

SENATE BILL NO. 66

BY SENATOR RISER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

AN ACT

To amend and reenact R.S. 42:26(C) and 28 and to enact R.S. 42:26(D), relative to open meetings of public bodies; to provide with respect to the open meetings law; to provide for enforcement of the open meetings law; to provide for an increase in the civil penalty for a knowing and willful violation of the open meetings law; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:26(C) and 28 are hereby amended and reenacted and R.S. 42:26(D) is hereby enacted to read as follows:

§26. Remedies; jurisdiction; authority; attorney fees

* * *

C. If a ~~person~~ **party** who brings an enforcement proceeding **pursuant to R.S. 42:25** prevails, ~~he~~ **the party** shall be awarded reasonable attorney fees and other costs of litigation. If such ~~person~~ **party** prevails in part, the court may award ~~him~~ **the party** reasonable attorney fees or an appropriate portion thereof.

D. If the court finds that the proceeding was of a frivolous nature and was brought with no substantial justification, it may award reasonable attorney fees to the prevailing party.

* * *

§28. Civil penalties

Any member of a public body who knowingly and wilfully participates in a meeting conducted in violation of this Chapter, shall be subject to a civil penalty not to exceed ~~one~~ **five** hundred dollars per violation. The member shall be personally

1 liable for the payment of such penalty. A suit to collect such penalty must be
2 instituted within sixty days of the violation.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____