

Regular Session, 2014

HOUSE BILL NO. 649

BY REPRESENTATIVE NANCY LANDRY (BY REQUEST)

PUBLIC MEETINGS: Provides relative to public comment at meetings of public bodies

1 AN ACT

2 To amend and reenact R.S. 42:15(A) and to repeal R.S. 42:14(D) and 15(B) and (C), relative
3 to meetings of certain public bodies; to provide relative to public comment at such
4 meetings; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:15(A) is hereby amended and reenacted to read as follows:

7 §15. ~~School board meetings; public~~ Public comment

8 ~~A. Notwithstanding any other law to the contrary, each school board subject to the~~
9 ~~provisions of this Chapter, except as provided in Subsection B of this Section, shall allow~~
10 ~~public comment at any meeting of the school board prior to taking any vote. The comment~~
11 ~~period shall be for each agenda item and shall precede each agenda item. Every public body~~
12 ~~conducting a meeting that is subject to the notice requirements of R.S. 42:19(A) shall allow~~
13 ~~public comment prior to taking action on an agenda item. Comments shall be allowed and~~
14 ~~made when the item is called from the agenda, but the presiding officer may grant a request~~
15 ~~from a person that he be allowed to comment at an earlier time. A comment period for all~~
16 ~~or a portion of the items on the agenda at any point in the meeting is prohibited. The~~
17 ~~presiding officer shall provide an opportunity for public comment by asking if there is any,~~
18 ~~and the minutes of the meeting shall show that he did so. He may set a reasonable time limit~~
19 ~~for the comments and may limit the number of speakers. For identification purposes a~~
20 ~~person may be required to complete a comment card before being allowed to speak.~~

1 Section 2. R.S. 42:14(D) and 15(B) and (C) are hereby repealed in their entirety.

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)]

Nancy Landry

HB No. 649

Abstract: Provides relative to public comments at meetings of certain public bodies.

Present law (R.S. 42:14—Open Meetings Law) provides that every meeting of any public body shall be open to the public unless closed pursuant to present law (R.S. 42:16, 17, or 18). Provides that each public body shall be prohibited from utilizing any manner of proxy voting procedure, secret balloting, or any other means to circumvent the intent of present law. Provides that all votes made by members of a public body shall be viva voce and shall be recorded in the minutes, journal, or other official, written proceedings of the body, which shall be a public document. Proposed law retains present law.

Present law (R.S. 42:14) provides relative to public comment at meetings of public bodies other than school boards and legislative bodies. Provides that each such public body shall allow a public comment period at any point in the meeting prior to action on an agenda item upon which a vote is to be taken. Authorizes a governing body to adopt reasonable rules and restrictions regarding such comment period. Proposed law repeals present law.

Present law (R.S. 42:15) provides that each school board except the Orleans Parish School Board shall allow public comment at any meeting of the school board prior to taking any vote. Provides that the comment period shall be for each agenda item and shall precede each agenda item. Provides that the Orleans Parish School Board, at any meeting of the school board, shall provide an opportunity for public comment subject to reasonable rules, regulations, and restrictions as adopted by the school board. Provides that a comment period for all comments at the beginning of a meeting shall not suffice to meet the requirements of present law. Proposed law repeals present law.

Proposed law provides that every public body conducting a meeting that is subject to the notice requirements of present law (R.S. 42:19(A)) shall allow public comment prior to taking action on an agenda item. Provides that comments shall be allowed and made when the item is called from the agenda, but the presiding officer may grant a request from a person that he be allowed to comment at an earlier time. Prohibits a comment period for all or a portion of the items on the agenda at any point in the meeting. Provides that the presiding officer shall provide an opportunity for public comment by asking if there is any, and the minutes of the meeting must show that he did so. Provides that the presiding officer may set a reasonable time limit for the comments and may limit the number of speakers and that for identification purposes, a person may be required to complete a comment card before being allowed to speak.

(Amends R.S. 42:15(A); Repeals R.S. 42:14(D) and 15(B) and (C))