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S T A T E   O F   R H O D E   I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N   A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

Introduced By: Senator Walter S. Felag

Date Introduced: February 10, 2021

Referred To: Senate 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.**

4   (a) All public bodies shall keep written minutes of all their meetings. The minutes shall

5   include, but need not be limited to:

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

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

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

9   (4) Any other information relevant to the business of the public body that any member of

10   the public body requests be included or reflected in the minutes.

11   (b) (1) A record of all votes taken at all meetings of public bodies, listing how each member

12   voted on each issue, shall be a public record and shall be available to the public at the office of the

13   public body within two (2) weeks of the date of the vote. The minutes shall be public records and

14   unofficial minutes shall be available to the public at the office of the public body within thirty-five

15   (35) days of the meeting or at the next regularly scheduled meeting, whichever is earlier, except

16   where the disclosure would be inconsistent with §§ 42-46-4 and 42-46-5 or where the public body

17   by majority vote extends the time period for the filing of the minutes and publicly states the reason.

18   (2) In addition to the provisions of subsection (b)(1), all volunteer fire companies,

19   associations, fire district companies, or any other organization currently engaged in the mission of

1   extinguishing fires and preventing fire hazards, whether it is incorporated or not, and whether it is

2   a paid department or not, shall post unofficial minutes of their meetings within twenty-one (21)

3   days of the meeting, but not later than seven (7) days prior to the next regularly scheduled meeting,

4   whichever is earlier, on the secretary of state's website. Except for discussions related to finances,

5   the provisions of this subsection shall not apply to a volunteer fire company if the matters of the

6   volunteer fire company are under the supervision, control, or jurisdiction of another public body.

7   (c) The minutes of a closed session shall be made available at the next regularly scheduled

8   meeting unless the majority of the body votes to keep the minutes closed pursuant to §§ 42-46-4

9   and 42-46-5.

10   (d) All public bodies shall keep official and/or approved minutes of all meetings of the

11   body and shall file a copy of the minutes of all open meetings with the secretary of state for

12   inspection by the public within thirty-five (35) days of the meeting; provided that this subsection

13   shall not apply to public bodies whose responsibilities are solely advisory in nature.

14   (e) All minutes and unofficial minutes required by this section to be filed with the secretary

15   of state shall be electronically transmitted to the secretary of state in accordance with rules and

16   regulations that shall be promulgated by the secretary of state. If a public body fails to transmit

17   minutes or unofficial minutes in accordance with this subsection, then any aggrieved person may

18   file a complaint with the attorney general in accordance with § 42-46-8.

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

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

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1   This act would exempt volunteer fire companies under the supervision, control, or

2   jurisdiction of another public body from certain posting requirements of the open meetings act,

3   unless any discussions during a meeting relate to the finances of the volunteer fire company.

4   This act would take effect upon passage.

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