Regular Session, 2011

HOUSE BILL NO. 449

BY REPRESENTATIVE ABRAMSON

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

PUBLIC MEETINGS: Specifies that discussions regarding the award of a public contract must be held in an open meeting

AN ACT

To amend and reenact R.S. 42:17(A)(1), relative to open meetings; to provide relative to exceptions and executive sessions; to provide relative to discussions regarding awarding of public contracts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:17(A)(1) is hereby amended and reenacted to read as follows:

§17. Exceptions to open meetings

A. A public body may hold an executive session pursuant to R.S. 42:16 for one or more of the following reasons:

(1) Discussion of the character, professional competence, or physical or mental health of a person, provided that such person is notified in writing at least twenty-four hours before the meeting and that such person may require that such discussion be held at an open meeting. ~~and provided that~~ However, nothing in this Subsection shall permit an executive session for discussion of the appointment of a person to a public body or for discussing the award of a public contract. In cases of extraordinary emergency, written notice to such person shall not be required; however, the public body shall give such notice as it deems appropriate and circumstances permit.

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CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Abramson HB No. 449

Abstract: Provides that the exception from the Open Meetings Law for discussions of the character, professional competence, or physical or mental health of a person does not apply to a discussion regarding the awarding of a public contract.

Present law generally requires meetings of public bodies be open to the public but also provides exceptions. One exception is a discussion of the character, professional competence, or physical or mental health of a person which present law authorizes public bodies to hold in executive session provided notice is given to the person. Present law specifically indicates that a discussion of the appointment of a person to a public body is not covered by this exception.

Proposed law retains present law and further specifies that a discussion of the awarding of a public contract is also not covered by the exception; therefore proposed law requires such discussions regarding the award of a contract to be held in open meetings.

(Amends R.S. 42:17(A)(1))

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