

CONFERENCE COMMITTEE REPORT
House Bill No. 580 By Representative Abramson

June 3, 2012

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 580 by Representative Abramson, recommend the following concerning the Engrossed bill:

1. That the set of Senate Floor Amendments proposed by Senator Perry and adopted by the Senate on June 1, 2012, be rejected.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, at the end of line 17, after "meeting." insert "The failure to timely post notice via the Internet pursuant to this Subparagraph or the inability of the public to access the public body's website due to any type of technological failure shall not be a violation of the provisions of this Chapter."

Respectfully submitted,

Representative Neil C. Abramson

Senator "Jody" Amedee

Representative Timothy G. Burns

Senator Jonathan Perry

Representative Jeffery "Jeff" J. Arnold

Senator Edwin R. Murray

 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)]

CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 580 by Representative Abramson

Keyword and oneliner of the instrument as it left the House

PUBLIC MEETINGS: Provides for the posting of the notice of a meeting of a public body on the official website of the public body

Report does not adopt any Senate amendments.
Report rejects Senate amendments which would have:

1. Provided that the failure to timely post an agenda by electronic means or the inability of the public to access the public bodies internet website caused by any type of technological failure shall not be considered a violation of the Open Meetings Law

Report amends the bill to:

1. Provide that the failure to timely post notice via the internet or the inability of the public to access the public body's website due to any type of technological failure shall not be a violation of the Open Meetings Law.

Digest of the bill as proposed by the Conference Committee

Present law requires all public bodies, except the legislature and its committees and subcommittees, to give written public notice of their regular meetings, if established by law, resolution, or ordinance, at the beginning of each calendar year and that such notice include meeting dates, times, and places. Further requires all such public bodies to give written public notice of any regular, special, or rescheduled meeting at least 24 hours prior and that such notice include the meeting's agenda, date, time, and place. Provides that the notice include posting a copy of the notice at the public body's principal office, or if no such office exists, at the building in which the meeting is to be held, or publication in the public body's official journal no less than 24 hours before the meeting, and mailing a copy of the notice to any member of the news media who requests notice (specifies that the news media shall be given notice in the same manner as the members of the public body).

Proposed law provides that in addition to posting a copy of the notice at the principal office of the public body holding the meeting, or if no such office exists, at the building in which the meeting is to be held, or by publication of the notice in an official journal of the public body no less than 24 hours before the meeting, a public body which has a website shall provide notice of the meeting on the public body's website for no less than 24 hours immediately preceding the meeting. Proposed law provides that the failure to timely post notice via the internet or the inability of the public to access the public body's website due to technological failure shall not be a violation of present law (Open Meetings Law).

Proposed law further encourages each public body subject to the provisions of present law that does not have a website to contact the parish governing authority of the parish in which the public body is located, or the division of administration if the public body is in the executive branch of state government, about the feasibility of providing notices of meetings on the parish's or division's website, as the case may be, and if so authorized, to publish a notice in the official journal of the public body about the availability of notices on that website and to include the Internet address of the website in such notice.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 42:19(A)(2)(a))