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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT

Introduced By: Representatives Ackerman, O`Grady, Valencia, Newberry, and Tomasso

Date Introduced: January 29, 2013

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. --** (a) All public bodies shall keep written minutes of all their  
4 meetings. The minutes shall include, but need not be limited to:

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

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

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

8 (4) Any other information relevant to the business of the public body that any member of  
9 the public body requests be included or reflected in the minutes.

10 (b) A record of all votes taken at all meetings of public bodies, listing how each member  
11 voted on each issue, shall be a public record and shall be available, to the public at the office of  
12 the public body, within two (2) weeks of the date of the vote. The minutes shall be public records  
13 and unofficial minutes shall be available, to the public at the office of the public body, within  
14 thirty-five (35) days of the meeting or at the next regularly scheduled meeting, whichever is  
15 earlier, except where the disclosure would be inconsistent with sections 42-46-4 and 42-46-5 or  
16 where the public body by majority vote extends the time period for the filing of the minutes and  
17 publicly states the reason.

18 (c) The minutes of a closed session shall be made available at the next regularly  
19 scheduled meeting unless the majority of the body votes to keep the minutes closed pursuant to

1 sections 42-46-4 and 42-46-5.

2 (d) All public bodies within the executive branch of the state government and all state  
3 public and quasi-public boards, agencies and corporations shall keep official and/or approved  
4 minutes of all meetings of the body and shall file a copy of the minutes of all open meetings with  
5 the secretary of state for inspection by the public within thirty-five (35) days of the meeting;  
6 provided that this subsection shall not apply to public bodies whose responsibilities are solely  
7 advisory in nature.

8 (e) All minutes required by this section to be filed with the secretary of state shall be  
9 electronically transmitted to the secretary of state in accordance with rules and regulations which  
10 shall be promulgated by the secretary of state. This requirement of the electronic transmission and  
11 filing of minutes with the secretary of state shall take effect one year after this subsection takes  
12 effect. If a public body fails to transmit minutes in accordance with this subsection, then any  
13 aggrieved person may file a complaint with the attorney general in accordance with section 42-  
14 46-8.

15 (f) All independent fire districts shall post the draft minutes of their meetings on either  
16 their own district/department website or the local municipal website, and if these websites are not  
17 available then on the secretary of state's website. These minutes shall be posted within twenty-one  
18 (21) days of the meeting or seven (7) days before the next regularly scheduled meeting,  
19 whichever is earlier.

20 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 require independent fire districts to post draft minutes of their meetings on  
2 their own district/department website or the local municipal website or on the website of the  
3 secretary of state.

4           This act would take effect upon passage.

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