

SENATE BILL 27

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 8,
Chapter 44, relative to public meetings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 44, Part 1, is amended by adding the following as a new section:

(a)

(1) A governing body shall make available to the public, at no charge, the agenda of an upcoming meeting of the governing body in a place accessible to the public for a minimum period of forty-eight (48) hours prior to the meeting. The agenda must clearly describe the matters to be discussed at the public meeting.

(2) A governing body may take action on matters not listed on the agenda if the matter could not have been reasonably foreseen prior to the posting of the agenda; provided, that the governing body follows its bylaws or properly adopted rules and procedures and is in compliance with other state law.

(b)

(1) A governing body shall make available to the public, at no charge, supplemental meeting documents in a place accessible to the public for a minimum period of forty-eight (48) hours prior to the meeting.

(2) As used in this section, "supplemental meeting documents" include, but are not limited to, proposed ordinances, proposed contracts, proposed resolutions, written staff recommendations, reports, and other materials given to governing body members in advance of the meeting.

(3) If supplemental meeting documents are not available to governing body members forty-eight (48) hours prior to the meeting, the governing body shall make the supplemental meeting documents publicly accessible when they are given to governing body members.

(4) This subsection (b) does not require a governing body to make available to the public supplemental meeting documents or parts of documents that are confidential under state or federal law.

(c) A governing body shall promptly provide copies of its agenda and supplemental meeting documents, at no charge, to a citizen who requests copies, and the governing body shall have a reasonable number of copies available at the meeting.

(d) A governing body shall not circumvent the spirit or requirements of this section by withholding items from a published agenda or supplemental meeting documents for the purpose of avoiding public disclosure of business to be considered by the governing body.

(e) A governing body that maintains a website may publish its agenda and supplemental meeting documents on its website. The governing body's website is considered a place that is accessible to the public for purposes of compliance with subsections (a) and (b).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.