

2013 -- S 1025

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LC02870
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT

Introduced By: Senator Ryan W. Pearson

Date Introduced: June 25, 2013

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. --** (a) All public bodies shall keep written minutes of all their
4 meetings. The minutes shall include, but need not be limited to:

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

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

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

8 (4) Any other information relevant to the business of the public body that any member of
9 the public body requests be included or reflected in the minutes.

10 (b)(1) A record of all votes taken at all meetings of public bodies, listing how each
11 member voted on each issue, shall be a public record and shall be available, to the public at the
12 office of the public body, within two (2) weeks of the date of the vote. The minutes shall be
13 public records and unofficial minutes shall be available, to the public at the office of the public
14 body, within thirty-five (35) days of the meeting or at the next regularly scheduled meeting,
15 whichever is earlier, except where the disclosure would be inconsistent with sections 42-46-4 and
16 42-46-5 or where the public body by majority vote extends the time period for the filing of the
17 minutes and publicly states the reason.

18 (2) In addition to the provisions of subdivision (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
4 meeting, whichever is earlier, on the secretary of state's website.

5 (c) The minutes of a closed session shall be made available at the next regularly
6 scheduled meeting unless the majority of the body votes to keep the minutes closed pursuant to
7 sections 42-46-4 and 42-46-5.

8 (d) All public bodies within the executive branch of the state government and all state
9 public and quasi-public boards, agencies and corporations, and those public bodies set forth in
10 subdivision (b)(2), shall keep official and/or approved minutes of all meetings of the body and
11 shall file a copy of the minutes of all open meetings with the secretary of state for inspection by
12 the public within thirty-five (35) days of the meeting; provided that this subsection shall not apply
13 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
15 secretary of state shall be electronically transmitted to the secretary of state in accordance with
16 rules and regulations which shall be promulgated by the secretary of state. ~~This requirement of~~
17 ~~the electronic transmission and filing of minutes with the secretary of state shall take effect one~~
18 ~~year after this subsection takes effect.~~ If a public body fails to transmit minutes or unofficial
19 minutes in accordance with this subsection, then any aggrieved person may file a complaint with
20 the attorney general in accordance with section 42-46-8.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would require independent fire districts to post draft minutes of their meetings on
- 2 the secretary of state's website.
- 3 This act would take effect upon passage.

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