

2014 -- H 7942

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - OPEN MEETINGS

Introduced By: Representatives Carnevale, Williams, Almeida, DeSimone, and Diaz

Date Introduced: March 13, 2014

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-46-2 of the General Laws in Chapter 42-46 entitled "Open  
2 Meetings" is hereby amended to read as follows:

3 **42-46-2. Definitions. --** As used in this chapter:

4 (1) "Meeting" means the convening of a public body to discuss and/or act upon a matter  
5 over which the public body has supervision, control, jurisdiction, or advisory power. As used  
6 herein, the term "meeting" expressly includes, without limiting the generality of the foregoing,  
7 so-called "workshop," "working," or "work" sessions; except with respect to libraries the term  
8 "meeting" shall apply only to meetings of the board of directors.

9 (2) "Open call" means a public announcement by the chairperson of the committee that  
10 the meeting is going to be held in executive session and the chairperson must indicate which  
11 exception of section 42-46-5 is being involved.

12 (3) "Public body" means any department, agency, commission, committee, board,  
13 council, bureau, or authority or any subdivision thereof of state or municipal government or any  
14 library that funded at least twenty-five percent (25%) of its operational budget in the prior budget  
15 year with public funds, and shall include all authorities defined in section 42-35-1(b). For  
16 purposes of this section, any political party, organization, or unit thereof meeting or convening is  
17 not and should not be considered to be a public body; provided, however, that no such meeting  
18 shall be used to circumvent the requirements of this chapter.

19 (4) "Quorum", unless otherwise defined by applicable law, means a simple majority of

1 the membership of a public body.

2 (5) "Prevailing plaintiff" includes those persons and entities deemed "prevailing parties"  
3 pursuant to 42 U.S.C. section 1988.

4 (6) "Open forum" means the designated portion of an open meeting, if any, on a properly  
5 posted notice reserved for citizens to address comments to a public body relating to matters  
6 affecting the public business.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This act would provide for that purposes of the open meetings law the term "meeting"
- 2           would refer to meetings of a library's board of directors only.
- 3           This act would take effect upon passage.

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