

# SENATE BILL REPORT

## SB 6704

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As Reported By Senate Committee On:  
Government Operations & Elections, February 07, 2008

**Title:** An act relating to special meetings.

**Brief Description:** Modifying the notice requirement for special meetings.

**Sponsors:** Senator Fairley; by request of Attorney General.

**Brief History:**

**Committee Activity:** Government Operations & Elections: 2/07/08 [DPS].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** That Substitute Senate Bill No. 6704 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; Benton, Kline, McDermott and Pridemore.

**Staff:** Sharon Swanson (786-7447)

**Background:** All meetings of the governing body of an agency are open and public. The governing body of a public agency is required to provide the time for holding regular meetings by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body.

A special meeting may be called at any time by the presiding officer of the governing body of a public agency or by a majority of the members of the governing body by delivering written notice personally, by mail, by fax, or by electronic mail to each member of the governing body; and to each local newspaper of general circulation and to each local radio or television station which has on file with the governing body a written request to be notified of such special meeting. Such notice must be delivered at least 24 hours before the time of such meeting as specified in the notice. The notice must specify the time and place of the special meeting and the business to be transacted.

**Summary of Bill (Recommended Substitute):** An agency that calls a special meeting must post a notice on the agency's web site, if any, and prominently display at the main entrance of the agency's principal location and the meeting site if it is not held at the agency's principal location. Such notice must be delivered or posted as applicable at least twenty-four hours before the time of such meeting as specified in the notice.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

An agency shall be considered to have complied with the requirement for posting a notice on its web site if the agency made a good faith effort to post the notice at least twenty-four hours before the meeting and was unable to do so because of circumstances beyond its control. Such circumstances include, but are not limited to, problems with internet software, equipment or systems, and the inability or failure of a third-party contractor to post a notice in a timely manner. A voting district for a governing body with fewer than one thousand registered voters is required to send notice of special meetings to individuals residing in the district if the individual has a written request for such notice on file with the governing body. The notice can be by fax, electronic mail, or telephonic message.

**EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS & ELECTIONS COMMITTEE (Recommended Substitute):** Adds language that requires a voting district for a governing body with fewer than one thousand registered voters to send notice of special meetings to individuals residing in the district if the individual has a written request for such notice on file with the governing body. The notice can be by fax, electronic mail, or telephonic message. Adds language that allows a good faith effort on the part of an agency to post information on the internet but fails for reasons that are beyond the agency's control.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** PRO: The problem that this bill is attempting to solve is an unintended problem. On occasion, agencies will schedule a special meeting. Unless a newspaper has requested to receive notice, the papers don't get notice. The public doesn't get notice and no one shows up. This is, in effect, a closed meeting. The bill attempts to address the need for greater public notice of special meetings.

**Persons Testifying:** PRO: Tim Ford, Attorney General's Office.