

Representative Brady Brammer proposes the following substitute bill:

OPEN AND PUBLIC MEETING COMMENT REQUIREMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brady Brammer

Senate Sponsor: John D. Johnson

LONG TITLE

General Description:

This bill modifies the Open and Public Meetings Act relating to open meeting requirements.

Highlighted Provisions:

This bill:

- ▶ requires a public body holding an open meeting to allow a reasonable opportunity for the public to provide verbal comment at the meeting; and
- ▶ requires a public body to adopt a resolution, rule, or ordinance allowing public comment in a public meeting.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

52-4-201, as last amended by Laws of Utah 2006, Chapter 263 and renumbered and amended by Laws of Utah 2006, Chapter 14



26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **52-4-201** is amended to read:

28 **52-4-201. Meetings open to the public -- Exceptions.**

29 (1) A meeting is open to the public unless closed under Sections [52-4-204](#), [52-4-205](#),
30 and [52-4-206](#).

31 (2) (a) A meeting that is open to the public includes a workshop or an executive
32 session of a public body in which a quorum is present, unless closed in accordance with this
33 chapter.

34 (b) A workshop or an executive session of a public body in which a quorum is present
35 that is held on the same day as a regularly scheduled public meeting of the public body may
36 only be held at the location where the public body is holding the regularly scheduled public
37 meeting unless:

38 (i) the workshop or executive session is held at the location where the public body
39 holds its regularly scheduled public meetings but, for that day, the regularly scheduled public
40 meeting is being held at different location;

41 (ii) any of the meetings held on the same day is a site visit or a traveling tour and, in
42 accordance with this chapter, public notice is given;

43 (iii) the workshop or executive session is an electronic meeting conducted according to
44 the requirements of Section [52-4-207](#); or

45 (iv) it is not practicable to conduct the workshop or executive session at the regular
46 location of the public body's open meetings due to an emergency or extraordinary
47 circumstances.

48 (3) (a) (i) A public body holding a meeting that is open to the public shall allow a
49 reasonable opportunity for the public to provide verbal comment during the meeting.

50 (ii) Subsection (3)(a)(i) does not apply to:

51 (A) a meeting that is a work session of the public body; or

52 (B) a planning commission meeting under Title 10, Chapter 9a, Part 3, General Land
53 Use Provisions, or Title 17, Chapter 27a, Part 3, General Land Use Provisions.

54 (b) No later than July 1, 2022, a public body shall adopt a resolution, rule, or ordinance
55 that provides a reasonable opportunity for the public to provide verbal and written comments in
56 a meeting of the public body:

57 (i) that is open to the public; and

58 (ii) to which Subsection (3)(a) applies.

59 (c) Notwithstanding Subsections (3)(a) and (b), legislative rules govern public

60 comment at a public meeting of the Legislature or of a legislative committee.