~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 22, 2015

**S. 11**

Introduced by Senators L. Martin, Malloy, Peeler, Courson, Campsen, Johnson, Hembree, Setzler, Coleman, Alexander, Scott and Sheheen

S. Printed 4/22/15--H.

Read the first time February 4, 2015.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 11) to amend Section 30-4-80, South Carolina Code of Laws, 1976, relating to the notice of meetings for public bodies, to require that a public body, 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, by deleting all after the enacting words and inserting:

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

“Section 30‑4‑80. (~~a~~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 body, if any, at least twenty‑four hours prior to such meetings. All public bodies must post on such bulletin board or 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.

(~~b~~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~~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~~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~~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. /

Renumber sections to conform.

Amend title to conform.

F. GREGORY DELLENEY, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 30-4-80, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE NOTICE OF MEETINGS FOR PUBLIC BODIES, TO REQUIRE THAT A PUBLIC BODY MUST PROVIDE AN AGENDA FOR ALL REGULARLY SCHEDULED MEETINGS AND THAT ITEMS SHALL NOT BE ADDED TO THAT AGENDA LATER THAN TWENTY-FOUR HOURS BEFORE THE MEETING, EXCEPT BY A TWO-THIRDS VOTE OF THE BODY.

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 30‑4‑80. ~~(a)~~(A) All public bodies, except as provided in subsections ~~(b)~~(B) and ~~(c)~~(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,~~ An agenda for regularly scheduled meetings must be posted on a bulletin board at the office or meeting place of the public body at least twenty‑four hours prior to such meetings. An item shall not be added to the agenda later than twenty‑four hours before the meeting, except as expressly provided under the rules or procedures for meetings lawfully adopted by the public body. Under no circumstances shall an item, upon which a vote may be taken, be added to the agenda later than twenty‑four hours before the meeting without a two‑thirds vote of the public body in public session. All public bodies must post on such bulletin board 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. 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)~~(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. Subcommittees of standing legislative committees must give notice during weeks of the legislative session only if it is practicable to do so.

~~(c)~~(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)~~(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)~~(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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