
SENATE BILL 5185

State of Washington

58th Legislature

2003 Regular Session

By Senators Benton, Mulliken and Stevens

Read first time 01/17/2003. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to open public meetings; and amending RCW
2 42.30.030, 42.30.040, 42.30.060, and 42.30.070.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 42.30.030 and 1971 ex.s. c 250 s 3 are each amended to
5 read as follows:

6 All meetings of the governing body of a public agency shall be open
7 and public and all persons shall be permitted to attend any meeting of
8 the governing body of a public agency, except as otherwise provided in
9 this chapter.

10 An agenda must be posted at least seventy-two hours before each
11 regular meeting and twenty-four hours before each special meeting.
12 Each agenda item must be described with enough specificity to indicate
13 the subject matter or action to be considered, but need not exceed
14 twenty words per agenda item.

15 At least fifteen minutes must be allotted for public comment for
16 each agenda item. Each person desiring to speak must be allotted at
17 least three minutes, except that the time allotted may be reduced
18 proportionately if more than five people desire to speak on the agenda

1 item. The governing body shall accept written comments in addition to
2 spoken comments.

3 **Sec. 2.** RCW 42.30.040 and 1971 ex.s. c 250 s 4 are each amended to
4 read as follows:

5 A member of the public shall not be required, as a condition to
6 attendance at a meeting of a governing body, to register his or her
7 name and other information, to complete a questionnaire, or otherwise
8 to fulfill any condition precedent to his or her attendance.

9 The governing body may require persons desiring to speak or present
10 written comments to identify himself or herself.

11 **Sec. 3.** RCW 42.30.060 and 1989 c 42 s 1 are each amended to read
12 as follows:

13 (1) ~~((No))~~ A governing body of a public agency ~~((shall))~~ may adopt
14 ~~((any))~~ an ordinance, resolution, rule, regulation, order, or
15 directive~~((, except in))~~ only when:

16 (a) The action is taken at a meeting (i) open to the public ((and
17 then only at a meeting,)) and (ii) for which the date ((of which)) is
18 fixed by law or rule((,)) or ((at a meeting of which)) notice has been
19 given according to the provisions of this chapter; and

20 (b) The agenda for the meeting clearly indicates that the governing
21 body may take final action on the matter.

22 Any action taken at meetings failing to comply with the provisions
23 of this subsection shall be null and void.

24 (2) No governing body of a public agency at any meeting required to
25 be open to the public shall vote by secret ballot. Any vote taken in
26 violation of this subsection shall be null and void, and shall be
27 considered an "action" under this chapter.

28 **Sec. 4.** RCW 42.30.070 and 1983 c 155 s 2 are each amended to read
29 as follows:

30 The governing body of a public agency shall provide the time for
31 holding regular meetings by ordinance, resolution, bylaws, or by
32 whatever other rule is required for the conduct of business by that
33 body. ~~((Unless otherwise provided for in the act under which the~~
34 public agency was formed,)) Meetings of ~~((the))~~ a governing body ~~((need~~
35 not)) of a public agency defined under RCW 42.30.020(1)(a) must be held

1 within the state. Meetings of a governing body of a public agency
2 defined under RCW 42.30.020(1)(b) must be held within the boundaries of
3 the territory over which the public agency exercises jurisdiction.
4 Meetings of a governing body of a public agency defined under RCW
5 42.30.020(1) (c) or (d) must be held within the boundaries of the
6 territory of a public agency served by the subagency or policy group.
7 If at any time any regular meeting falls on a holiday, such regular
8 meeting shall be held on the next business day. If, by reason of fire,
9 flood, earthquake, or other emergency, there is a need for expedited
10 action by a governing body to meet the emergency, the presiding officer
11 of the governing body may provide for a meeting site other than the
12 regular meeting site and the notice and agenda requirements of this
13 chapter shall be suspended during such emergency. It shall not be a
14 violation of the requirements of this chapter for a majority of the
15 members of a governing body to travel together or gather for purposes
16 other than a regular meeting or a special meeting as these terms are
17 used in this chapter: PROVIDED, That they take no action as defined in
18 this chapter.

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