbon, Sawyer, Moeller, Gregerson, Johnson, Haler, Appleton, Carlyle, Morrell, Goodman, Van De Wege and Freeman).

House Committee on Government Operations & Elections
Senate Committee on Governmental Operations

Background:

The Open Public Meetings Act (OPMA) requires all meetings of the governing body of a public agency to be open to the public and that all persons be allowed to attend. For the purpose of the OPMA, a public agency is defined broadly and includes, but is not limited to, any state board, commission, department, education institution, agency, local government, and special purpose district. A governing body is defined as the multi-member board, commission, committee, council, or other policy or rule-making body of a public agency or any committee thereof that is acting on behalf of the public agency. A schedule for regular meetings must be provided by ordinance, resolution, bylaws, or other rule. State agencies must file a schedule of the time and place of meetings on or before January of each year to the Office of the Code Reviser for publication in the Washington state register. Any action taken at a meeting failing to comply with the OPMA is null and void. Any person may commence an action by mandamus or injunction to stop or prevent an OPMA violation. A \$100 civil penalty can be issued to any member of a governing body who is aware that a meeting is in violation of the law. Any person who prevails against a public agency for violation of the OPMA must be awarded all costs including reasonable attorneys fees incurred in connection with such action.

Meeting agendas are not required to be posted online.

Summary:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Public agencies with governing bodies must post meeting agendas online at least 24 hours in advance of each regular meeting. An agency is not required to post an agenda online if the agency does not have a website or if it employs fewer than 10 full-time equivalent employees. Failure to post an agenda online does not provide a basis for an award of attorney's fees, nullification of action taken at the meeting, or an action for mandamus or injunction, as provided under the OPMA.

Votes on Final Passage:

House	85	13
Senate	41	6

Effective: June 12, 2014