1	H.235
2	Introduced by Representatives Webb of Shelburne, Brumsted of Shelburne,
3	and Greshin of Warren
4	Referred to Committee on
5	Date:
6	Subject: Open Meeting Law
7	Statement of purpose of bill as introduced: This bill proposes to exempt from
8	the requirements of Vermont's Open Meeting Law a discussion or
9	communications among members of a public body to formulate
10	recommendations, if the public body has no authority to take a binding action
11	or adopt law or policy.
12	An act relating to the Open Meeting Law
13	It is hereby enacted by the General Assembly of the State of Vermont:
14	Sec. 1. 1 V.S.A. § 310 is amended to read:
15	§ 310. DEFINITIONS
16	As used in this subchapter:
17	* * *
18	(2)(A) "Meeting" means a gathering of a quorum of the members of a
19	public body for the purpose of discussing the business of the public body or for
20	the purpose of taking action.

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1	(B) "Meeting" shall not mean include:
2	(i) written correspondence or an electronic communication,
3	including e-mail, telephone, or teleconferencing, between members of a public
4	body for the purpose of scheduling a meeting, organizing an agenda, or
5	distributing materials to discuss at a meeting, provided that such a written
6	correspondence or such an electronic; or
7	(ii) a discussion or communications among members of a public
8	body to formulate recommendations, if the public body has no authority to take
9	a binding action or adopt law or policy.
10	(C) A communication or discussion described in subdivision (B) of
11	this subdivision (2) that results in written or recorded information shall be
12	available for inspection and copying under the Public Records Act as set forth
13	in chapter 5, subchapter 3 of this title.
14	(3) "Public body" means any board, council, or commission of the State
15	or one or more of its political subdivisions, any board, council, or commission
16	of any agency, authority, or instrumentality of the State or one or more of its
17	political subdivisions, or any committee of any of the foregoing boards,
18	councils, or commissions, except that "public body" does not include councils
19	or similar groups established by the Governor for the sole purpose of advising
20	the Governor with respect to policy.

1	Sec. 2. EFFECTIVE DATE; APPLICABILITY
2	(a) This act shall take effect on passage.
3	(b) The revisions to 1 V.S.A. § 310 made in Sec. 1 of this act shall be the
4	law that governs any Open Meeting Law enforcement action under 1 V.S.A.
5	§ 314 initiated on or after the effective date of this act, even if the enforcement
6	action arises from conduct that occurred prior to the effective date of this act.