

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas As Engrossed: S2/1/21 S2/9/21 S2/23/21 S2/24/21 S4/21/21

93rd General Assembly

A Bill

Regular Session, 2021

SENATE BILL 208

By: Senator D. Sullivan

By: Representative Womack

For An Act To Be Entitled

AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF 1967; TO DEFINE THE TERM "MEETING" UNDER THE FREEDOM OF INFORMATION ACT OF 1967; TO AMEND THE LAW CONCERNING OPEN PUBLIC MEETINGS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE FREEDOM OF INFORMATION ACT OF 1967; TO DEFINE THE TERM "MEETING" UNDER THE FREEDOM OF INFORMATION ACT OF 1967; AND TO AMEND THE LAW CONCERNING OPEN PUBLIC MEETINGS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 25-19-103, concerning definitions under the Freedom of Information Act of 1967, is amended to add an additional subdivision to read as follows:

(10)(A) "Meeting" means a discussion among three (3) or more members of a governing body about a matter relating to public business on which it is reasonably foreseeable that the governing body may take action.

(B) "Meeting" includes without limitation:

(i) Discussions in person, by telephone, electronically, or by other means of communication; and

(ii) Serial one-on-one conversations, whether formal or informal, with members of a governing body by one or more members,



employees, agents, or informal representatives of the governing body to discuss the governing body's business.

(C) As used in this subdivision (10), "governing body" includes without limitation the governing body of a municipality, county, township, school district, board, bureau, commission, organization, school, or other public entity that is subject to § 25-19-106;

SECTION 2. Arkansas Code § 25-19-106(a), concerning open public meetings under the Freedom of Information Act of 1967, is amended to read as follows:

(a) Except as otherwise specifically provided by law, all meetings, formal or informal, special or regular, of two (2) or more members of the governing body of the following entities are public meetings:

(1) ~~of all~~ All municipalities, counties, townships, and school districts;

(2) ~~and all~~ All boards, bureaus, commissions, ~~or~~ organizations, schools, and other public entities of the State of Arkansas, except grand juries; and

(3) All other public entities supported wholly or in part by public funds or expending public funds, ~~shall be public meetings.~~

/s/D. Sullivan