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**HOUSE BILL 1180**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Representatives Kraft and Sutherland

AN ACT Relating to public testimony at public meetings, including virtual meetings; amending RCW 42.30.020 and 42.30.070; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 42.30.020 and 1985 c 366 s 1 are each amended to read as follows:

As used in this chapter unless the context indicates otherwise:

(1) "Public agency" means:

(a) Any state board, commission, committee, department, educational institution, or other state agency which is created by or pursuant to statute, other than courts and the legislature;

(b) Any county, city, school district, special purpose district, or other municipal corporation or political subdivision of the state of Washington;

(c) Any subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act, including but not limited to planning commissions, library or park boards, commissions, and agencies;

(d) Any policy group whose membership includes representatives of publicly owned utilities formed by or pursuant to the laws of this state when meeting together as or on behalf of participants who have contracted for the output of generating plants being planned or built by an operating agency.

(2) "Governing body" means the multimember board, commission, committee, council, or other policy or rule-making body of a public agency, or any committee thereof when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment.

(3) "Action" means the transaction of the official business of a public agency by a governing body including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions. "Final action" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

(4) "Meeting" means meetings at which action is taken.

(5) "Virtual setting" means a computer program that allows the members of the governing body to interact with people attending the meeting using video conferencing technology and allows members of the public to watch the meeting at the same time using the internet, or by calling in by telephone or use of a personal electronic device remotely.

**Sec.**  RCW 42.30.070 and 1983 c 155 s 2 are each amended to read as follows:

(1) The governing body of a public agency shall provide the time for holding regular meetings by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body. Unless otherwise provided for in the act under which the public agency was formed, meetings of the governing body need not be held within the boundaries of the territory over which the public agency exercises jurisdiction. Public agencies may hold regular and special meetings pursuant to this chapter in a virtual setting. If an emergency situation, including but not limited to ones covered by a health or emergency proclamation, prevents a governing body from meeting in person, then the public agency shall hold virtual meetings so long as the public agency has sufficient technology and internet access available.

(2) If at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day. If, by reason of fire, flood, earthquake, or other emergency, there is a need for expedited action by a governing body to meet the emergency, the presiding officer of the governing body may provide for a meeting site other than the regular meeting site and the notice requirements of this chapter shall be suspended during such emergency. The notice requirement suspension in this subsection remains in effect only as needed and no longer than the 14th day of the emergency.

(3) It shall not be a violation of the requirements of this chapter for a majority of the members of a governing body to travel together or gather for purposes other than a regular meeting or a special meeting as these terms are used in this chapter: PROVIDED, That they take no action as defined in this chapter.

(4)(a) The governing body of a public agency shall provide time at every meeting to take public testimony.

(b) The governing body must allow a person to give public testimony if a meeting is occurring in a virtual setting in at least one of the following ways:

(i) Speaking in person;

(ii) Calling a telephone number at the appropriate time during the meeting and providing verbal testimony that can be heard or seen and heard by the participants using the virtual setting; or

(iii) Submitting in advance of the meeting a comment that will be read by a member of the governing board or agency personnel during the public meeting. The comment is subject to the same time limits applied to other people providing public testimony. The comment is to be read at a reasonable and proper rate of speed for the general listener to comprehend.

(c) If the provisions of (b) of this subsection are not possible, then the public agency must develop a procedure to display public testimony that ensures that the comments are available for people to see during the meeting and later on a public website.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

**--- END ---**