

ACT No. 628

Regular Session, 2014

HOUSE BILL NO. 614

BY REPRESENTATIVE ABRAMSON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

AN ACT

To amend and reenact R.S. 42:17(A)(1), 19(A)(1)(b)(i) and (ii)(aa) and (2)(a), and 20(B), relative to the Open Meetings Law; to clarify that certain time periods are exclusive of legal holidays; to require the posting of minutes on the website of a public body under specified circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:17(A)(1), 19(A)(1)(b)(i) and (ii)(aa) and (2)(a), and 20(B) are hereby amended and reenacted to read as follows:

§17. Exceptions to open meetings

A. A public body may hold an executive session pursuant to R.S. 42:16 for one or more of the following reasons:

(1) Discussion of the character, professional competence, or physical or mental health of a person, provided that such person is notified in writing at least twenty-four hours, exclusive of Saturdays, Sundays, and legal holidays, before the scheduled time contained in the notice of the meeting at which such executive session is to take place and that such person may require that such discussion be held at an open meeting. However, nothing in this Paragraph shall permit an executive session for discussion of the appointment of a person to a public body or, except as provided in R.S. 39:1593(C)(2)(c), for discussing the award of a public contract. In cases of extraordinary emergency, written notice to such person shall not be required; however, the public body shall give such notice as it deems appropriate and circumstances permit.

* * *

1 §19. Notice of meetings

2 A.(1)

3 * * *

4 (b)(i) All public bodies, except the legislature and its committees and
5 subcommittees, shall give written public notice of any regular, special, or
6 rescheduled meeting no later than twenty-four hours, exclusive of Saturdays,
7 Sundays, and legal holidays, before the meeting.

8 (ii)(aa) Such notice shall include the agenda, date, time, and place of the
9 meeting. The agenda shall not be changed less than twenty-four hours, exclusive of
10 Saturdays, Sundays, and legal holidays, prior to the scheduled time of the meeting.

11 * * *

12 (2) Written public notice given by all public bodies, except the legislature
13 and its committees and subcommittees, shall include, but need not be limited to:

14 (a) Posting a copy of the notice at the principal office of the public body
15 holding the meeting, or if no such office exists, at the building in which the meeting
16 is to be held; or by publication of the notice in an official journal of the public body
17 no less than twenty-four hours, exclusive of Saturdays, Sundays, and legal holidays,
18 before the scheduled time of the meeting. If the public body has a website,
19 additionally by providing notice via the Internet on the website of the public body
20 for no less than twenty-four hours, exclusive of Saturdays, Sundays, and legal
21 holidays, immediately preceding the meeting. The failure to timely post notice via
22 the Internet pursuant to this Subparagraph or the inability of the public to access the
23 public body's website due to any type of technological failure shall not be a violation
24 of the provisions of this Chapter.

25 * * *

26 §20. Written minutes

27 * * *

28 B.(1) The minutes shall be public records and shall be available within a
29 reasonable time after the meeting, except where such disclosures would be

1 inconsistent with R.S. 42:16, 17, and 18, or rules adopted under the provisions of
2 R.S. 42:21.

3 (2) If the public body has a website, the public body shall post on its website
4 a copy of the minutes made available pursuant to Paragraph (1) of this Subsection
5 and shall maintain the copy of those minutes on the website for at least three months
6 after the posting. If the public body is required to publish its minutes in an official
7 journal, the public body shall post its minutes on its website as required by this
8 Paragraph within ten days after publication in the official journal. If the public body
9 is not required to publish its minutes in an official journal, the public body shall post
10 its minutes on its website as required by this Paragraph within a reasonable time after
11 the meeting. The inability of the public to access the public body's website due to
12 any type of technological failure shall not be a violation of the provisions of this
13 Chapter.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____