

SECOND REGULAR SESSION

SENATE BILL NO. 1206

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODMAN.

Read 1st time February 27, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4798S.011

AN ACT

To repeal section 610.020, RSMo, and to enact in lieu thereof one new section relating to notice for public meetings of local governments, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 610.020, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 610.020, to read as follows:

610.020. 1. All public governmental bodies shall give notice of the time,
2 date, and place of each meeting, and its tentative agenda, in a manner reasonably
3 calculated to advise the public of the matters to be considered, and if the meeting
4 will be conducted by telephone or other electronic means, the notice of the
5 meeting shall identify the mode by which the meeting will be conducted and the
6 designated location where the public may observe and attend the meeting. If a
7 public body plans to meet by Internet chat, Internet message board, or other
8 computer link, it shall post a notice of the meeting on its web site in addition to
9 its principal office and shall notify the public how to access that
10 meeting. Reasonable notice shall include making available copies of the notice
11 to any representative of the news media who requests notice of meetings of a
12 particular public governmental body concurrent with the notice being made
13 available to the members of the particular governmental body and posting the
14 notice on a bulletin board or other prominent place which is easily accessible to
15 the public and clearly designated for that purpose at the principal office of the
16 body holding the meeting, or if no such office exists, at the building in which the
17 meeting is to be held.

18 2. Notice conforming with all of the requirements of subsection 1 of this
19 section shall be given at least twenty-four hours, exclusive of weekends and
20 holidays when the facility is closed, prior to the commencement of any meeting

21 of a governmental body unless for good cause such notice is impossible or
22 impractical, in which case as much notice as is reasonably possible shall be
23 given. Each meeting shall be held at a place reasonably accessible to the public
24 and of sufficient size to accommodate the anticipated attendance by members of
25 the public, and at a time reasonably convenient to the public, unless for good
26 cause such a place or time is impossible or impractical. Every reasonable effort
27 shall be made to grant special access to the meeting to handicapped or disabled
28 individuals.

29 3. A public body shall allow for the recording by audiotape, videotape, or
30 other electronic means of any open meeting. A public body may establish
31 guidelines regarding the manner in which such recording is conducted so as to
32 minimize disruption to the meeting. No audio recording of any meeting, record,
33 or vote closed pursuant to the provisions of section 610.021 shall be permitted
34 without permission of the public body; any person who violates this provision
35 shall be guilty of a class C misdemeanor.

36 4. When it is necessary to hold a meeting on less than twenty-four hours'
37 notice, or at a place that is not reasonably accessible to the public, or at a time
38 that is not reasonably convenient to the public, the nature of the good cause
39 justifying that departure from the normal requirements shall be stated in the
40 minutes.

41 5. A formally constituted subunit of a parent governmental body may
42 conduct a meeting without notice as required by this section during a lawful
43 meeting of the parent governmental body, a recess in that meeting, or
44 immediately following that meeting, if the meeting of the subunit is publicly
45 announced at the parent meeting and the subject of the meeting reasonably
46 coincides with the subjects discussed or acted upon by the parent governmental
47 body.

48 6. If another provision of law requires a manner of giving specific notice
49 of a meeting, hearing or an intent to take action by a governmental body,
50 compliance with that section shall constitute compliance with the notice
51 requirements of this section.

52 7. A journal or minutes of open and closed meetings shall be taken and
53 retained by the public governmental body, including, but not limited to, a record
54 of any votes taken at such meeting. The minutes shall include the date, time,
55 place, members present, members absent and a record of any votes taken. When
56 a roll call vote is taken, the minutes shall attribute each "yea" and "nay" vote or

57 abstinence if not voting to the name of the individual member of the public
58 governmental body.

59 **8. Notwithstanding the provisions of this section to the contrary,**
60 **for any public meeting of the governing body of a county, city, town, or**
61 **village, or any entity created by such county, city, town, or village,**
62 **notice conforming with all of the requirements of subsection 1 of this**
63 **section shall be given at least seventy-two hours, exclusive of weekends**
64 **and holidays when the facility is closed, prior to the commencement of**
65 **any meeting of such entity unless for good cause such notice is**
66 **impossible or impractical, in which case as much notice as is**
67 **reasonably possible shall be given. Each public meeting of an entity**
68 **described in this subsection shall include a period of time in which**
69 **members of the public may offer their comments on matters of the**
70 **public business of the entity holding the meeting.**

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Bill

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