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COMMITTEE REPORT

February 11, 2015

**H. 3192**

Introduced by Reps. Newton, Cole, Anderson, Bales, G.A. Brown, R.L. Brown, Finlay, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Pope, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Douglas, Henderson, G.M. Smith, G.R. Smith, McCoy, Clary, M.S. McLeod and Thayer

S. Printed 2/11/15--H.

Read the first time January 13, 2015.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3192) to amend Section 30‑4‑80, Code of Laws of South Carolina, 1976, relating to public notice requirements of public meetings, so as to require an agenda, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, Section 30‑40‑80(a), as contained in SECTION 1, by deleting the subsection in its entirety and inserting:

/ (a) All public bodies, except as provided in subsections (b) and (c) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. Agenda~~, if any,~~ for regularly scheduled or special meetings must be posted on a bulletin board in a publicly accessible place at the office or meeting place of the public body and on a public website maintained by the public body, if any, at least twenty‑four hours prior to such meetings. All public bodies must post on such bulletin board and website, if any, public notice for any called, special, or rescheduled meetings. Such notice must be posted as early as is practicable but not later than twenty‑four hours before the meeting. Once an agenda for a regular, called, special, or rescheduled meeting is posted pursuant to this subsection, no items may be added to the agenda without an additional twenty‑four hours notice to the public, which must be made in the same manner as the original posting. After the meeting begins, an item, upon which action can be taken, only may be added to the agenda by a two‑thirds vote of the members present and voting, who must make a finding that an emergency exists if the item is not added to the agenda. The notice must include the agenda, date, time, and place of the meeting. This requirement does not apply to emergency meetings of public bodies.

Renumber sections to conform.

Amend title to conform.

F. GREGORY DELLENEY, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 30‑4‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC NOTICE REQUIREMENTS OF PUBLIC MEETINGS, SO AS TO REQUIRE AN AGENDA FOR THE MEETINGS, AND TO PROVIDE FOR THE MANNER IN WHICH ITEMS MAY BE ADDED TO THE AGENDA.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 30‑4‑80 of the 1976 Code is amended to read:

“Section 30‑40‑80. (a) All public bodies, except as provided in subsections (b) and (c) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. Agenda~~, if any,~~ for regularly scheduled or special meetings must be posted on a bulletin board in a publicly accessible place at the office or meeting place of the public body and on a public website maintained by the public body, if any, at least twenty‑four hours prior to such meetings. All public bodies must post on such bulletin board and website, if any, public notice for any called, special, or rescheduled meetings. Such notice must be posted as early as is practicable but not later than twenty‑four hours before the meeting. Once an agenda for a regular, called, special, or rescheduled meeting is posted pursuant to this subsection, no items may be added to the agenda without an additional twenty-four hours notice to the public, which must be made in the same manner as the original posting. After the meeting begins, an item only may be added to the agenda by a two-thirds vote of the members present and voting, who must make a finding that irreparable harm to the public will result if the item is not added. The notice must include the agenda, date, time, and place of the meeting. This requirement does not apply to emergency meetings of public bodies.

(b) Legislative committees must post their meeting times during weeks of the regular session of the General Assembly and must comply with the provisions for notice of special meetings during those weeks when the General Assembly is not in session. Once an agenda for a legislative committee is posted pursuant to this subsection, no items may be added to the agenda without an additional twenty-four hours notice to the public, which must be made in the same manner as the original notice. Subcommittees of standing legislative committees must give notice during weeks of the legislative session only if it is practicable to do so.

(c) Subcommittees, other than legislative subcommittees, of committees required to give notice under subsection (a), must make reasonable and timely efforts to give notice of their meetings.

(d) Written public notice must include but need not be limited to posting a copy of the notice at the principal office of the public body holding the meeting or, if no such office exists, at the building in which the meeting is to be held.

(e) All public bodies shall notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings, whether scheduled, rescheduled, or called, and the efforts made to comply with this requirement must be noted in the minutes of the meetings.”

SECTION 2. This act takes effect upon approval by the Governor.

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