

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By  
\_\_\_\_\_

1 AMEND House Bill No. 657, Page 1, Section A, Line 2, by inserting after all of said section and  
2 line the following:

3  
4 "610.020. 1. All public governmental bodies shall give notice of the time, date, and place of  
5 each meeting, and its tentative agenda, in a manner reasonably calculated to advise the public of the  
6 matters to be considered, and if the meeting will be conducted by telephone or other electronic  
7 means, the notice of the meeting shall identify the mode by which the meeting will be conducted  
8 and the designated location where the public may observe and attend the meeting. If a public body  
9 plans to meet by internet chat, internet message board, or other computer link, it shall post a notice  
10 of the meeting on its website in addition to its principal office and shall notify the public how to  
11 access that meeting. Reasonable notice shall include making available copies of the notice to any  
12 representative of the news media who requests notice of meetings of a particular public  
13 governmental body concurrent with the notice being made available to the members of the particular  
14 governmental body and posting the notice on a bulletin board or other prominent place which is  
15 easily accessible to the public and clearly designated for that purpose at the principal office of the  
16 body holding the meeting, or if no such office exists, at the building in which the meeting is to be  
17 held.

18 2. Notice conforming with all of the requirements of subsection 1 of this section shall be  
19 given at least twenty-four hours, exclusive of weekends and holidays when the facility is closed,  
20 prior to the commencement of any meeting of a governmental body unless for good cause such  
21 notice is impossible or impractical, in which case as much notice as is reasonably possible shall be  
22 given. Each meeting shall be held at a place reasonably accessible to the public and of sufficient  
23 size to accommodate the anticipated attendance by members of the public, and at a time reasonably  
24 convenient to the public, unless for good cause such a place or time is impossible or impractical.  
25 Every reasonable effort shall be made to grant special access to the meeting to handicapped or  
26 disabled individuals.

27 3. A public body shall allow for the recording by audiotape, videotape, or other electronic  
28 means of any open meeting. A public body may establish guidelines regarding the manner in which  
29 such recording is conducted so as to minimize disruption to the meeting. No audio recording of any  
30 meeting, record, or vote closed pursuant to the provisions of section 610.021 shall be permitted  
31 without permission of the public body; any person who violates this provision shall be guilty of a  
32 class C misdemeanor.

33 4. When it is necessary to hold a meeting on less than twenty-four hours' notice, [~~or at a~~  
34 ~~place that is not reasonably accessible to the public~~] or when the meeting will be conducted  
35 exclusively electronically, or at a time that is not reasonably convenient to the public, the nature of  
36 the good cause justifying that departure from the normal requirements shall be stated in the minutes.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 Meetings held in-person and not otherwise subject to being closed under section 610.021 shall be  
 2 conducted in a manner that allows physical in-person public attendance.

3 5. A formally constituted subunit of a parent governmental body may conduct a meeting  
 4 without notice as required by this section during a lawful meeting of the parent governmental body,  
 5 a recess in that meeting, or immediately following that meeting, if the meeting of the subunit is  
 6 publicly announced at the parent meeting and the subject of the meeting reasonably coincides with  
 7 the subjects discussed or acted upon by the parent governmental body.

8 6. If another provision of law requires a manner of giving specific notice of a meeting,  
 9 hearing or an intent to take action by a governmental body, compliance with that section shall  
 10 constitute compliance with the notice requirements of this section.

11 7. A journal or minutes of open and closed meetings shall be taken and retained by the  
 12 public governmental body, including, but not limited to, a record of any votes taken at such meeting.  
 13 The minutes shall include the date, time, place, members present, members absent and a record of  
 14 any votes taken. When a roll call vote is taken, the minutes shall attribute each "yea" and "nay" vote  
 15 or abstinence if not voting to the name of the individual member of the public governmental body.";   
 16 and

17  
 18 Futher amend said bill, Page 4, Section 610.021, Line 120, by inserting after all of said section and  
 19 line the following:

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 21 "610.023. 1. Each public governmental body is to appoint a custodian who is to be  
 22 responsible for the maintenance of that body's records. The identity and location of a public  
 23 governmental body's custodian is to be made available upon request.

24 2. Each public governmental body shall make available for inspection and copying by the  
 25 public of that body's public records. No person shall remove original public records from the office  
 26 of a public governmental body or its custodian without written permission of the designated  
 27 custodian. No public governmental body shall, after August 28, 1998, grant to any person or entity,  
 28 whether by contract, license or otherwise, the exclusive right to access and disseminate any public  
 29 record unless the granting of such right is necessary to facilitate coordination with, or uniformity  
 30 among, industry regulators having similar authority.

31 3. Each request for access to a public record shall be acted upon as soon as possible, but in  
 32 no event later than the end of the third business day following the date the request is received by the  
 33 custodian of records of a public governmental body, unless published notice is provided at least  
 34 seventy-two hours prior to the request for records that the public governmental body will be closed  
 35 for an extended period outside of normal hours of operation. If records are requested in a certain  
 36 format, the public body shall provide the records in the requested format, if such format is available.  
 37 If access to the public record is not granted immediately, the custodian shall give a detailed  
 38 explanation of the cause for further delay and the place and earliest time and date that the record  
 39 will be available for inspection. This period for document production may exceed three days for  
 40 reasonable cause.

41 4. If a request for access is denied, the custodian shall provide, upon request, a written  
 42 statement of the grounds for such denial. Such statement shall cite the specific provision of law  
 43 under which access is denied and shall be furnished to the requester no later than the end of the third  
 44 business day following the date that the request for the statement is received."; and

45  
 46 Further amend said bill by amending the title, enacting clause, and intersectional references  
 47 accordingly.