

SENATE BILL No. 17

By Senator Hensley

1-10

9 AN ACT concerning open meetings; amending K.S.A. 2004 Supp. 75-
10 4318 and repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2004 Supp. 75-4318 is hereby amended to read as
14 follows: 75-4318. (a) Subject to the provisions of subsection (f), all meet-
15 ings for the conduct of the affairs of, and the transaction of business by,
16 all legislative and administrative bodies and agencies of the state and
17 political and taxing subdivisions thereof, including boards, commissions,
18 authorities, councils, committees, subcommittees and other subordinate
19 groups thereof, receiving or expending and supported in whole or in part
20 by public funds shall be open to the public and no binding action by such
21 bodies shall be by secret ballot. Meetings of task forces, advisory com-
22 mittees or subcommittees of advisory committees created pursuant to a
23 governor's executive order shall be open to the public in accordance with
24 this act.

25 (b) Notice of the date, time and place of any regular or special meet-
26 ing of a public body designated hereinabove shall be furnished to any
27 person requesting such notice, except that:

28 (1) If notice is requested by petition, the petition shall designate one
29 person to receive notice on behalf of all persons named in the petition,
30 and notice to such person shall constitute notice to all persons named in
31 the petition;

32 (2) if notice is furnished to an executive officer of an employees' or-
33 ganization or trade association, such notice shall be deemed to have been
34 furnished to the entire membership of such organization or association;
35 and

36 (3) the public body may require that a request to receive notice must
37 be submitted again to the body prior to the commencement of any sub-
38 sequent fiscal year of the body during which the person wishes to continue
39 receiving notice, but, prior to discontinuing notice to any person, the
40 public body must notify the person that notice will be discontinued unless
41 the person resubmits a request to receive notice.

42 (c) It shall be the duty of the presiding officer or other person calling
43 the meeting, if the meeting is not called by the presiding officer, to furnish

- 1 the notice required by subsection (b).
- 2 (d) Prior to any meeting hereinabove mentioned, any agenda relating
3 to the business to be transacted at such meeting shall be made available
4 to any person requesting said agenda.
- 5 (e) The use of cameras, photographic lights and recording devices
6 shall not be prohibited at any meeting mentioned by subsection (a), but
7 such use shall be subject to reasonable rules designed to insure the or-
8 derly conduct of the proceedings at such meeting.
- 9 (f) The provisions of the open meetings law shall not apply:
- 10 (1) To any administrative body that is authorized by law to exercise
11 quasi-judicial functions when such body is deliberating matters relating
12 to a decision involving such quasi-judicial functions;
- 13 (2) to the parole board when conducting parole hearings or parole
14 violation hearings held at a correctional institution;
- 15 (3) to any impeachment inquiry or other impeachment matter re-
16 ferred to any committee of the house of representatives prior to the report
17 of such committee to the full house of representatives; and
- 18 (4) if otherwise provided by state or federal law or by rules of the
19 Kansas senate or house of representatives *except that meetings of political*
20 *party caucuses of the Kansas senate or house of representatives shall be*
21 *open meetings and meetings of the senate committee on organization,*
22 *calendar and rules, or any successor committee to the senate committee*
23 *on organization, calendar and rules, shall be open meetings.*
- 24 Sec. 2. K.S.A. 2004 Supp. 75-4318 is hereby repealed.
- 25 Sec. 3. This act shall take effect and be in force from and after its
26 publication in the statute book.