

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 273

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO THE OPEN MEETINGS LAW; AMENDING SECTION 74-202, IDAHO CODE, TO
REVISE THE DEFINITION OF "PUBLIC AGENCY."

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 74-202, Idaho Code, be, and the same is hereby
amended to read as follows:

74-202. OPEN PUBLIC MEETINGS -- DEFINITIONS. As used in this chapter:

(1) "Decision" means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present, but shall not include those ministerial or administrative actions necessary to carry out a decision previously adopted in a meeting held in compliance with this chapter.

(2) "Deliberation" means the receipt or exchange of information or opinion relating to a decision, but shall not include informal or impromptu discussions of a general nature which do not specifically relate to a matter then pending before the public agency for decision.

(3) "Executive session" means any meeting or part of a meeting of a governing body which is closed to any persons for deliberation on certain matters.

(4) "Public agency" means:

(a) any state board, committee, council, commission, department, authority, educational institution or other state agency which is created by or pursuant to statute or executive order of the governor, other than courts and their agencies and divisions, and the judicial council, and the district magistrates commission;

(b) any regional board, commission, department or authority created by or pursuant to statute;

(c) any county, city, school district, special district, or other municipal corporation or political subdivision of the state of Idaho;

(d) any subagency of a public agency which is created by or pursuant to statute or executive order of the governor, ordinance, or other legislative act.

(5) "Governing body" means the members of any public agency which consists of two (2) or more members, with the authority to make decisions for or recommendations to a public agency regarding any matter.

(6) "Meeting" means the convening of a governing body of a public agency to make a decision or to deliberate toward a decision on any matter.

(a) "regular meeting" means the convening of a governing body of a public agency on the date fixed by law or rule, to conduct the business of the agency.

1 (b) "special meeting" is a convening of the governing body of a public
2 agency pursuant to a special call for the conduct of business as speci-
3 fied in the call.