2017 -- H 5732

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N   A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - OPEN MEETINGS

Introduced By: Representatives Canario, Fellela, Azzinaro, Bennett, and Johnston

Date Introduced: March 01, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1   SECTION 1. Section 42-46-7 of the General Laws in Chapter 42-46 entitled "Open

2 Meetings" is hereby amended to read as follows:

3   **42-46-7. Minutes.**

4   (a) All public bodies shall keep written minutes of all their meetings. The minutes shall

5 include, but need not be limited to:

6   (1) The date, time, and place of the meeting;

7   (2) The members of the public body recorded as either present or absent;

8   (3) A record by individual members of any vote taken; and

9   (4) Any other information relevant to the business of the public body that any member of

10 the public body requests be included or reflected in the minutes.

11   (b) (1) A record of all votes taken at all meetings of public bodies, listing how each

12 member voted on each issue, shall be a public record and shall be available, to the public at the

13 office of the public body, within two (2) weeks of the date of the vote. The minutes shall be

14 public records and unofficial minutes shall be available, to the public at the office of the public

15 body, within thirty-five (35) days of the meeting or at the next regularly scheduled meeting,

16 whichever is earlier, except where the disclosure would be inconsistent with §§ 42-46-4 and 42-

17 46-5 or where the public body by majority vote extends the time period for the filing of the

18 minutes and publicly states the reason.

19   (2) In addition to the provisions of subdivision (b)(1), all volunteer fire companies,

1   associations, fire district companies, or any other organization currently engaged in the mission of

2   extinguishing fires and preventing fire hazards, whether it is incorporated or not, and whether it is

3   a paid department or not, shall post unofficial minutes of their meetings within twenty-one (21)

4   days of the meeting, but not later than seven (7) days prior to the next regularly scheduled

5   meeting, whichever is earlier, on the secretary of state's website.

6   (c) The minutes of a closed session shall be made available at the next regularly

7   scheduled meeting unless the majority of the body votes to keep the minutes closed pursuant to

8   §§ 42-46-4 and 42-46-5.

9   (d) All public bodies within the executive branch of the state government and all state

10 public and quasi-public boards, agencies and corporations, and those public bodies set forth in

11 subdivision (b)(2), shall keep official and/or approved minutes of all meetings of the body and

12 shall file a copy of the minutes of all open meetings with the secretary of state for inspection by

13 the public within thirty-five (35) days of the meeting; provided that this subsection shall not apply

14 to public bodies whose responsibilities are solely advisory in nature.

15   (e) All minutes and unofficial minutes required by this section to be filed with the

16 secretary of state shall be electronically transmitted to the secretary of state in accordance with

17 rules and regulations which shall be promulgated by the secretary of state. If a public body fails to

18 transmit minutes or unofficial minutes in accordance with this subsection, then any aggrieved

19 person may file a complaint with the attorney general in accordance with § 42-46-8.

20   SECTION 2. This act shall take effect upon passage.

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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1   This act would require that all public bodies keep official minutes of all meetings and file

2   copies of these minutes with the secretary of state within thirty-five (35) days of the meeting for

3   inspection by the public.

4   This act would take effect upon passage.

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