
HOUSE BILL 1197

State of Washington 63rd Legislature 2013 Regular Session

By Representatives Pollet, Zeiger, Reykdal, Moscoso, Moeller,
Upthegrove, Magendanz, Jinkins, and Bergquist

Read first time 01/18/13. Referred to Committee on Government
Operations & Elections.

1 AN ACT Relating to open public meetings; and amending RCW 42.30.040
2 and 42.30.060.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 42.30.040 and 2012 c 117 s 124 are each amended to
5 read as follows:

6 A member of the public shall not be required, as a condition to
7 attendance at a meeting of a governing body, to register his or her
8 name and other information, to complete a questionnaire, or otherwise
9 to fulfill any condition precedent to his or her attendance. However,
10 if the person wishes to provide comment on an action being considered
11 by the public body, he or she may be asked to provide his or her name
12 and address.

13 **Sec. 2.** RCW 42.30.060 and 1989 c 42 s 1 are each amended to read
14 as follows:

15 (1) No governing body of a public agency shall adopt any ordinance,
16 resolution, rule, regulation, order, or directive, except in a meeting
17 open to the public and then only at a meeting, the date of which is
18 fixed by law or rule, or at a meeting of which notice has been given

1 according to the provisions of this chapter. Any action taken at
2 meetings failing to comply with the provisions of this subsection shall
3 be null and void.

4 (2)(a) Before taking final action on any ordinance, resolution,
5 rule, regulation, order, or directive, a governing body of a public
6 agency must allow for public comment regarding that ordinance,
7 resolution, rule, regulation, order, or directive. The public comment
8 may be taken at the beginning of a meeting at which final action is
9 scheduled, or at a prior meeting for which notice of the comment period
10 on proposed action has been provided.

11 (b) Meeting materials prepared by a governing body relating to
12 action on any ordinance, resolution, rule, regulation, order, or
13 directive must be available to the public before the time for public
14 comment unless such materials are exempt from disclosure under the
15 public records act or other applicable law. As a best practice,
16 governing bodies should post the materials on their web sites at least
17 twenty-four hours before the period for public comment. If materials
18 are not made available on agency web sites, those materials must be
19 available at the time the meeting is called to order.

20 (3) No governing body of a public agency at any meeting required to
21 be open to the public shall vote by secret ballot. Any vote taken in
22 violation of this subsection shall be null and void, and shall be
23 considered an "action" under this chapter.

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