

2019 -- H 5355

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - OPEN MEETINGS

Introduced By: Representatives Williams, Ajello, and Almeida

Date Introduced: February 08, 2019

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 42-46-2 of the General Laws in Chapter 42-46 entitled "Open  
2 Meetings" is hereby amended to read as follows:

3           **42-46-2. Definitions.**

4           As used in this chapter:

5           (1) "Meeting" means the convening of a public body to discuss and/or act upon a matter  
6 over which the public body has supervision, control, jurisdiction, or advisory power. As used  
7 herein, the term "meeting" expressly includes, without limiting the generality of the foregoing,  
8 so-called "workshop," "working," or "work" sessions.

9           (2) "Open call" means a public announcement by the chairperson of the committee that  
10 the meeting is going to be held in executive session and the chairperson must indicate which  
11 exception of § 42-46-5 is being involved.

12           (3) "Public body" means any department, agency, commission, committee, board,  
13 council, bureau, or authority or any subdivision thereof of state or municipal government or [the](#)  
14 [board of directors of](#) any library that funded at least twenty-five percent (25%) of its operational  
15 budget in the prior budget year with public funds, and shall include all authorities defined in § 42-  
16 35-1(b). For purposes of this section, any political party, organization, or unit thereof meeting or  
17 convening is not and should not be considered to be a public body; provided, however, that no  
18 such meeting shall be used to circumvent the requirements of this chapter.

19           (4) "Quorum", unless otherwise defined by applicable law, means a simple majority of

1 the membership of a public body.

2 (5) "Prevailing plaintiff" includes those persons and entities deemed "prevailing parties"  
3 pursuant to 42 U.S.C. § 1988.

4 (6) "Open forum" means the designated portion of an open meeting, if any, on a properly  
5 posted notice reserved for citizens to address comments to a public body relating to matters  
6 affecting the public business.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

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1           This act would amend the definition of "public body" to include the board of directors of  
2 any library which has funded at least twenty-five percent (25%) of its operational budget in the  
3 prior budget year with public funds.

4           This act would take effect upon passage.

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