

1 S.128

2 Introduced by Senator Flory

3 Referred to Committee on

4 Date:

5 Subject: Open Meeting Law; executive sessions

6 Statement of purpose of bill as introduced: This bill proposes to expand the
7 existing provision of the Open Meeting Law that authorizes public bodies to
8 enter into executive sessions to discuss security or emergency response
9 measures.

10 An act relating to executive sessions under the Open Meeting Law

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

12 Sec. 1. 1 V.S.A. § 313 is amended to read:

13 § 313. EXECUTIVE SESSIONS

14 (a) No public body may hold an executive session from which the public is
15 excluded, except by the affirmative vote of two-thirds of its members present
16 in the case of any public body of State government or of a majority of its
17 members present in the case of any public body of a municipality or other
18 political subdivision. A motion to go into executive session shall indicate the
19 nature of the business of the executive session, and no other matter may be
20 considered in the executive session. Such vote shall be taken in the course of

1 an open meeting and the result of the vote recorded in the minutes. No formal
2 or binding action shall be taken in executive session except for actions relating
3 to the securing of real estate options under subdivision (2) of this subsection.
4 Minutes of an executive session need not be taken, but if they are, the minutes
5 shall, notwithstanding subsection 312(b) of this title, be exempt from public
6 copying and inspection under the Public Records Act. A public body may not
7 hold an executive session except to consider one or more of the following:

8 * * *

9 (10) ~~municipal or school~~ security or emergency response measures, the
10 disclosure of which could jeopardize public safety.

11 * * *

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on passage.