
Local Government Committee

HB 1180

Brief Description: Concerning public testimony at public meetings, including virtual meetings.

Sponsors: Representatives Kraft and Sutherland.

Brief Summary of Bill

- Authorizes meetings of a governing body to be held virtually, with real-time public attendance over the phone, through the Internet, or through a personal electronic device.
- Limits the suspension of notice requirements during an emergency that requires expedited action by the governing body to no longer than 14 days.
- Requires governing bodies to provide time for public comment during meetings, and requires public comment to be allowed in-person, over the phone, or through the submission of written comment in advance of the meeting during when a meeting is held virtually.

Hearing Date: 1/26/21

Staff: Kellen Wright (786-7134).

Background:

The meetings of the governing body of a public agency must, with limited exceptions, be open to the public. Public agencies include all state boards, agencies, commissions, and education institutions created by statute, as well as all counties, cities, school districts and special purpose districts. A meeting is a gathering of the governing body where the transaction of the official business of the public agency occurs, including, but not limited to, the receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and votes upon a

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motion, proposal, resolution, order, or ordinance.

Governing bodies must establish a regular meeting time through an ordinance, resolution, bylaw, or other rule, and a schedule of these meetings must be published in the state register. For agencies that have a website or employ 10 or more full-time equivalent employees, agendas of regular meetings must be posted online at least 24 hours in advance of the meeting. Regular meetings of the governing body can be held outside of the jurisdiction of the governing body. For special meetings, notice delivered to each local newspaper, radio station, and television station that has requested such notice, displayed at both the main entrance to the agency's principle location and at the location of the meeting, and, for most agencies, posted online.

An exception to the normal notice and meeting location requirements may apply during an emergency. If expedited action by a governing body is required due to an emergency, such as a fire, flood, earthquake, then the governing body is allowed to meet at a location other than a regular meeting site, and the normal notice requirements are suspended.

A governing body is not required to take public testimony during a meeting.

Summary of Bill:

A governing body may hold regular and special meetings virtually, using video conferencing technology that allows members governing body to interact with people attending the meeting, and for members of the public to watch the meeting remotely in real-time using the Internet, by calling in by telephone, or through the use of a personal electronic device. If an emergency situation prevents a governing body from meeting in person, then meetings must be held as a virtual meeting as long as the public agency has sufficient technological and Internet access available.

The suspension of normal notice provisions due to an emergency that requires expedited action by the governing body may only remain in effect as long as needed, and cannot last longer than 14 days.

Time for public testimony must be provided at every meeting of a governing body. If the meeting is held virtually, then public testimony must be allowed in at least one of three ways: in person; by calling a telephone number during the meeting; or by submitting a comment in advance of the meeting to be read by a member of the governing body during the meeting. If it is not possible to accept public comment in these ways, 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 to later access on a public website.

Appropriation: None.

Fiscal Note: Requested on 1/19/2021.

Effective Date: The bill contains an emergency clause and takes effect immediately.