

1 S.170

2 Introduced by Senator Pollina

3 Referred to Committee on

4 Date:

5 Subject: Open Meeting Law

6 Statement of purpose of bill as introduced: This bill proposes to amend the
7 definition of “meeting” under the Vermont Open Meeting Law to describe
8 communications that fall outside the definition.

9 An act relating to the Open Meeting Law

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 1 V.S.A. § 310 is amended to read:

12 § 310. DEFINITIONS

13 As used in this subchapter:

14 * * *

15 (2)(A) “Meeting” means a gathering of a quorum of the members of a
16 public body for the purpose of discussing the business of the public body or for
17 the purpose of taking action. “Meeting” shall not mean any of the following:

18 (i) written correspondence or an electronic communication,
19 including e-mail, telephone, or teleconferencing, between members of a public
20 body for the purpose of scheduling a meeting, organizing an agenda, or

1 distributing materials to discuss at a meeting, ~~provided that such a written~~
2 ~~correspondence or such an electronic communication that results in written or~~
3 ~~recorded information shall be available for inspection and copying under the~~
4 ~~Public Records Act as set forth in chapter 5, subchapter 3 of this title;~~

5 (ii) any communication by an individual member of a public body
6 that does not result in a direct substantive response by another member; or

7 (iii) any communication by an individual member of a public body
8 that does not invite a response by another member, provided that a quorum of
9 members does not respond directly and substantively to the communication.

10 (B) Subdivisions (2)(A)(i)–(iii) of this section are not intended to
11 constitute an exhaustive list.

12 (C) If memorialized as a record, communications described
13 in subdivisions (2)(A)(i)–(iii) of this section are subject to the Public
14 Records Act.

15 * * *

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on July 1, 2016.