

HOUSE BILL REPORT

SB 6171

As Reported by House Committee On:
State Government

Title: An act relating to civil penalties for knowing attendance by a member of a governing body at a meeting held in violation of the open public meetings act.

Brief Description: Concerning civil penalties for knowing attendance by a member of a governing body at a meeting held in violation of the open public meetings act.

Sponsors: Senators Roach, Liias and Benton; by request of Attorney General.

Brief History:

Committee Activity:

State Government: 2/23/16, 2/24/16 [DP].

Brief Summary of Bill

- Increases the penalty for a member of a governing body violating the Open Public Meetings Act (OPMA) from \$100 to \$500.
- Adds a \$1,000 penalty for any subsequent violation of the OPMA by a governing body member who was previously penalized.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 6 members: Representatives S. Hunt, Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Frame, Hawkins and Moscoso.

Staff: Sean Flynn (786-7124).

Background:

The Open Public Meetings Act (OPMA) requires public access to attend all meetings of the governing body of a state or local agency or subagency that involves the transaction of official business. Any law, rule, regulation, or directive adopted by a governing body must be at an open meeting. The governing body must set a regular meeting schedule by law or rule and make meeting agendas available no less than 24 hours before a regular meeting.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The member of a governing body who attends a meeting in violation of any provision of the OPMA with knowledge of the violation may be charged a civil penalty of \$100 assessed by a superior court judge. Any person may bring an action to enforce such a penalty.

Summary of Bill:

The penalty against the member of a governing body attending a meeting in violation of the OPMA is increased from \$100 to \$500. Any member who has previously been assessed a penalty is subject to a \$1,000 penalty for any subsequent violation of the OPMA.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) Washington is behind many other states regarding penalty amounts for open meeting violations. This bill provides a modest increase in the penalty for a violation of the OPMA, which has not been increased since it was enacted over 40 years ago, bringing penalty amounts in accord with inflation. There is high public interest in compliance issues with the OPMA. This increase in penalties improves the deterrent effect and will help ensure public officials are following the law.

(Opposed) None.

Persons Testifying: Senator Roach, prime sponsor; Nancy Krier, Office of the Attorney General; and Rowland Thompson, Allied Daily Newspapers of Washington.

Persons Signed In To Testify But Not Testifying: None.