

2021 -- H 5032

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

Introduced By: Representative Brian C. Newberry

Date Introduced: January 15, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-46-4 of the General Laws in Chapter 42-46 entitled "Open
2 Meetings" is hereby amended to read as follows:

3 **42-46-4. Closed meetings.**

4 (a) By open call, a public body may hold a meeting closed to the public upon an affirmative
5 vote of the majority of its members. A meeting closed to the public shall be limited to matters
6 allowed to be exempted from discussion at open meetings by § 42-46-5. The vote of each member
7 on the question of holding a meeting closed to the public and the reason for holding a closed
8 meeting, by a citation to a subdivision of § 42-46-5(a), and a statement specifying the nature of the
9 business to be discussed, shall be recorded and entered into the minutes of the meeting. No public
10 body shall discuss in closed session any public matter which does not fall within the citations to §
11 42-46-5(a) referred to by the public body in voting to close the meeting, even if these discussions
12 could otherwise be closed to the public under this chapter.

13 (b) All votes taken in closed sessions shall be disclosed once the session is reopened;
14 provided, however, a vote taken in a closed session need not be disclosed for the period of time
15 during which its disclosure would jeopardize any strategy, negotiation or investigation undertaken
16 pursuant to discussions conducted under § 42-46-5(a).

17 (c) A meeting closed to the public shall be recorded by audiotape or other audio recording
18 device, and this audiotape or other audio recording shall not be considered a public record as
19 defined in chapter 2 of title 38.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

1 This act would require that all meetings closed to the public be recorded by audio tape or
2 other audio recording device.

3 This act would take effect upon passage.

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