
**State Government & Tribal
Affairs Committee**

HB 2567

Brief Description: Increasing the civil penalty for violating the open public meetings act.

Sponsors: Representative Haler.

Brief Summary of Bill

- Increases the penalty for violating the Open Public Meetings Act from \$100 to \$1000.

Hearing Date: 1/23/08

Staff: Colleen Kerr (786-7168).

Background:

Open Public Meetings Act

The Legislature enacted Washington's Open Public Meetings Act (OPMA) in 1971. The OPMA is modeled on California's Brown Act of 1953 and Florida's Government-in-the-Sunshine Law, or Sunshine Act, of 1967. Open government laws are often referred to as sunshine laws in reference to a quote from Justice Brandies who said, "Sunlight is said to be the best of disinfectants." Indeed, Washington's Public Disclosure Act, now the Public Records Act was sometimes called the Sunshine Law at the time of enactment.

Open Public Meetings Act Requirements

The OPMA requires that all meetings of the governing body of a public agency must be open and public for anyone to attend. A "meeting" is defined as meetings where action is taken. "Action" is the transaction of official business, including, but not limited to, public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions. There are statutory provisions regarding regular and special meetings, conduct, notice requirements, and penalties and remedies.

Violations of the OPMA

The OPMA provides that every member of a governing body who attends a meeting of the OPMA where action is taken in violation of the statutory requirements, and has knowledge that the

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meeting was in violation, is subject to a civil penalty of \$100. A violation of the OPMA does not constitute a crime.

Summary of Bill:

Penalties for violations of the OPMA are increased from \$100 to \$1000.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.